

Score Card

14th National Assembly The Second Parliamentary Year





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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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June 01, 2014 - May 31, 2015

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PREFACE C

The 14th National Assembly of Pakistan completed its second Parliamentary year on May 31, 2015. In keeping with the PILDAT tradition of compiling and analysing the National Assembly's performance on a periodic basis since 2002, the current report also looks at some of the main categories of legislative performance. The Score Card on 14th National Assembly of Pakistan: Second Parliamentary Year covers the period from June 01, 2014 - May 31, 2015.

The purpose of this evaluation is two-fold: firstly, in line with PILDAT's on-going attempts to assess the performance of the National Assembly, a series of performance statistics and corresponding analyses have been compiled using data from the National Assembly's own website. In addition to this exercise, PILDAT has taken this exercise a step further and compiled a Score Card comprising the scores assigned by a PILDAT Expert Evaluation Group of current and former legislators, eminent lawyers, and media persons based on a series of Key Performance Indicators identified in the Inter-Parliamentary Union (IPU) toolkit.

The report has been divided into five sections. **Part 1** states some basic facts related to the 14th National Assembly and its second Parliamentary year; **Part 2** looks at various performance indicators during the second year; **Part 3** presents a strategic analysis of the performance of the 14th National Assembly in its Second Year, **Part 4** is a Scorecard on the Evaluation of the second Parliamentary year of the 14th National Assembly based on the Inter-Parliamentary Union toolkit while **Part 5** proposes key reforms for the National Assembly.

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Disclaimer

PILDAT team has made every effort to ensure accuracy of the publicly-available data and analyses based on it. Any omission, or error, therefore, is not deliberate. The views, analysis and scores in this report do not necessarily represent the views of DANIDA, the Government of Denmark, and the Royal Danish Embassy, Islamabad.

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Abbreviations and Acronyms

AJIP Awami Jamhuri Ittehad Pakistan

APC All Parties Conference
APML All Pakistan Muslim League
BNP Balochistan National Party

IND Independent JI Jamaat-e-Islami

JUI-F Jamiat Ulema-e-Islam-Fazlur Rehman

MNA Member of National Assembly

MP Member of Parliament MQM Muttahida Quami Movement

NP National Party

NPP National Peoples Party
PAC Public Accounts Committee
PAT Pakistan Awami Tehrik

PMAP Pashtoonkhwa Milli Awami Party
PML-F Pakistan Muslim League-Functional
PML-Z Pakistan Muslim League - Zia

PPPP Pakistan Peoples Party-Parliamentarian PSDP Public Sector Development Programme

PTI Pakistan Tehreek-e Insaf QWP-S Qaumi Watan Party-Sherpao

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Executive Summary

The second Parliamentary year of the National Assembly of Pakistan spanned over June 01, 2014 to May 31, 2015. It met for a total of 127 working days, with 92 sittings, spread over 11 sessions during this period. The Assembly met for a total of 281 hours and 25 minutes. Table 1 gives a comparative outlook of the various performance indicators of the National Assembly, in comparison with the collective performance of the five-years of the 13th National Assembly, and the first year of the current House.

As Table 1 shows, with regards to the key performance indicators laid out, the performance of the 14th National Assembly for the second Parliamentary year, in comparison to the first year of the current House, and the cumulative average of the 5-years of the 13th National Assembly, has declined, except for total Working Hours of the Budget Session, the Total Working Days of the National Assembly, and the attendance of the Prime Minister.

The second Parliamentary year of the 14th National Assembly has received an overall score of **48%** in an evaluation of its performance based on a Framework developed by the Inter-Parliamentary Union-IPU. The performance of the

Table 1: Comparison of Key Performance Indicators: Second Year of the 14th National Assembly

No.	Indicator	14th National Assembly 2nd Parliamentary Year	14th National Assembly 1st Parliamentary Year	13th National Assembly 5-year Average	Percentage Change in Comparison to 14th National Assembly, 1st Parliamentary Year	Percentage Change in Comparison to 13th National Assembly, 5- year Average
1.	Total Sessions	11	11	12.6	No change	Decrease by 12%
2.	Total Working Days	127	130	139.2	Decrease by 2%	Decrease by 9%
3.	Sittings	92	103	103.2	Decrease by 12%	Decrease by 12%
4.	Total Working Hours	281 hours and 25 minutes	322 hours	269 hours	Decrease by 13%	Increase by 5%
5.	Working Hours per Sittings	3 hours and 3 minutes	3 hours and 7 minutes	2 hours and 36 minutes	No difference	Increase by 17%
6.	Total Working Days of the Budget Session	14	17	14.2	Decrease by 17%	No difference
7.	Total Working Hours of the Budget Session	83 hours and 22 minutes	73 hours and 35 minutes	36 hours and 35 minutes	Increase by 13%	Increase by 127%
8.	Number of Bills Passed	8	11	24	Decrease by 27%	Decrease by 67%
9.	Number of sittings Attended by the Leader of the House (Prime Minister)	33	7	Not Available	Increase by 371%	-
10.	Ordinances Laid	10	12	-	Decrease by 17%	-

PILDAT Score Card

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National Assembly has remained largely stagnant with a marginal decline of just 1 percentage point from the average score of the 5-year term of the 13th National Assembly when it was scored at 49%. The complete Scorecard for the performance during second Parliamentary year of the 14th National Assembly is given in *Appendix B*.

While a fewer number of Government Bills have been passed in the second year as compared to the first year, it is noteworthy that the number of ordinances have also decreased by 17%. In the Scorecard, for **Legislative Capacity** the National Assembly registered a score of 52%, which is just 1 percentage point lower than the 53 % score it had received for the 13th National Assembly.

The weakest aspect of the performance in the second year of the 14th National Assembly is evaluated to be **Accountability of the National Assembly**, particularly with regards to the monitoring and review of levels of public confidence. Under this aspect, the National Assembly has received a low score of 38%, and has dropped by 3 percentage points from the 5-year average of the 13th National Assembly.

With the National Assembly refusing to publicly share attendance records of the MNAs, the average peak attendance observed for all the sittings of the second year was 145.68 (43% of the total attendance). As an average of the maximum number of members present for each sitting, this figure shows a rather weak performance of the legislators with regards to regularly attending the sessions of the National Assembly. The Provincial Assembly of the Punjab, which had earlier taken the lead among all Legislatures by live webcasting of its proceedings, has once again, taken the required initiative of making its members attendance available online. Despite a Provincial Legislature setting the standards in public access and transparency, the National Assembly continues to flout the universal standards of openness and transparency in this regard.

Apart from publically releasing attendance of the Legislators, the current leadership of the National Assembly should also introduce a mechanism to trace the **voting records** of the individual legislators. While a system for voting by members is in place in the Assembly, it is never used to record and make available individual legislators' voting records.

Additionally, there is also the need to introduce the concept of a **Register of Members' Interest** as in the United Kingdom's Parliament. The Register of Members' Interests is published soon after the beginning of a new Parliament, under the authority of the Committee on Standards and Privileges, and allows Members of Parliament to declare any interests that they hold outside Parliament that may have a bearing on their work in Parliament. **National Assembly's Transparency and Accessibility** has registered a decrease of 4 percentage points during its recently completed year as compared to the 13th Assembly with a score of 49%.

The Pakistan Tehreek-e-Insaf (PTI), the third largest party of the House with 10% of the total seats, saw its members send in their resignations on August 18, 2014. Resultantly, in the face of rampant protests by the PTI and the Pakistan Awami Tehreek (PAT), which saw the agitators camp around important State institutions' building, such as the Parliament and the Supreme Courts, there were considerable doubts regarding the continuity of the current Government and the National and Provincial Legislatures.

However, the incident also saw the Opposition Parties in both the National Assembly and the Senate unify behind the Pakistan Muslim League-Nawaz (PML-N) Government, to deter the agitators, and any moves to destabilise the country's democracy. In a historic Joint Session of the Parliament, convened from August 19, 2014 till September 02, 2014, all Parliamentary leaders of the major political parties, excluding the PTI, condemned the actions of the agitators, which significantly curbed the momentum of the protests. The Parliament, and therefore the National Assembly, asserted itself as a guarding of the country's democracy. The successful demonstration of unity, despite strong differences among the political parties, for the sake of defending democracy and democratic institutions against the onslaught of PTI and PAT was probably the finest hour of the current Parliament.

A cursory analysis of the National Assembly's legislative record during the second Parliamentary year shows that it has primarily focused on bolstering Pakistan's security against terrorism and insurgency. However, as has been observed over the years, on major issues facing the country, instead of being the main repository of policy review and advice, the

 For details, please see PTI resigns from NA, 3 Provincial Assemblies, The News, August 18, 2014, as accessed on May 29, 2015 at: http://www.thenews.com.pk/article-157168-PTI-resigns-from-NA,-3-provincial-assemblies

PILDAT Score Card

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National Assembly largely remained out of the picture. This was critically so because of the increasing trend of holding *All Parties Conferences*. A total of 5 APCs have been held during the second Parliamentary year in which political consensus has been achieved on key policy issues such as the Pakistan-China Economic Corridor and formation of the Military Courts, etc. PILDAT has always commended the Government's utilization of the Parliament to announce decisions such as the Treason Trial against Gen. (Retd.) Pervez Musharraf, the start of Operation Zarb-e-Azb, etc. However, in the same vein, it is regrettable that majority of the Parliamentarians were unable to give input on the National Action Plan, and the Pakistan-China Economic Corridor, because of the APCs convened. This not only contravenes an effective and thorough debate that is usually to take place in the Parliament, but also sidelines a sovereign institution that is Constitutionally designated for such matters.

The attendance of members of the National Assembly continued to be problematic over the second Parliamentary year. A lack of quorum was pointed out a total of 18 times, while the Prime Minister of Pakistan, Mr. Muhammad Nawaz Sharif, MNA attended a total of 36% of the National Assembly sittings. The second Parliamentary year saw Prime Minister Nawaz Sharif's attendance increase manifolds as he attended a total of 33 sittings of the National Assembly, as compared to 7 he had attended during the previous year. As Senator Aitzaz Ahsan of the PPP pointed out during the Joint Sitting of the Parliament on September 02, 2014, the agitation and siege of the Parliament by the supporters of Mr. Imran Khan and Dr. Tahir-ul-Qadri, even though unfortunate in themselves, at least made the Prime Minister appreciate the importance of being in Parliament sessions. Due to development such as the sit-ins, the passage of the 21st Constitutional Amendments, Pakistan's position on the Yemen crisis, and the visit of the Chinese President, the Prime Minister was seen as developing a more proactive relation with the National Assembly for the second Parliamentary year. However, **Mr. Imran Khan**, whose party had been carrying out protests for the major part of the second Parliamentary year in Islamabad, attended no sitting of the National Assembly for the second Parliamentary year, with appearing only once for the 4th Joint Session of the Parliament on April 06, 2015.

For all the sittings of the National Assembly for the second Parliamentary year, the average attendance at the beginning of each sitting remained at 74 (21.5 % of the membership)³ with the attendance at the end of the sitting observed to be at an average of 75 (22% of the membership). The average peak attendance observed for all the sittings of the second year was 146 (a dismal 43% of the total membership). These figures show the disappointing performance of the legislators with regards to regularly attending the sessions of the National Assembly.

The second Parliamentary year of the 14th National Assembly of Pakistan yet again passed without the introduction of any reforms for a meaningful role of MNAs in scrutinizing the Federal Budget – one of the key responsibilities assigned by the Constitution. The Assembly, as is the practice, barely went through the motions of passage of the budget in 14 days, without referring the budget to the Standing Committees. The days spent in discussion of budget also declined – 14 from 17 during the first Parliamentary year, registering an 18% decrease.

However, in a welcome development, a total of **41 meetings** were held by the Standing Committees of the National Assembly during the second Parliamentary year on the PSDP proposals by the Federal Ministries. Considering there are 30 Standing Committees of the National Assembly related to the Ministries, this averaged out to **1.4 meetings per Committee**. The earliest meeting was held on December 16, 2014 by the Standing Committee on Religious Affairs and Interfaith Harmony, with the latest held on March 20, 2015 by the Standing Committee on Finance. According to the National Assembly Rules of Procedure and the Conduct of Business, the committees were required to send their recommendations to respective ministries latest by March 31. Therefore, all 100% of the meetings were held before the deadline of March 31, 2015 to forward recommendations to the relevant Ministries, although it is not yet confirmed whether these Committees have forward their proposals or only held meetings on the PSDP.

Four (4) Joint Sittings of the Parliament were held during the second Parliamentary year of the current National Assembly. It must be noted that no legislative activity was undertaken during the Joint Sessions of the Parliament, with however the Parliament seen as asserting its sovereignty both in domestic affairs (such as the unity shown against the sitins by the PTI and the PAT) and in foreign affairs (such as the resolution about the Yemen crisis). The Prime Minister attended 15 out of 17 or 88 % sittings of the Joint Sessions of the Parliament.

- 2. For details, please see Nisar, Aitzaz spat shatters veneer of Parliament's unity, The Express Tribune, September 05, 2014, as accessed on June 08, 2015 at: http://tribune.com.pk/story/758211/nisar-aitzaz-spat-shatters-veneer-of-parliaments-unity
- 3. Information compiled through the Daily Factsheets released by the Free and Fair Election Network (FAFEN)

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PART 1

14th National Assembly: Second Parliamentary Year: Basic Facts

The National Assembly is an elected body of a total of 342 members from across Pakistan who are referred to Members of the National Assembly (MNAs). At the close of the second parliamentary year, there were 269 directly elected members, along with 60 women elected on seats reserved for women under a list system, and 10 members elected on seats reserved for religious minorities through a list system. Three seats were vacant pending election.

The party position in the National Assembly at the end of the second Parliamentary year is shown in Table 2.

Although the membership of the National Assembly

did not undergo any significant change in comparison to the first Parliamentary year, members of the PTI had tendered resignation from the House on August 18, 2014, over allegations of electoral fraud during General Election 2013. As the negotiations between the PML-N Government and the PTI stretched out over the formation of a Commission of Enquiry on alleged Election rigging, PTI MNAs belonging to the PTI did not return to the House. With an agreement finally signed, the PTI returned to the National Assembly in April 2015, with some observers arguing that the Speaker had not abided by the Constitution in not accepting the PTI MNAs' resignations.

Table 2: Party position in the National Assembly at the end of Second Parliamentary Year

No.	Name of Party	General	Reserved - Women	Minority - Reserved	Total
1.	Pakistan Muslim League-Nawaz (PML-N)	148	35	6	189
2.	Pakistan Peoples Party-Parliamentarian (PPPP)	37	8	1	46
3.	Pakistan Tehreek-e Insaf (PTI)	26	6	1	33
4.	Muttahida Quami Movement (MQM)	18	4	1	24
5.	Jamaat-e-Islami (JI)	3	1	-	4
6.	Jamiat Ulema-e-Islam-Fazlur Rehman (JUI-F)	9	3	1	13
7.	Pashtoonkhwa Milli Awami Party (PMAP)	3	1	0	4
8.	Pakistan Muslim League-Functional (PML-F)	4	1	0	5
9.	National Peoples Party (NPP)	1	1	-	2
10.	Pakistan Muslim League (PML)	2	0	0	2
11.	Awami National Party (ANP)	2	0	0	2
12.	Balochistan National Party (BNP)	1	0	0	1
13.	Qaumi Watan Party-Sherpao (QWP-S)	1	0	0	1
14.	Pakistan Muslim League - Zia (PML-Z)	1	0	0	1
15.	National Party (NP)	1	0	0	1
16.	Awami Jamhuri Ittehad Pakistan (AJIP)	1	0	0	1
17.	All Pakistan Muslim League (APML)	1	0	0	1
18.	Independent (IND)	9	0	0	9
Total		269	60	10	339

Table 3: Vacant Seats in the National Assembly at the end of Second Parliamentary Year

No.	Constituency	Name of the person who vacated the seat	Reason for vacation of Seat	Party
1.	NA-38 (Tribal Area-III)	None	Election could not take place since General Election 2013. Polls postponed till further orders due to law and order situation in Kurram Agency	
2.	NA-153 Multan-VI	Dewan Ashiq Hussain Bukhari	Disqualified due to allegedly false declaration about his educational qualification	PML-N
3.	Women Reserved Seat -Punjab	Ms. Ayesha Raza Farooq	Resigned as she was elected to the Senate	PML-N

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PART 22

Performance of the 14th National Assembly of Pakistan: Second Parliamentary Year

With the conclusion of the Second Parliamentary Year on May 31, 2015, the 14th National Assembly of Pakistan has in these 12 months attended to its normal business of law making and oversight partly covered by the following key performance indicators.

Working Days

According to Article 54(2) of the Constitution of Pakistan, the National Assembly has to meet for a minimum total of 130 days in a year. The current House was able to meet only for a total of 127 Working Days during the second year, about 2% less than the minimum required days and a decrease by 2% from its Working Days from the first year. The sittings (excluding breaks or non-Working Days) however were 92 (a decrease by 12% compared to the same in the previous year) that were spread over 12 sessions. The previous (13th) National Assembly in comparison had met for a total of 103 working days per year on an average with 103.2 sittings per year. Therefore in regards to the number of sittings, the performance of

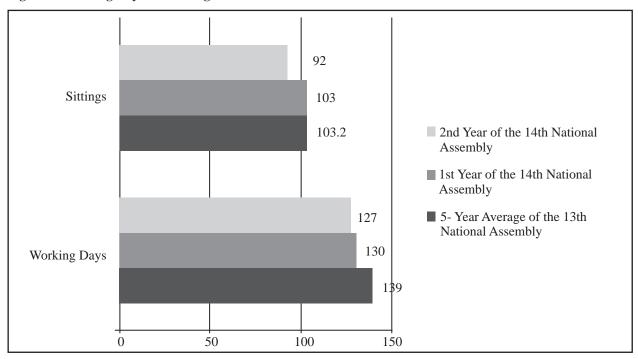
The National Assembly held 92
Sittings during the second year,
a decrease by 12% compared to
the first year. Similarly, it met
for a total of 281 hours and 5
minutes, in comparison to 322
hours it had met during the first
Parliamentary Year, resulting in
a substantial decrease of 13% in
working hours

the National Assembly also declined by 12% during the second year.

Working Hours

For its second year, the National Assembly met for a total of 281 hours and 5 minutes, in comparison to 322 hours it had met during the first Parliamentary Year. Therefore, in comparison, the Working Hours of the Assembly saw a substantial decrease of 13%. The previous Assembly met at an average of 269 hours per





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Parliamentary Year during its 5-year span. Therefore there was a 5% increase in the number of hours the house spent from the 13th National Assembly to the second year of the 14th National Assembly.

The Working Hours per sittings for the second Parliamentary year stood at an average of 3 hours and 3 minutes per sitting in comparison almost to the same average time for the first year. The previous National Assembly met at an average of 2 hours and 36 minutes per sitting computed over five Parliamentary Years.

Budget Session of the National Assembly

The Annual Budget Statement is generally presented at the National Assembly in June and is passed by the last week of June. This process generally leaves 15-20 calendar days for the various stages of Budget debates in the National Assembly. The 12th session of the National Assembly lasting from June 03-21, 2014 during the second Parliamentary year was spent on the introduction and passage of the Federal Budget 2014-2015.

No significant reforms were introduced in the Budget process that lasted for a total of 14 sittings for which the Assembly discussed the budget. This was 18% less than the 17 days of the Budget Session for the previous year. The total number of hours for which the Budget was debated during the second Parliamentary year was 70 hours and 45 minutes, a decrease by 4% in comparison to the time spent last year.

Towards the end of the tenure of the 13th National Assembly, a critical reform had been passed in the 13th National Assembly to allow the ministries-related Standing Committees the specific power of review of budgetary proposals regarding Public Sector Development Programme (PSDP) by each Ministry before each of these are submitted to the Ministry of Finance for inclusion in the Federal Budget proposals. As per the revised rules, all Standing Committees have to receive proposals relating to their respective Ministry's Public Sector Development Program (PSDP) for the next financial year not later than January 31 of the previous financial year with the Standing Committees to revert back by March 31 of the same year.

In a welcome development, a total of **41 meetings** were held by the Standing Committees of the National

No significant reforms were introduced in the Budget process that lasted for 14 sittings. This was 18% less than the 17 days of the Budget Session during previous year. Total time spent in Budget debate during second year was 70 hours and 45 minutes, a decrease by 4% in comparison to the time spent last year

Assembly for the second Parliamentary year on the PSDP proposals by the Ministries. Considering there are 30 Standing Committees of the National Assembly related to the Ministries, this averaged out to **1.4 meetings per Committee**. The earliest meeting was held on December 16, 2014 by the Standing Committee on Religious Affairs and Interfaith Harmony, with the latest held on March 20, 2015 by Standing Committee on Finance. Therefore, all 100% of the meetings were held before the deadline of March 31, 2015 to forward recommendations to the relevant Ministries, although it is not yet confirmed whether these Committees have forward their proposals or only held meetings on the PSDP.

As per the National Assembly website, the Standing Committees which have not held any meeting on the PSDP proposals are Standing Committee on Climate Change, on Industries and Production, and on Foreign Affairs. The Committees which have had the highest number of meetings on the PSDP (3) are Standing Committee on Communications, on Planning, Development and Reforms, on Cabinet Secretariat, and on Water and Power.

Legislation

Government Bills

The Assembly passed 8 Government Bills during the second Parliamentary year in comparison to 11 bills passed during the first Parliamentary year. Therefore there was a decrease of 27 % in the number of bills

4. Besides the meetings on PSDP, the data regarding the meetings of the Standing Committees is not available on National Assembly website. The data was requested by PILDAT from the National Assembly Secretariat on April 24, 2015 but by June 21, 2015 when this report is going to the press, the information was not received from the National Assembly Secretariat despite several reminders.

Figure 2: Government Bills in the National Assembly

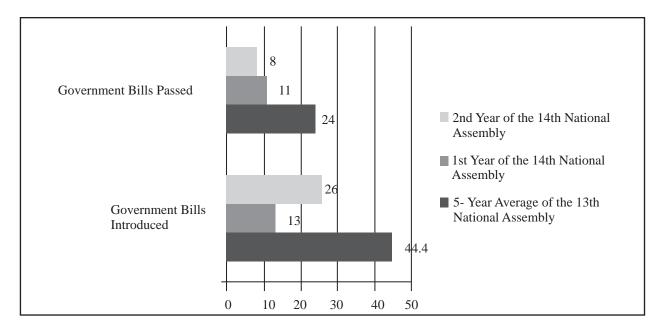


Table 4: Government Bills passed during the Second Parliamentary Year

No.	Title of the Bill Passed
1.	The Gas Infrastructure Development Cess Act, 2015
2.	The Security Act, 2015
3.	The Constitution (Twenty-first Amendment) Act, 2015
4.	The Pakistan Army (Amendment) Act, 2015
5.	The Protection of Pakistan Act, 2014
6.	The Service Tribunals (Amendment) Act, 2014
7.	The Legal Practitioners and Bar Councils (Amendment) Act, 2014
8.	The Anti-terrorism (Amendment) Act, 2014

passed. In comparison, 24 Government Bills were passed per year on the average by the 13th National Assembly. Therefore, based on this comparison, the performance of the Assembly in its second year has suffered a decline of 67%.

It is interesting to note that for the second Parliamentary year, a total of 5 of the 8 Bills passed were related to the security of the country. Especially after the Peshawar Tragedy of December 16, 2014, and the formation of the National Action Plan, the Parliament passed the Pakistan Army (Amendment) Act, 2015 and the 21st Constitution Amendment, in order to pave the way for the formation of Military

Courts. The theme of the legislation by the National Assembly further underscored the fact that security and maintenance of law and order remained biggest issue for Pakistan for the period under consideration.

Out of the eight bills passed, one was a constitutional amendment bill, four were amendments to the existing laws and only three were new proposed laws.

Private Members' Bills

Following a trend similar to that of the first Parliamentary year, the second year also saw a larger number of Private Members' Bills compared to the

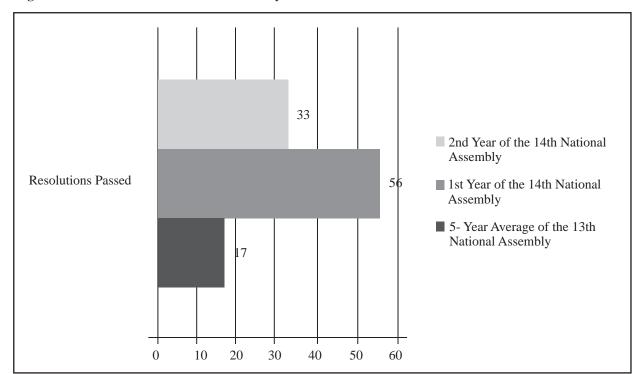


Figure 3: Resolutions in the National Assembly

Government Bills. However, perhaps owing to lack of passage of any private member's bill during the 1st year, the number of Private member's bills submitted has also decreased to 25 in comparison to the 43 received during the first year. It is worth mentioning that during the 5-Year average of the 13th National Assembly, 41 Private Members' Bills were introduced on a yearly basis, of which 9% or 3.8 on average passed per year.

Ordinances

A total of ten (10) ordinances were laid in the National Assembly during the second Parliamentary year, which are too many when compared to only eight (8) bills passed signalling a weak legislative performance. Perhaps the most significant ordinances laid down during the second Parliamentary year was the Pakistan Army (Amendment) ordinance 2015, which granted greater powers and discretion to the Military Courts to carry out closed door proceedings for terrorism-related cases.

In comparison, a total of 12 ordinances were laid during the first Parliamentary year of the current House. Therefore, with a reduction of 17 % in the number of ordinances laid, the Assembly's performance for this parameter was better as compared to that of the previous year.

Resolutions

The National Assembly for the second Parliamentary year adopted a total of 33 resolutions, in comparison to the 56 (a decrease by 41%) adopted during the previous year.⁵ The resolutions adopted emphasized a range of issues including security, foreign policy, law and order, energy, load shedding, etc. In the 13th National Assembly, 17 resolutions on average were passed per year. Therefore, the number of resolutions passed has actually increased by a significant 94%.

In multiple resolutions introduced by the Prime Minister's Advisor on National Security and Foreign Affairs, the National Assembly passed resolutions not only condemning the Israeli atrocities carried out in Gaza, but also the frequent violations by the Indian Army along the Line of Control. In a significant development, during the 5th Joint Session of the Parliament, called to address the issue of civil war in Yemen, both the Houses passed a resolution asking the Government to maintain a neutral posture during the whole crisis, all the while committing to protect the

 $5. \quad \text{The details can be accessed at the National Assembly website at the following URL:} \\ \underline{\text{http://www.na.gov.pk/en/resolutions.php}}$

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territorial interests of the Kingdom of Saudi Arabia.

With regards to the domestic affairs, during the rampant protest and agitation by the PTI and the PAT starting from August 2014, the country saw the Parliamentary Parties unite behind the PML-N Government and Prime Minister Nawaz Sharif, passing multiple resolutions on strengthening democratic institutions and ensuring the supremacy of the Constitution, but also rejecting the unconstitutional demands of the agitating political parties. This was done during the 3rd Joint Session of the Parliament.

Questions

The members of the current National Assembly, for the second Parliamentary year, submitted a total of 6,331 questions. In comparison, the first Parliamentary year saw the submission of a total of 8,660 questions, out of which a total of 2703 were eventually answered. For the questions asked for the second Parliamentary year, 1,369 were able to garner a reply. Therefore, as compared to the total percentage of the both the Starred and Unstarred Questions answered during the first

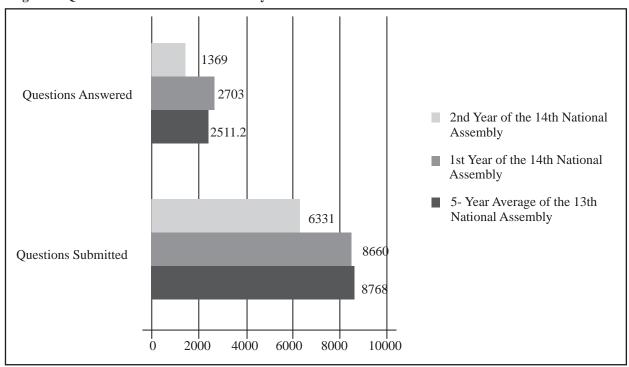
Parliamentary year, that is 31%, only 21% of the Starred and Unstarred Questions posed by the legislators could be answered for the second Parliamentary year – a significant drop of 10 percentage points.

The significant reduction in the Questions posed relates to the low percentage of answers received provided by the Government deterring members from asking more questions. This could also additionally be due to the fact that the set agenda of the National Assembly proceedings was set aside multiple times to discuss issues of urgency. For example, during the 14th Session of the Assembly, which was the longest session of the second Parliamentary year with a total of 18 sittings, the Assembly was preoccupied with the sit-ins being carried out by the PTI and the PAT in Islamabad.

Attendance in the National Assembly

The attendance of members of the National Assembly continues to be problematic over the second Parliamentary year. A lack of quorum was observed a





^{6.} For details, please see the PILDAT publication titled Citizens Report on the Performance of the 14th National Assembly of Pakistan, 1st Parliamentary Year:

 $[\]frac{http://www.pildat.org/Publications/publication/Democracy\&LegStr/Performanceofthe14thNationalAssemblyofPakistan_1stParliamentaryY\\ear01June2013to31May2014.pdf}$

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total of 18 times, as compared to the 21 times observed during the second Parliamentary year. The Prime Minister of Pakistan, Mr. Muhammad Nawaz Sharif, MNA, attended a total of 36% of the National Assembly sittings. Leader of the Opposition, Syed Khursheed Shah, MNA attended 78% of the total sittings.

The Speaker of the National Assembly, Sardar Ayaz Sadiq, MNA was able to preside over 86% of the sittings.

During the second Parliamentary year, the average attendance at the beginning each sitting was 74 (21% of the membership). The average attendance at the end of the sitting observed to be 75 (22% of the membership). The average peak attendance observed was 146 (a dismal 43% of the total membership). These figures show somewhat disappointing performance of the legislators with regards to regularly attending the sessions of the National Assembly.

Critically, citizens remain unable to get information related to the attendance of the Legislators. The leadership of the House continues to deny them the basic information of attendance of each Member of the National Assembly. PILDAT, which has been struggling for greater transparency in the Parliament, has repeatedly asked the National Assembly to provide for record of attendance of individual members publicly even by invoking Freedom of Information Ordinance. PILDAT finally appealed to the Wafaqi Mohtasib (Federal Ombudsman), which after holding proceedings for many months upheld PILDAT's point of view and 'recommended' to the National Assembly to provide the requested attendance records. The National Assembly secretariat, instead of complying with the Ombudsman's finding, has filed an appeal with the President of Pakistan against the finding of the Ombudsman. The subject remains pending there for more than two (2) years. However, PILDAT believes that with the Provincial Assembly of the Punjab taking lead in uploading its members' attendance on the website, the National Assembly should follow suit as

Calling Attention Notices

Calling Attention Notices are important tools of oversight of the executive for members of the National Assembly through which, with the permission of the Average peak attendance of MNAs observed was 146, a dismal 43% of total membership. Citizens remain unable to get attendance record of MNAs as the leadership continues to deny this basic information about their representatives.

PILDAT has repeatedly asked the National Assembly to provide record of attendance of individual members, even by invoking Freedom of Information law

Speaker, he or she might call the attention of a Minister to any matter of urgent public importance and the Minister may make a brief statement or ask for time to make a statement on it.

As compared to the 118 Calling Attention Notices that were taken up in the National Assembly during the first Parliamentary year, the National Assembly could take up only 92 this time, with a reduction of 28%. The primary reasons were fewer sittings of the National Assembly, along with the fact that only one Calling Attention Notice could be taken up during the Budget Session along with none during the 14th and longest sitting of the National Assembly for the second Parliamentary year.

Foreign Visits and Incoming Guests/Delegations

While the National Assembly of Pakistan received and hosted a variety of delegations from quite a few countries during the second year, the most important of these was the visit and address by Mr. Xi Jinping, the President of the People's Republic of China, who visited Pakistan from April 20-22, 2015 and also addressed the Joint Session of the Parliament.

The National Assembly's website carries details of the foreign Parliamentary delegates, envoys and other officials calling on the Honourable Speaker including from the Czech Republic, Slovak Republic, Australia, EU, Britain, Bangladesh, Romania, Spain, Iraq, Bahrain, Sri Lanka, Cuba, Germany, United States,

7. For details, please see the PILDAT publication titled Citizens Report on the Performance of the 14th National Assembly of Pakistan, 1st Parliamentary Year:

 $\underline{http://www.pildat.org/Publications/publication/Democracy\&LegStr/Performanceofthe14thNationalAssemblyofPakistan_1stParliamentaryY\\ \underline{ear01June2013to31May2014.pdf}$

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Belarus, Iran, Norway, Qatar, Kuwait and Italy, among others during the year. The website also carries news of the Honourable Speaker calling on the Amir of Kuwait, of participating in the PUIC Conference in Turkey, calling on the Turkish President, calling on the Chinese Chairman National People's Congress and the calling on the President of Sri Lanka, among others. The website also carries details of the Honourable Speaker hosting an international conference of Parliamentarians of Pakistan Origin in Pakistan in March 2015.

However, the National Assembly website remains critically quiet on the foreign visits that have been undertaken by the MNAs during the second Parliamentary year. There are no specific reports from any foreign visits, such as those by the Speaker or of the Parliamentary delegations that have visited various countries during the year. Although the Honourable Speaker had maintained that reports would be submitted for each such visit, nothing to this effect has been posted on the website so far.

Joint Session of the Parliament

Along with the 11 Sessions of the National Assembly that took place during the second Parliamentary year, three Joint Sessions of the Parliament also took place. The first was for the Address by the President of Pakistan to inaugurate the new parliamentary year on June 02, 2014. The second sitting was called by the Government regarding the sit-ins staged by the PTI and PAT in Islamabad. This session lasted from September 02-18, 2015 with a total of 10 sittings. The third Joint Session of the Parliament for the second Parliamentary year was held from April 06-10, 2015. The Session was held to discuss the Yemen problem and evolve a consensus on Pakistani position on it. This Session also saw the Parliamentarians of the PTI return to the House after a period of 8 months. The sittings of this session were 5. The latest Joint Session for the second Parliamentary year was held in honour of the Chinese President, Mr. Xi Jinping, during which the honourable guest also addressed the Parliament.

It must be noted that no legislative activity was undertaken during the Joint Sessions of the Parliament, with however the Parliament asserting its sovereignty both in domestic affairs (such as against the sit-ins by the PTI and the PAT) and in foreign affairs (such as the resolution about Yemen crisis). The Prime Minister attended 15 out of the 17 or 88% of sittings of the Joint Sessions of the Parliament.

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PART 3

Strategic Analysis

Legislation by the 14th National Assembly in the Second Parliamentary Year

During the second Parliamentary year, the National Assembly passed a total of 8 Bills with 5 of these being amendments.

50% of the Bills passed by the National Assembly (that is 4 out of the total of 8 Bills passed) related to bolstering the powers given to various State security agencies and institutions in the face of rising incidence of terrorism. The first of these was the *Anti-Terrorism* (*Amendment*) *Bill*, *2014* which was passed by the National Assembly on June 06, 2014. It is primarily a legislative measure to enhance effectiveness of the law enforcement agencies in combating terrorism, by 'conferring powers of investigation on Rangers, providing legal cover to Joint Investigation Team (JIT), enabling police to become complainants in extortion cases and special provisions of protection of witnesses (faceless) through video recording'. 8

Along with the Anti Terrorism (Amendment) Act, 2014, the National Assembly also passed on the same day, that is June 06, 2014, the *Legal Practitioners and Bar Councils* (*Amendment*) *Bill 2014*, and the *Services Tribunals* (*Amendment*) *Bill, 2014*. The Legal Practitioners and Bar Councils (Amendment) Act, 2014 was an amendment to the original legislation of 1973 to provide for separate Bar Council for Islamabad, necessitated by the establishment of the Islamabad High Court. The Service Tribunals (Amendment) Act, 2014 was also an amendment to the original 1973 legislation to prescribe a procedure for appointing the chairman and members of a Federal Service Tribunal as for the judiciary.

The second legislation aimed at enhancing counterterrorism capabilities was the *Protection of Pakistan Bill*, 2014. The legislation was passed on July 02, 2014 during a specially convened one-day session of the National Assembly. Through the accommodation of many amendments proposed by the opposition parties, which were made on grounds of the legislative measure violating fundamental human rights, the new law was passed by a majority vote in the National Assembly, failing to get unanimity shown by a similar one-day session of the Senate on June 30, 2014. The Bill was based on two Presidential Ordinances decreed in October 2013 and January 2014. Its major concessions include more safeguards in the use of powers to lawenforcement officers to shoot a terrorism suspect at sight, judicial oversight of internment camps and right of appeal to high courts instead of only once to the Supreme Court. While the ruling PML-N, Opposition PPPP and MQM, along with some smaller groups voted for the Bill, the PTI and JI abstained mainly for alleged infringement of fundamental rights though vowing to stand by the Armed Forces in their military operation against militants in North Waziristan. For many observers, the urgency observed in the passage of Bill was mainly due to the decision to launch of Operation Zarb-e-Azb following the terrorist attack on Jinnah International Airport, Karachi on June 08, 2014. 10

In the same context, the most significant legislative activity undertaken by the National Assembly during the second year was the passage of the Constitution (Twenty-first) Amendment Bill, 2015 and the Pakistan Army (Amendment) Bill, 2015, both of which were passed on January 06, 2015. Almost all political parties, except the ruling PML-N expressed reservations on the 21st Constitutional Amendment. Whether this dissent emanated from individual members (such as Senator Raza Rabbani's impassioned speech in the Senate) or the chiefs themselves (such as Mr. Altaf Hussain's statement that it would be better to enact Martial Law than to establish Military Courts), a general sense of foreboding engulfed the passage of the 21st Constitutional Amendment with hesitations expressed across the aisle.

Lawmakers from the Pakistan Tehreek-e-Insaf (PTI) and Sheikh Rasheed Ahmed, MNA, also abstained from voting on the Bill. Interestingly, the PTI Chairman, Mr. Imran Khan, MNA, did not even visit the National Assembly during the passage of the 21st Constitutional Amendment even though the party had voiced its favour for establishment of Military Courts during the APC.

Both the Jamiat Ulema-e-Islam – Fazlur Rehman (JUI-F) and the Jamaat-e-Islami (JI) abstained from voting on the two Bills based on the contention that the 21st Amendment linked terrorism to religion. They also feared that under the National Action Plan, various

The exact and complete text of the Anti Terrorism (Amendment) Act, 2014 can be accessed at: http://www.na.gov.pk/uploads/documents/1402046968_305.pdf

^{9.} For details, please see Govt. breaks legislative block, gets mild Budget rap, Dawn, June 07, 2014, as accessed on June 20, 2015 at: http://www.dawn.com/news/1111165

For details, please see Protection Bill gets through Parliament, Dawn, July 02, 2014, as accessed on June 20, 2015 at: http://www.dawn.com/news/1116676

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religious seminaries across Pakistan would also be targeted. In view of the fact that there are so many shades of terrorism prevalent in Pakistan, it would have made much more sense if the 21st Constitutional Amendment Bill was not narrowed down in the name of religion or a sect.11

Apart from the legislations made to enhance the security infrastructure and framework of Pakistan, the National Assembly also passed the Security Bill, 2015, replacing the 1969 Securities and Exchange Ordinance. This law was aimed at removing the deficiencies of the earlier law and covering developments in the securities market over time to improve integrity, credibility and efficiency of the market by establishing and enforcing principles, which ensure fairness and promote investor confidence.

Lastly, the 14th National Assembly also passed during its second Parliamentary year the Gas Infrastructure Development Cess Bill, 2015 on May 19, 2015 'to meet the gas demand-supply gap and generate funds for a number of gas import projects and other outstanding amounts and sum payable to the Government'. 12

While considering the performance of the National Assembly, the Legislature's approach towards the passage of Bills, including adequate deliberation in the House and due consideration by the relevant Standing Committees, may also be analyzed.

For example, the Gas Infrastructure Development Cess Bill, 2015 was introduced on May 18, 2015 and was passed the very next day, after incorporating 4 amendments suggested by the PPPP. The legislation had previously made rounds of the National Assembly as the Gas Infrastructure Development Cess Ordinance, 2014, which was laid by the Minister of State for Parliamentary Affairs on October 29, 2014. The National Assembly extended the Ordinance for 120 days with effect from January 20, 2015.

The Federal Minister for Law, Justice and Human Rights, Senator Pervaiz Rashid, introduced the Constitution (Twenty-first) Amendment Bill, 2015 and the Pakistan Army (Amendment) Bill, 2015 on January 03, 2015 that were passed on January 06, 2015 after one day of debate. There was a sense of urgency surrounding the passage of the two Bills, considering the formation of the National Action Plan. Although the formation of Military Courts is a hotly debated topic, it

National Assembly's approach towards debating issues of public concern remained reactive and not proactive. The energy crisis came under discussion only twice in light of petrol shortage crisis. Instead of a holistic debate security situation and preferred policies, it only came under discussion when Assembly condemned terrorist attacks

seems that the concerns of various political parties had already been addressed in the APCs, rather than in the Parliament.

The Services Tribunals (Amendment) Bill 2014 was introduced in the National Assembly on August 30, 2013. A report was also submitted by the relevant Standing Committee on the legislation to amend the Service Tribunals Act, 1973 with the Bill eventually passed on June 06, 2014. Minister for Parliamentary Affairs also introduced the Legal Practitioners and Bar Councils (Amendment) Bill, 2014 in the National Assembly on September 19, 2013. A report was also submitted by the Standing Committee on Law, Justice and Human Rights on the Legal Practitioners and Bar Councils (Amendment) Bill, 2014 on March 04, 2015, while the Bill was eventually passed on June 06, 2015.

Report were presented by the Standing Committee on Interior and Narcotic Control on both the Protection of Pakistan Bill, 2014 and the Anti-Terrorism (Amendment) Act, 2014 during the 2nd Parliamentary Year. The former was passed on July 02, 2014 during a specially convened one-day session of the National Assembly with the Bill was based on two Presidential Ordinances decreed in October 2013 and January 2014. The latter was passed on June 06, 2015 while being introduced the same day.

Representativeness of the National Assembly: **Issues of Public Importance**

According to a nation-wide public opinion poll conducted by PILDAT on the Quality of Governance in

For details, please see the PILDAT publication titled Monitor on Civil-Military Relations in Pakistan, January 2015, which can be accessed at: http://www.pildat.org/Publications/publications/publication/CMR/MonitorOnCivil-MilitaryRelationsinPakistan_Jan012015_Jan312015.pdf
The complete and exact text of the Bill can be accessed at: http://www.na.gov.pk/uploads/documents/1432042565_564.pdf

The PILDAT publication can be accessed at:

http://www.pildat.org/publications/publication/Democracy&LegStr/PublicOpiniononQualityofGovernanceinPakistan_Sep2014.pdf

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Pakistan, June 2013-May 2014, 13 the 5 major issues confronting the country, as identified by the respondents were:

- 1. Energy Crisis (for 27% of the respondents)
- 2. Inflation (for 25% of the respondents)
- 3. Unemployment (for 25% of the respondents)
- 4. Security issues (for 12% of the respondents)
- 5. Poverty (for 6% of the respondents)

Apart from legislation and oversight, members of the National Assembly also have a cardinal duty of representing and getting across the concerns of their constituents in the National Assembly. However, sadly only three of these issues were discussed in the 14th National Assembly during the 2nd Parliamentary Year.

Moreover, the approach towards debating the issues remained reactive, in comparison to proactive, in the National Assembly. For example, the energy crisis came under discussion only twice during the 18th and 21st session in light of the petrol shortage crisis observed across the country. Similarly, law and order also came under discussion during the 17th session as the National Assembly condemned the deadly terrorist attack in Peshawar on December 16, 2014. A holistic debate on the country's security situation and the policy that should be developed in this regard were not debated.

In the same way, poverty also came under discussion during the Budget Session with the same platitudes being observed from the Treasury and Opposition benches about the Budget being pro-rich or pro-poor.

The most extensive discussion observed on an issue of public importance was during the 14th Session when throughout all the sittings the National Assembly suspended its agenda not only to debate the imposition of Article 245 in the Islamabad Capital Territory but also the political situation in the country in the light of the PTI and PAT protests.

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PART 4

Evaluation of the 14th National Assembly of Pakistan: Second Parliamentary Year using the IPU Toolkit

The second Parliamentary year of the 14th National Assembly of Pakistan achieved an overall score of **48%** in an evaluation of its performance against an Evaluation Framework developed by Inter-Parliamentary Union-IPU.

The aspect of the performance of the 14th National Assembly namely *the Representativeness of the National Assembly scored the highest, i.e., 57%.*

The weakest aspect of performance in the second year of the 14th National Assembly is the *Accountability of National Assembly* that received a score of **38%**.

In comparison, the 5 years of the 13th National Assembly received an overall score of **49%**, which shows that the performance of the Assembly has remained stagnant over this period of time, with only a marginal decline of 1 percentage point to a score of **48%**.

The only improvement in the Score Card is for the parameter on the *Representativeness of the Assembly*, for which it had previously received a score of **53%** and has now improved by 4 percentage points to **57%**.

In the parameter on *Effectiveness of the National Assembly's Involvement in International Policy*, the performance of the National Assembly has remained stagnant with a score of 41%.

In all the remaining parameters, the performance of the National Assembly has declined, with the greatest decline in its crucial parameter on the *Transparency and Accessibility of the National Assembly*. The earlier score of 53%, upon the conclusion of the 5-year term of the 13th (previous) National Assembly, has declined by four percentage points to **49%** for the 2nd Parliamentary Year of the 14th National Assembly.

Objective of the Evaluation

PILDAT is an independent, non-partisan think tank dedicated to strengthening of democracy and democratic institutions. PILDAT focuses on National Assembly and Provincial Assemblies for the capacity building of Parliamentarians, National Assembly Committees, Parliamentary Process and Legislature as a whole as an institution. PILDAT complies and

publishes a yearly, and later for the entire term, Performance and Evaluation reports and Score Cards based on legislative indices as well as the IPU toolkit.

The purpose of this evaluation is to make National Assembly more effective, responsive and accountable to the citizens of Pakistan. It is intended to identify the weak and strong points of the National Assembly, which in turn will help the Assembly, its members, leadership and the Secretariat to set in a reform process. The effort is not meant to malign, defame or even criticise the National Assembly of Pakistan but it has been undertaken as a collaborative effort involving key stakeholders to strengthen the bond between the citizen and the National Assembly and assist the institution to further improve and strengthen in future.

The Inter-Parliamentary Union (IPU)

This performance evaluation took place against an Evaluation Framework developed by the Inter-Parliamentary Union (IPU), an international organization of parliaments from 166 countries including Pakistan. The IPU developed this Evaluation Framework in 2008 for elected representatives to assess the performance of their own parliaments against an internationally recognized criterion.

The Evaluation Framework assists members and the public to identify priorities and means for strengthening Parliament. Drawing extensively from the International Institute of Democracy and Electoral Assistance (IIDEA) State of Democracy Assessment methodology, the IPU developed a framework as a self-assessment toolkit in 2008 for the evaluation of legislatures. It is designed to help members and others to evaluate their Parliament against criteria used worldwide for democratic parliaments.

Questions and Topics in the Evaluation FrameworkThe IPU defines a democratic Legislature as the one that is:

- Representative
- Transparent
- Accessible
- Accountable
- *Effective*

The Evaluation Framework consists of a set of questions that cover one aspect of a democratic legislature. The method of evaluation involves answering the questions that relates to the nature and work of the legislature concerned. These questions, 48 in total and called sub-areas, are grouped under the

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following six (6) areas:

- 1. The Representativeness of the Legislature
- 2. Parliamentary Oversight over the Executive
- 3. The Legislative Capacity
- The Transparency and Accessibility of the Legislature
- 5. The Accountability of the Legislature
- 6. Effectiveness of the Legislature's Involvement in International Policy

The evaluation is based on value judgments of how the legislature, in this case the National Assembly of Pakistan, measures against each of these parameters. It is to be expected that an Assembly may not attain the highest score for every question since all the parameters, for instance democracy, can always be further improved.

PILDAT assembled a representative and diverse Evaluation Group to assign score against the questions under each parameter, on a scale of 1 to 5 with 1 representing the minimum score and 5 representing the maximum. PILDAT averaged the scores assigned by all of the Evaluators and converted the score to percentages for simplification.

The Evaluation Group

The Evaluation Group consisted of a representative and diverse group of current and former parliamentarians from the National and all four Provincial Assemblies, in addition to political analysts, eminent lawyers, and media persons. The group members had diverse political affiliations; it consisted of 3 members from the PML-N, 3 members from the PTI, 3 from the PPPP, 2 from the PML, 1 from the MQM, 1 from the PML-F, 1 from the JUI-F, 1 from the QWP-S, and 1 Independent. Four of these were women legislators.

Current and Former Members of the National Assembly

- 1. **Mr. Wazir Ahmed Jogezai**, Former MNA, Former Deputy Speaker of the National Assembly of Pakistan
- 2. **Syed Naveed Qamar**, MNA, (NA-222, Sindh, PPPP)
- Mr. Shafqat Mahmood, MNA, (NA-126, Punjab, PTI)

Current and Former Members of the Remaining Legislatures

 Mir Abdul Quddus Bizenjo, MPA, Acting Speaker of the Provincial Assembly of

- Balochistan, (PB-41 Awaran, Balochistan, PML)
- Mr. Kiramat Ullah Khan, Former MPA, Former Speaker of the Provincial Assembly of Khyber Pakhtunkhwa
- Mr. Aslam Bhootani, Former MPA, Former Speaker of the Provincial Assembly of Balochistan
- 4. **Senator Mohsin Leghari**, (Punjab, IND)
- 5. **Ms. Anisa Zeb Tahirkheli**, MPA, (WR-18, Khyber Pakhtunkhwa, QWP-S)
- 6. **Mr. Muhammad Asmatullah**, MPA, (PK-62, Khyber Pakhtunkhwa, JUI-F)
- 7. **Ms. Nabila Hakim Ali**, MPA, (W-358, the Punjab, PTI)
- 8. **Dr. Murad Rass, MPA**, (PP-152, Punjab, PTI)
- 9. **Mr. Qazi Adnan Fareed**, MPA, (PP-268, Punjab, PML-N)
- 10. **Engr. Qamar Islam Raja**, MPA, (PP-5, Punjab, PML-N)
- Mr. Faisal Sabzwari, MPA, (PS-126, Sindh, MOM)
- 12. **Ms. Mahtab Akbar Rashidi**, MPA, (RSW-156, Sindh, PML-F)
- 13. **Ms. Raheela Durrani**, MPA, (PBW-55, Balochistan, PML-N)

Lawyers, Media Persons, and Political Analysts

- 1. **Mr. Shahid Hamid**, Senior Advocate Supreme Court; Former Governor of the Punjab
- 2. Mr. Hamid Mir, Anchor, Geo TV
- 3. Mr. Farrukh Khan Pitafi, Anchor, PTV World
- 4. **Mr. Khawar Ghumman**, Parliamentary Correspondent, Daily Dawn
- 5. Mr. Ahmed Bilal Mehboob, President, PILDAT
- 6. **Ms. Aasiya Riaz**, Joint Director, PILDAT

The Evaluation Results

Overall, the second Parliamentary year of the 14th National Assembly received a score of **49%** from current and former legislators. It was assigned a marginally lower score of **46%** from the remaining members of the Evaluation Group.

Analysis of the Evaluation Scores in Each of the Six Areas

The Representativeness of the National Assembly

Nine sub-areas were evaluated to determine the representativeness of the National Assembly, including:

i. Diversity of Representation

Figure 5: Overall and Area-wise Evaluation Scores

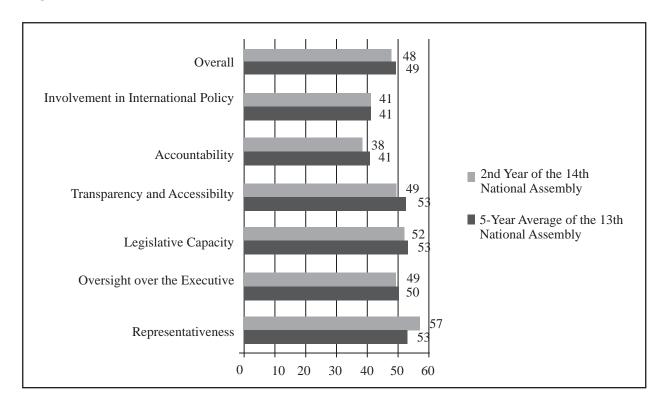
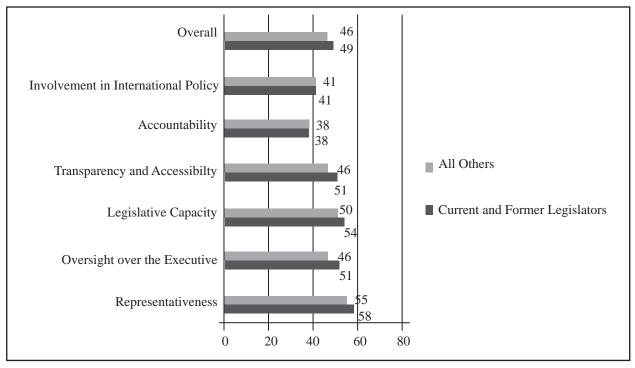


Figure 6: Comparative Evaluation by Current & Former Legislators and Others



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- ii. Women's Representation
- Representation of Marginalized Groups and Regions
- iv. Electability of a Person of Average Means
- v. Internal Party Arrangements to Ensure Balance Representation
- vi. Freedom to the Opposition
- vii. Infrastructure of the National Assembly
- viii. Freedom and Security for Dissenting Members
- ix. Assembly's Effectiveness for Debate on Questions of Public Concern

The strongest Aspect of the Representativeness of the National Assembly is its diversity of representation

The National Assembly has received the highest score under any sub-parameter for *representing the diversity of representation* in the country at **70%** for the evaluation of the second Parliamentary Year.

The Assembly's performance has also significantly improved by 11 percentage points in the sub-parameter on *the representation of marginalized groups and regions* from **41%** in the 13th National Assembly to **52%** in the second year of the 14th National Assembly.

The only decline in the performance of the National Assembly has been under the sub-parameter on the *effectiveness of the National Assembly as a forum for debate on questions of public concern*, with a reduction of 2 percentage points from **66%** in the 13th National Assembly to **64%** second year of the 14th National Assembly.

The poorest aspect of the Representativeness is the inability of person of average means to be elected

The Assembly has performed poorly regarding the *ability of person of average means to be elected* to the National Assembly. The Score for the 13th National Assembly was **29%** and has remained the same into the second year of the 14th National Assembly.

The overall score for the Representativeness of the National Assembly of Pakistan

Representativeness is the only area under which the National Assembly's performance has improved from the 5 years of the 13th National Assembly by a margin of 4 percentage points. Under this parameter, the second year of the National Assembly of Pakistan received a score of **57%**. The same parameter had scored at **53%** for 5 years of the 13th (previous) National Assembly.

Current and former legislators view the performance in terms of *Representativeness* of the National Assembly to be at **58%**, while all others from the Evaluation Group had a lower opinion and rated it at **55%**.

The Assembly's performance has also significantly improved by 11 percentage points in the sub-parameter on the representation of marginalized groups and regions from 41% in the 13th National Assembly to 52% in the second year of the 14th National Assembly

Effectiveness of the National Assembly's Oversight over the Executive

Within this parameter were eight sub-parameters, namely:

- Procedures
- ii. Effectiveness
- iii. The Budget Process
- iv. Scrutiny of Executive Appointments
- v. Ability to hold non-elected public bodies accountable
- vi. Autonomy of the Assembly
- vii. Expertise on Professional Staff
- viii. Research Facilities

The strongest aspect of the National Assembly's performance under this parameter is the autonomy from the executive

The second Parliamentary year of the 14th National Assembly received the highest score in the subparameter of *autonomy over the executive through control over its own budget, agenda, and timetable* at 63%.

The weakest aspect of the National Assembly's Oversight over the Executive: Inability to scrutinise executive appointments

The Assembly has performed weakest for its **Inability to scrutinise executive appointments** and has registered a score of **37%**, which is also a decline of 6 percentage points from the previous Assembly when the score was **43%**.

Overall effectiveness of the National Assembly in Oversight over the Executive

Although the performance of the second year of the 14th

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National Assembly has been high at **49%**, there has been no improvement in this parameter from the 13th National Assembly when the score had been **50%**.

The National Assembly has improved by 8 percentage points for the effectiveness of *specialist committees carrying out their oversight functions* between the two terms. It received a score of 47% in the 13th National Assembly, and a score of 55% in the second year of the 14th National Assembly.

Current and former legislators assigned a higher score of **51%** as opposed to the remaining members of the Evaluation Group who have assigned a score of **46%**.

Effectiveness of the Legislative Capacity of the National Assembly

Effectiveness of the Legislative Capacity of the National Assembly was evaluated in the following seven sub-areas:

- i. Procedures for Full and Open Debates
- ii. Effectiveness of Committees to Amend Draft Legislation
- iii. Procedure to Consult Various Interest Groups on Legislation
- iv. Facilities to Introduce Private Members' Bills
- v. Effectiveness of the Assembly in Ensuring Quality of the Passed Legislation
- vi. Conformity of Legislation to the Constitution
- vii. Incorporation of Gender Equality Perspective in Assembly Working

The strongest aspect of the effectiveness of the Legislative Capacity of the National Assembly: Effectiveness of Committees to Amend Draft Legislation

The National Assembly Committees in terms of *effective procedures for scrutinizing and amending draft legislation* have scored at **58%**, an improvement by 8 percentage points from the 13th National Assembly of Pakistan when the score had been **50%**.

The weakest aspect of the effectiveness of the legislative capacity of the National Assembly: Procedure to Consult Various Interest Groups on Legislation

The Assembly has deteriorated by 6 percentage points for having systematic and transparent *procedures for consultation with relevant groups and interests* in the course of legislation at **42%** in the 14th National Assembly from **48%** in the 13th National Assembly.

The overall effectiveness of the Legislative Capacity of the National Assembly of Pakistan

The National Assembly has performed well in the parameter on legislative capacity with a score of **52%**. However once again it has not demonstrated any improvement from the 13th National Assembly when it had registered a score of **53%**.

Non-legislators, who were members of the Evaluation Group, were less impressed by the performance of the Assembly for its legislative capacity and assigned it a score of 50% in comparison to the current and former legislators who assigned a higher score of 54%.

The Transparency and Accessibility of the National Assembly

There were a total of seven questions to evaluate the transparency and accessibility of the National Assembly. The questions related to the following aspects:

- i. Media Access to the Assembly
- Freedom of Journalists to Cover the Assembly Proceedings
- iii. Communication with the General Public
- iv. Ability to Attract Youth to the Assembly's Work
- v. Channels of Direct Communication by the People to the Members of the Assembly
- vi. Availability of Channels of Communication with the Assembly to Civil Society Groups
- vii. Opportunity to Citizens' Direct Involvement in Legislation

The weakest aspect of the transparency and accessibility of the National Assembly of Pakistan: Very little opportunity to citizens of direct involvement in legislation through citizens' initiatives, referenda, etc.

The second year of the 14th National Assembly had an abysmal performance in the sub-parameter *opportunity to citizens of direct involvement in legislation through citizens' initiatives, referenda, etc.* with a score of only 27% compared to the 33% received for the 13th National Assembly.

This is in part due to the significant decline of 12 percentage points in the parameter on *informing the public about its work, through a variety of channels*, for which the Assembly has now received a score of 45% compared to the 57% received during the 13th National Assembly

The strongest aspect of the transparency and accessibility of the National Assembly: Freedom to journalists in reporting on the Assembly and its members

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However, the Assembly has also performed well in the remaining sub-parameters. For *its freedom for journalists in reporting on National Assembly and the activities of its members*, the Assembly has registered a score of 76%.

The greatest improvement under this parameter of 6 percentage points has been for *Media Access to the Assembly* from 60% in the 13th National Assembly to 66% in the second year 14th National Assembly.

Overall Transparency and Accessibility of National Assembly of Pakistan

The National Assembly of Pakistan has declined in performance under the parameter on Transparency and Accessibility by 4 percentage points, from **53%** in 13th National Assembly to **49%** in the second year of the 14th National Assembly.

Under this parameter, current and former legislators have assigned a score of 51%, while remaining members of the Evaluation Group have assigned a score of 46%.

The Accountability of the National Assembly

Seven detailed sub-areas were evaluated to determine Accountability in the National Assembly. These included:

- Availability of a Proper System for Members of the Assembly to Report Back to their Constituents on their Performance
- Effectiveness of the Electoral System to Ensure Accountability of the Assembly and its Members to the Electorate
- iii. Accountability of the Members through Election; Observance of the Code Conduct by the Members
- Transparency of Procedures to Prevent Conflict of Interest by the Members
- v. Oversight of Funding to Candidates and Parties
- vi. Acceptable System of Determining Members' Salaries
- vii. Availability of a Proper System of Measuring Public Confidence in the Assembly

The weakest aspect of the accountability of the National Assembly: Availability of a Proper System of Measuring Public Confidence in the Assembly

The lowest score within this parameter has been assigned to the *Proper System of Measuring Public Confidence in the Assembly*, for which the National Assembly received a score of 29%. This is also a significant decline of 12 percentage points from the 13th National Assembly when the score under this sub-

The Poorest aspect of
Representativeness of the
National Assembly of Pakistan is
the inability of person of average
means to be elected to the
Assembly. The Assembly has
continued to perform poorly on
this parameter. The Score for the
13th National Assembly was 29%
and has remained the same in
second year of 14th National
Assembly

parameter had been 41%.

The strongest aspect of the accountability of the National Assembly: Effective system for ensuring the observance of agreed codes of conduct by members

For the sub-parameter on having effective systems for ensuring the observance of agreed codes of conduct by members, the second year of the 14th National Assembly registered a score of 53%, 7 percentage points better than the previous National Assembly, when its had received a score of 46% (the greatest improvement from the previous Assembly).

Overall score for the Accountability of the National Assembly of Pakistan

The performance of the National Assembly has been the weakest in this area with a low score of 38%, which is a decline of 3 percentage points from the 5-year average of the 13th National Assembly of Pakistan when it had registered a score of 41%.

All the members of the Evaluation Group view the performance of the second year of the 14th National Assembly to be very weak in this parameter and have given an equally low score of **38%**.

Effectiveness of the National Assembly's Involvement in International Policy

Nine sub-areas evaluated the effectiveness of the National Assembly's Involvement in International Policy. These sub-areas were:

 Ability of the National Assembly to scrutinize and contribute to the Government's international policy

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- ii. Availability of information to the National Assembly on on-going negotiations with international entities
- Ability to influence the commitments made by the Government to international entities
- iv. National Assembly's ability to influence the monitoring reports submitted by the Government as part of its international commitments
- National Assembly's ability to monitor Government's development policy as a donor or recipient
- vi. Oversight of the development of the country's troops abroad
- vii. National Assembly's effectiveness to foster political dialogue for resolving domestic and international conflicts
- viii. Effectiveness of inter-parliamentary cooperation at the domestic and international level
- ix. Ability of the National Assembly to scrutinize the policies and performance of international entities like the UN to which the country contributes

The strongest aspect of the National Assembly's effectiveness of Involvement in International Policy: Effectiveness of inter-parliamentary cooperation at the domestic and international level

The performance of the Assembly received its greatest increase under this parameter of 18 percentage points for having *effective inter-Parliamentary cooperation at regional and global levels*, from 36% in the 13th National Assembly to 54% in the second year of the 14th National Assembly. This is also the highest score registered under this sub-parameter.

The weakest aspect of the National Assembly's Involvement in International Policy: Availability of information to the National Assembly on on-going negotiations with international entities

The weakest aspect of the Assembly's involvement in international policy has been for the *lack of availability* of information to the National Assembly on on-going negotiations with international entities at 33%.

It also faced its greatest decline in performance for this sub-parameter for which it registered a score of **33%**, 14 percentage points less than its earlier score of **47%** in the 13th National Assembly.

Overall Score for the Effectiveness of the National Assembly's Involvement in International Policy

The second year of the 14th National Assembly of Pakistan received a score of **41%** for its involvement in international policy, which is exactly the same score that the 13th National Assembly received, showing no overall improvement.

Current and former legislators and the remaining members of the National Assembly assigned equal scores of 41% under this parameter.

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PART 5

A Case for Required Reforms in the National Assembly

According to the Performance Report of the 14th National Assembly (1second Parliamentary year) issued by the National Assembly Secretariat, a **Strategic Plan 2013-2018** was outlined to improve the workings of the National Assembly. This included:

- 1. The formation of the **Legislative Council**
- The development of the Employee Management Information System to improve staff management capability
- 3. Introduction of **Parliamentary Services Courses** in both private and public universities as a public outreach initiative by the National Assembly
- 4. The formation of a multi-party **Strategic Plan Oversight Committee** to monitor the Strategic Plan's implementation

Although not only the formation of the Strategic Plan, but also the issuance of a Performance Report by the National Assembly Secretariat is a welcome initiative and was lauded by PILDAT in its first year report of the 14th National Assembly in 2014 as well, the status of the reforms envisaged under the document remains unknown. Upon the conclusion of the second year, PILDAT wrote to the National Assembly Secretariat on June 03, 2015 requesting an update on the status of these reforms. However, PILDAT has not received a reply till the completion of this report.

In PILDAT's view, however, the National Assembly's own reform initiative leaves some room for suggesting other much-needed reforms that the Assembly's current leadership and its membership across the political divide must consider.

A Regrettable Culture of APCs

Apart from the reforms outlined by PILDAT in the subsequent part of the Report, perhaps the most crucial one is for the Assembly to assert itself to curtail the developing culture of All Parties Conference being held, instead of the elected representatives reverting to the Parliament on major issues. A total of 5 APCs were held during the second year of the current Government ranging from issues such as the formation of Military Courts, changing the voting procedure for the Senate

election, and concerns of various political parties on the Pakistan China Economic Corridor. It is inexplicable and to the detriment of the Parliament that in its presence, All Parties Conferences are organized to achieve so-called political consensus on issues. Parliament represents public's elected representatives belonging to all key parties who have been empowered to review policy decisions, develop policy guidelines and develop consensus on behalf of the citizens. It is regrettable that majority of the Parliamentarians were unable to give input on the National Action Plan, and the Pakistan-China Economic Corridor, because of the APCs convened. This not only contravenes an effective and thorough debate that usually to take place in the Parliament, but also sidelines a sovereign institution that is constitutionally designated for such matters.

Given that Parliamentary mechanism are in place for deliberation on issues of public concern, and forging political consensus, PILDAT believes that it is incumbent upon the leadership of both the National Assembly and the Senate to assert their Constitutional role and to curb this growing trend of the APCs which is being promoted at the expense of the Parliament's authority, and its role as the legitimate representative of the public.

Proactive Role of Senate Leadership in Reforms

The Senate's new leadership after the election of March 2015 immediately undertook various reforms to improve the workings of the House. The Pakistan Senate made certain amendments and additions to its Rules of Procedure on April 15, 2015, that underscored the Parliament rightfully asserting itself and taking more seriously its duties of oversight. Apart from the much needed additions to augment the Senate's Question Hour, and the constitution of the House by itself as a Committee of the whole, perhaps the most significant addition was one requiring the Ministers to appear before the House and making reports on 'all matters referred by the House and recommendations made by [the Senate's] Committees."

In addition, the formation of a Public Petition Portal recently launched by the Pakistan Senate was also observed. ¹⁵ In the past, the Human Rights Cell of the Supreme Court had started the initiative, which is a somewhat unconventional role for the Judiciary. It is much more appropriate for the Parliament to examine public petitions, in line with its duty of representing the people and their concerns.

^{14.} For exact text of the changes made, please refer to the Orders of the Day for April 16, 2015, issued by the Senate Secretariat, which can be accessed at: http://senate.gov.pk/uploads/documents/1429159110_528.htm

^{15.} The Public Petition Portal may be accessed at: http://www.asianparliament.org.pk/Petitions/index.php

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PILDAT believes that the National Assembly's leadership must also take a leaf from the pro-active, reform-oriented approach displayed by the Senate in introducing required reforms in the National Assembly to make it a more effective institution.

Required Reforms

In order to effectively carry out the Constitutional responsibilities of *Representation*, *Legislation* and *Oversight*, certain key reforms are needed in the National Assembly of Pakistan. For the purpose, the following may be considered:

1. Increasing 'sittings' and hours of the Assembly

The original 1973 constitution provided that the National Assembly should meet for a minimum of 160 days in a year. This number was later revised downward and according to Article 54 (2) of the Constitution of Pakistan, the National Assembly is required to meet for a minimum of 130 working days in a year. However, a break of two days during an on-going session is also counted while computing the number of days in the context of this constitutional requirement.

If the two-days break is disregarded, the combined average of 'sittings' of the National Assembly had been 103 days for the 13th National Assembly (2008-2013) and 77 working days for the 12th National Assembly (2002-2007). For the first Parliamentary year of the current Assembly, the sittings were 103, while for the second year there was a decrease to a total of 92 days.

It is therefore recommended that both the sittings and working hours of the National Assembly be increased. In all established democracies, legislatures remain in session all the year round except for well-defined breaks. That is how the Parliament ensures its supremacy. A Parliament cannot be taken seriously in absentia. Even if the working days cannot be increased at this stage, the number of working hours per day should be increased to 6 hours per day on the average as compared to the actual average of a little over 3 hours at present.

2. Prime Minister's Presence in the House and Prime Minister Ouestion Time

In keeping with global Parliamentary norms and traditions, the Honourable Prime Minister should himself answer questions at least once a week and at least 30 minutes be allocated for this purpose in each week in line with the practice in most of the

Most crucial reform required is for Parliament to assert itself to curtail the developing culture of All Parties Conferences instead of sessions of Parliament on major issues facing the country. 5 APCs were held during the year, which is inexplicable as to why in the presence of Parliament APCs are organized to achieve so-called political consensus on issues

parliamentary democracies. In this regard, the Honourable Speaker is requested to encourage the new Prime Minister to make it a habit to regularly attend the Assembly when it is in session.

The Honourable Speaker should also encourage his colleagues to amend the Assembly Rules of Procedure and Conduct of Business to provide for a weekly Question Period (say 30 minutes) for the Prime Minister.

Prime Minister's greater involvement in the proceedings of the Assembly will go a long way in strengthening the institution and establishing its supremacy. Since such a question time is widely telecasted, this direct engagement will provide an additional and valuable channel of communication with the people at large and people will get a much-needed feeling that their Government and head of the Government are answerable to them. It is strongly recommended that the Honourable Prime Minister should regularly attend the National Assembly sittings in line with the traditions of the Parliamentary form of Government.

Apart from that, the Parliamentary leaders of the various political parties should also be encouraged to the same effect. While the Leader of the Opposition is seen to be taking part in majority of the sittings during the 14th National Assembly, the PTI Chairman, Mr. Imran Khan, in particular, is not setting a healthy tradition by staying out of the Assembly for extended periods even though his party colleagues have returned to the Assembly.

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3. Adherence to the Parliamentary Calendar

Members have repeatedly demanded that the National Assembly of Pakistan should develop a Parliamentary calendar at the start of the fresh term as well as at the start of each Parliamentary year. Members also demand that once a calendar is prepared, it should also be adhered to as strictly as possible. It will greatly help the members of the Assembly, civil society that wants to engage with the Assembly, and all those who are involved or should be involved in the working of the Assembly if a calendar of sessions of the Assembly is prepared and made public before the beginning of the Parliamentary year. This calendar will be meaningful if, except for extra-ordinary exceptions, it is strictly followed too.

4. Reforms to Strengthen Roles of the Committees

The National Assembly Standing Committees related to Ministries and Divisions are vital to the work of Assemblies. They serve as powerful channels to promote transparency and accountability in a Parliamentary system of government. Committees are one of the most important mechanisms by which legislatures hold state institutions accountable, question executive policies and investigate issues of public concern. Committees provide the opportunity to a group of MPs for more detailed investigation and discussions on an issue, review policy matters or review bills more closely than would be possible by the entire chamber.

Committees are referred to as "Assemblies at work" while the plenary is called "Assembly at exhibition." Due to a variety of reasons, chief among which is lack of institutional stability and growth due to frequent derailing of democracy in the past, Committees in the National Assembly have not fully been able to leverage their potential and optimise their performance. As a result, the committees have not been very effective in performing their constitutional responsibility of overseeing the elected Government and holding the executive to account on behalf of the people.

The following proposals are meant to strengthen the committees in the National Assembly:

i. Staffing & Better Research Support for Committees

For effective performance of Standing Committees, it is essential that the Assembly provides a system of subject-specialist research support to the committee.

It is recommended that the existing staffing structures of committees be revised. Instead of providing the chairperson with a Personal Assistant, assistants and drivers, etc., a dedicated secretary and at least 2 research assistants well-versed with the subject of the committee be provided for an effective functioning of the committee.

The key job of executive oversight cannot be carried out by committees in the absence of independent research support and staff. Researchers specializing in some key areas and general researchers assisted by interns consisting of post-graduate students or fresh graduates in relevant subjects should be arranged to assist the committees in particular and the MNAs in general.

ii. Legislation should only be processed through the concerned Committees

It is observed that at times some important bills are passed in a short time after suspending the rules and by-passing the requirement of scrutiny by the concerned standing committees. It is recommended that all legislation should always be examined in-depth by the concerned standing committees before it is considered by the full House for passage.

iii. Standing Committees and the Development of a Work Plan

Each Standing Committee of the National Assembly should develop a Work Plan for the whole Parliamentary Year in order to better organize its activities.

iv. Proceedings of the committees should be made more transparent and accessible to media and people

It is proposed that unless the circumstances of a particular meeting warrant otherwise, committees proceedings, especially when it is not deliberating internally, should be open to public and media to observe and report. In this regard, it has been noted that some Standing Committees of the National Assembly have uploaded their meetings on the National Assembly, specifically the Standing Committee on Industries and Production. It would be commendable that the practice is emulated by the other Standing Committees, by redacting parts of the Minutes that might not be suitable for public viewing.

5 Greater Public Access & Transparency

From 2008-2013, for the first time in the National

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Assembly's history, the Assembly began its journey of greater transparency and public access by providing key information about the Assembly sittings and proceedings to the media and public through its website. Following the development of the National Assembly's new website during the previous House, the website now carries the Orders of the Day (Daily Agenda of the Sittings), details of the Legislative Business and the Questions-Answers of the Question Hour.

For the 14th National Assembly, some valuable changes that have been made to the website include verbatim reproduction of the debates that have taken place in the National Assembly, copies of the Reports submitted by the Standing Committees, and the minutes of the Standing Committee meetings as well. Additionally, although the National Assembly Secretariat has failed to provide a Parliamentary Calendar, it has shared on the website 'a tentative Schedule of the National Assembly session during its third Parliamentary Year'.

Notwithstanding, the National Assembly's website remains far beyond in the proactive sharing of information, not only compared to developed Legislatures abroad, but also those in Pakistan. The Provincial Assembly of the Punjab serves as the best possible in this regard, even though it is a Provincial Legislature. Some of the best practices that can be emulated include uploading attendance of the members online, compiling statistic information regarding business of the House and making it available online, as done by the Provincial Assembly of the Punjab and Khyber Pakhtunkhwa¹⁶ to facilitate the citizens. Additionally, the National Assembly may also consider live webcasts of its sittings on the Assembly website, as done by the Provincial Assembly of Punjab. Lastly, the Legislative Business section of the Provincial Assembly of the Punjab is perhaps the best developed as well. While the National Assembly website, with regards to Government Bills, only gives information of those passed, the website of the Provincial Assembly of the Punjab also outlines those under consideration, and even those referred to the Committees.

There is also a need to share data in open formats on its website by the National Website. Right now, data is available in the PDF format, which makes computing different statistics cumbersome. Data should be made available in open formats such as XML and JSON, rather than PDF.

6 Increase in Question Time

Question Hour is one of the most important tools in the hands of elected representatives of the public to oversee the Government. It is the most important mechanism available in legislatures through which the executive answers the questions of the elected representatives. Since the number of members of the Assembly has increased since 2002, the number of questions has also correspondingly increased. The proposal to increase the duration of the Question Hour may be seriously examined.

Additionally, the process through which MNAs are required to submit questions and through which the questions are chosen to appear on the Orders of the Day is a very complicated process. According to the Rules, Questions should be submitted 15 days in advance to the Secretary. The Questions are submitted manually in the Notice Office and are placed in the House on first come first served basis. The questions are submitted to the Notice Office in Parliament by a Member or, on the member's behalf a staff member on the last day of every session after it is prorogued. Questions submitted for a specific session stand lapsed if these are not selected for answer.

Since the procedure for the Questions has not been reformed till, a general decline of members' interest in putting forth questions has been observed, as shown in Figure 7. Therefore, many members feel that the National Assembly should reform the process of submitting Question and use other more viable and quick procedures such as Email for submission of Questions.

The biggest constraint for a member to be able to garner a reply to a question is simply the extensive number of days, that is 15, in which the Government is obligated to response. In the UK's Parliament, as in line with developed Parliamentary practices, a member only has to give two days' notice to receive an answer to his written question, as per Standing Order 22 (4) of UK's Parliament.¹⁷ Perhaps the same can be replicated in the National Assembly. PILDAT

^{16.} For details, please see: http://www.pap.gov.pk/index.php/business/asmblys_smry/en

The Standing Orders of the UK Parliament can be accessed at: http://www.publications.parliament.uk/pa/cm201516/cmstords/1154/body.htm#21

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believes that the Parliament of Pakistan must improve its rules and practices by learning from a wealth of good practices from established democracies that are available both directly as well as through utilization of forums such as the Inter-Parliamentary Union and the Commonwealth Parliamentary Association, etc.

Recently, the Senate has made a change in its Rules of Procedure to facilitate the process of receiving answers to questions by the Government for members under Rule 277. Therefore, according to the new addition, that is Rule 58, 'Answers to questions which Ministers propose to give in the Senate shall be placed on the members' desk as well as shall be electronically sent to the members two hours before the commencement of question hour and shall not be released for publication until the answers have actually been given on the floor of the Senate or laid on the Table'. Therefore, the process for framing supplementary questions is significantly facilitated for members of the Senate

through the addition.

7. Introduction of a Register of Interests

In order to bolster the transparency and accountability within the National Assembly, there is the need to introduce the concept of a Register of Members' Interest as in the United Kingdom's Parliament. The Register of Members' Interests is published soon after the beginning of a new Parliament, under the authority of the Committee on Standards and Privileges in UK, and allows Members of Parliament to declare any interests that they hold outside Parliament and might affect their position. Considering that allegations regarding the Members of the National Assembly having vested business interests, which are augmented by them by virtue of their position are often heard, the introduction of a Register of Interests would not only curb such tendencies, but also the accusations.

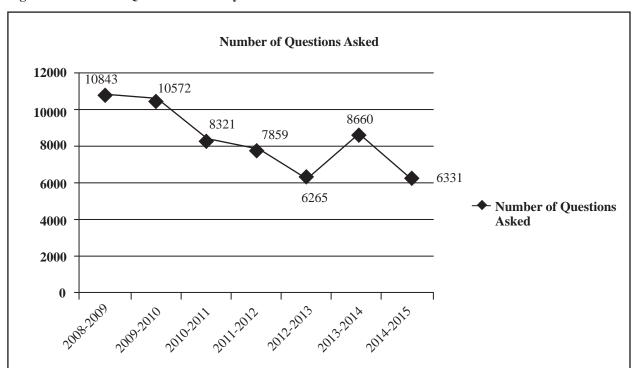


Figure 7: Number of Questions Asked by MNAs: 2008-2015

Appendix A

Score Card

Evaluation of the National Assembly using the IPU Toolkit The Second Parliamentary Year: 2014-2015

Table 5: Comparative Score Card on the Performance of the National Assembly using the IPU Toolkit

No.	Parameter and Sub-Area of Evaluation	Score (Percentage) 5-Years 13th National Assembly	Score (Percentage) 2 nd Year of the 14 th National Assembly	Percentage Increase/Decease
1	The Representativeness of the National Assembly	53	57	+4
1.1	How adequately does the National Assembly represent the diversity of political opinion in the country (e.g. as reflected in votes for the respective political parties)?	66	70	+4
1.2	How representative of women is the composition of National Assembly?	59	68	+9
1.3	How representative of marginalized groups and regions is the compositions of National Assembly?	41	52	+11
1.4	How easy is it for a person of average means to be elected to National Assembly?	29	29	0
1.5	How adequate are internal party arrangements imbalances in National Assembly representation?	41	43	+2
1.6	How adequate are arrangements for ensuring that opposition and minority parties or groups and their members can effectively contribute to the work of National Assembly?	53	60	+7
1.7	How conductive is the infrastructure of National Assembly, and its unwritten mores, to the participation of women and men?	59	60	+1
1.8	How secure is the right of all members to express their opinions freely and how well are members protected from executive or legal interference?	63	67	+4
1.9	How effective is National Assembly as a forum for debate on questions of public concern?	66	64	-2
2	The National Assembly's Oversight over the Executive	50	49	-1
2.1	How rigorous and systematic are the procedures whereby member can question the executive and secure adequate information from it?	56	60	+4
2.2	How effective are specialist committees in carrying out their oversight function?	47	55	+8
2.3	How well is National Assembly able to influence and scrutinize the national budget, through all its stages?	44	47	+3

2.4	How effectively can National Assembly scrutinizes appointments to executive posts, and holds their occupants to account?	43	37	-6
2.5	How far is National Assembly able to hold non-elected public bodies to account?	46	44	-2
2.6	How far is National Assembly autonomous in practice from the executive, e.g. through control over its own budget, agenda, timetable personal, etc.?	61	63	+2
2.7	How adequate are the members and expertise of professional staff to support members, individually and collectively, in the effective performance of their duties?	53	44	-9
2.8	How adequate are the research, information and other facilities available to all members and their groups?	48	42	-6
3	National Assembly's Legislative Capacity	53	52	-1
3.1	How satisfactory are the procedures for subjecting draft legislation to full and open debate in National Assembly?	56	51	-5
3.2	How effective are committee procedures for scrutinizing and amending draft legislation?	50	58	+8
3.3	How systematic and transparent are the procedures for consultation with relevant groups and interests in the course of legislation?	48	42	-6
3.4	How adequate are the opportunities for individual members to introduce draft legislation?	61	56	-5
3.5	How effective is National Assembly in ensuring that legislation enacted is clear, concise and intelligible?	53	54	+1
3.6	How careful is National Assembly in ensuring that legislation enacted is consistent with the constitution and the human rights of the population?	56	56	0
3.7	How careful is the National Assembly in ensuring a gender-equality perspective in its work?	49	51	+2
4	The Transparency and Accessibility of the National Assembly	53	49	-4
4.1	How open and accessible to the media and the public are the proceeding of National Assembly and its committees?	60	66	+6
4.2	How free from restrictions are journalists in reporting on National Assembly and the activities of its members?	74	76	+2
4.3	How effective is National Assembly in informing the public about its work, through a variety of channels?	57	45	-12
4.4	How extensive and successful are attempts to interest young people in the work of National Assembly?	47	40	-7

How adequate are the opportunities for electors to express their views and concerns directly to their representative, regardless of party affiliations?	52	51	-1
How user-friendly is the procedure for individuals and groups to make submissions to a National Assembly committee or commission of enquiry?	48	40	-8
How much opportunity do citizens have for direct involvement in legislation (e.g. through citizens' initiatives, referenda, etc.)?	33	27	-5
The Accountability of the National Assembly	41	38	-3
How systematic are arrangements for members to report to their constituents about their performances in office?	39	31	-8
How effective is the electoral system in ensuring the accountability of National Assembly, individually and collectively, to the electorate?	44	46	+2
How effective is the system for ensuring the observance of agreed codes of conduct by members?	46	53	+7
How transparent and robust are the procedures for preventing conflicts of financial and other interest in the conduct of National Assembly business?	41	38	-3
How adequate is the oversight of party and candidate funding to ensure that members preserve independence in the performance of their duties?	35	34	-1
How publicly acceptable is the system whereby members' salaries are determined?	41	35	-6
How systematic is the monitoring and review of levels of public confidence in National Assembly?	41	29	-12
Effectiveness of the National Assembly's Involvement in International Policy	41	41	0
How effective is National Assembly able to scrutinize and contribute to the Government's international policy?	47	40	-7
How adequate and timely is the information available to National Assembly about the Government's negotiating positions in regional and universal/global bodies?	47	33	-14
How far is National Assembly able to influence the binding legal or financial commitments made by the Government in the international fora, such as the UN?	42	36	-6
How effective is National Assembly in ensuring that international commitments are implemented at the national level?	41	46	+5
How effectively is National Assembly able to scrutinize and contribute to national reports to international monitoring mechanisms and ensuring follow-up on their recommendations?	35	43	+8
	express their views and concerns directly to their representative, regardless of party affiliations? How user-friendly is the procedure for individuals and groups to make submissions to a National Assembly committee or commission of enquiry? How much opportunity do citizens have for direct involvement in legislation (e.g. through citizens' initiatives, referenda, etc.)? The Accountability of the National Assembly How systematic are arrangements for members to report to their constituents about their performances in office? How effective is the electoral system in ensuring the accountability of National Assembly, individually and collectively, to the electorate? How effective is the system for ensuring the observance of agreed codes of conduct by members? How transparent and robust are the procedures for preventing conflicts of financial and other interest in the conduct of National Assembly business? 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How far is National Assembly able to influence the binding legal or financial commitments made by the Government in the international fora, such as the UN? How effective is National Assembly in ensuring that the national commitments are implemented at the national commitments are implemented at the national level? How effectively is National Assembly able to international monitoring mechanisms and ensuring follow-up on their

6.6	How effective is each Assembly in monitoring of the Government's development policy as a "recipient" of international development aid?	35	36	+1
6.7	How rigorous is National Assembly on oversight of the deployment of the country's armed forces abroad?	37		
6.8	How active is National Assembly in fostering political dialogue for conflict resolution, both at home and abroad?	53	43	-10
6.9	How effective is National Assembly in inter- Parliamentary cooperation at regional and global levels such as CPA, IPU etc.?	36	54	+18
6.10	How far is each Assembly able to scrutinize the policies and performance of international organizations like the UNDP, World Bank and IMF which may be operating in the country on various projects and dealing with the national government?	41	36	-5
	Overall Evaluation Score for the National Assembly	49	48	-1



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