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PILdAT



## Score Card

### 13th National Assembly of Pakistan

*The 2nd Year*

March 17, 2009 - March 16, 2010

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# Score Card

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*The 2nd Year*

March 17, 2009 - March 16, 2010

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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## PREFACE

**The Score Card of the 13th National Assembly of Pakistan** has been compiled at the conclusion of the second year of the 13th National Assembly of Pakistan. The second year of the National Assembly of Pakistan started on March 17, 2009 and ended on March 16, 2010.

The Score Card has been compiled using the criteria developed by the Inter-Parliamentary Union (IPU), an organisation of Parliaments of the sovereign states. We had earlier carried out a similar evaluation for the 13th National Assembly of Pakistan on the completion of its first year in 2009 using the IPU framework. This is a second scorecard which compares results with the first report.

As a background to carrying out this evaluation, PILDAT consulted a select group of Parliamentarian, opinion-makers, intellectuals, parliamentary staff, parliamentary reporters working for the newspapers and Television channels and academicians on the need, process, parameters, and public dissemination of performance of the National Assembly.

### Acknowledgements

PILDAT wishes to acknowledge the support of Friedrich Ebert Stiftung, Pakistan, for printing of this Score Card.

### Disclaimer

PILDAT Team of researchers has made every effort to ensure the accuracy of the data and analysis contained in this report and any omission or error is not deliberate.

Islamabad  
July 2010



## The Inter-Parliamentary Union

The Inter-Parliamentary Union (IPU) is the international organisation of Parliaments of sovereign states with 154 members and 8 associate members including Pakistan.

Drawing extensively from the International Institute of Democracy and Electoral Assistance (IIDEA) State of Democracy Assessment methodology, the IPU developed a framework and a self-assessment toolkit for the Evaluation of Parliaments in 2008. The purpose of the IPU Framework is to assist Parliaments and their members in assessing how their Parliament performs against widely accepted criteria for democratic Parliaments.

### Questions and Topics in the Evaluation Framework

The IPU defines <sup>1</sup>a democratic Legislature as the one that is:

- Representative
- Transparent
- Accessible
- Accountable
- Effective

The Evaluation Framework consists of a set of questions each of which covers one aspect of a democratic Legislature. The method of Evaluation involves answering the questions which relate to the nature and work of the Legislature concerned. These questions, 44 in total and called sub-areas, are grouped under the following six topics also called Areas:

1. The Representativeness of the Legislature
2. Legislative Oversight over the Executive
3. Legislative Capacity
4. The Transparency and Accessibility of the Legislature
5. The Accountability of the Legislature
6. 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 the criteria. It is to be expected that a Legislature may not attain the highest score for every question since a Legislature, like democracy, can always be strengthened.

The evaluators had to assign a score from 1 to 5 against each question; 1 representing the minimum score and 5 representing the maximum. PILDAT averaged the scores assigned by 32 evaluators and then converted the score to percentage for simplification and better understanding.

### The IPU Scenarios of Evaluation

The IPU depicts various possible scenarios of when, why and how the framework can be used to carry out an evaluation. This evaluation is based on the scenario when a non-governmental organisation (in this case, PILDAT: Pakistan Institute of Legislative Development And Transparency) undertakes the assessment of the National Assembly of Pakistan.

This is the second evaluation of the 13th National Assembly of Pakistan carried out by PILDAT and covers the period of March 17, 2009 to March 16, 2010. The first such evaluation covered the 1st year of the 13th National Assembly of Pakistan (March 17, 2008 March 16, 2009).

1. Parliament and Democracy in the twenty-first century: a guide to good practice, Inter-Parliamentary Union, 2006.

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### Objective of the Evaluation

PILDAT is an independent, non-partisan think tank dedicated to strengthening of democracy and democratic institutions in Pakistan and elsewhere. PILDAT focuses on Parliament and Provincial Assemblies for capacity building of the parliamentarians, parliamentary committees, parliamentary processes and Legislature as a whole as an institution. PILDAT compiles and publishes a yearly, and later for the entire term, Citizens' Report on the Performance of the National Assembly. The second parliamentary year started on March 17, 2009 and concluded on March 16, 2010.

The purpose of the evaluation is to make Parliament more effective, responsive and accountable institution for the people. We hope that this evaluation will in identifying 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 to address the weaknesses and acknowledged the strengths. This 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 as a modest initiative to strengthen the bond between the citizens and the National Assembly and assist the institution to further improve and strengthen.

### The Evaluation Group

The evaluation has been carried out by a diverse group consisting of Honourable Deputy Speaker and Members of the National Assembly of the Pakistan representing various political parties, journalists who cover the proceedings of the Assembly, political scientists, analysts, academicians, senior statesmen, former senior Civil servants and lawyers. The group consists of the following persons:

#### Members of the National Assembly of Pakistan

1. **Mr. Faisal Karim Kundi**, MNA, Deputy Speaker, PPPP; NA-24 D. I. Khan, Khyber Pakhtunkhwa
2. **Lt. Gen. (R) Abdul Qadir Baloch**, MNA, PML-N; NA-271 Kharan-cum-Panjgur, Balochistan
3. **Dr. Abdul Wahid Soomro**, MNA, PPPP; NA-237 Thatta-I, Sindh
4. **Mr. Akram Masih Gill**, MNA, PML; NA-340 Punjab
5. **Dr. Donya Aziz**, MNA, PML; 304-Punjab-XXXII, Punjab
6. **Mr. Lal Chand**, MNA, PPPP; NA-335, Sindh
7. **Mr. Muhammad Baleegh-ur-Rehman**, MNA, PML-N; NA-185 Bahawalpur-III, Punjab
8. **Mr. Muhammad Ijaz Virk** Advocate, MNA, PPPP; NA-83, Faisalabad-IX, Punjab
9. **Dr. Nadeem Ehsan**, MNA, MQM; NA 247 Karachi-IX, Sindh
10. **Ms. Nuzhat Sadiq**, MNA, PML-N; NA-277-Punjab-V, Punjab
11. **Mr. Pervaiz Khan**, Advocate, MNA, ANP; NA-13 Swabi-II, Khyber Pakhtunkhwa
12. **Ms. Samina Mushtaq Pagganwala**, MNA, PPPP; NA-299-Punjab-XXVII, Punjab
13. **Chaudhry Saud Majeed**, MNA, PML-N, NA-187 Bahawalpur-V MIV, Punjab
14. **Ms. Sherry Rehman**, MNA, PPPP; NA-308 Sindh-I, Sindh
15. **Mr. Sufyan Yousuf**, MNA, MQM, NA 246 Karachi-VIII, Sindh
16. **Engr. Usman Khan Tarakai**, MNA, Independent, NA-12 Swabi-I, Khyber Pakhtunkhwa

#### Analysts, Media Persons and Others

1. **Ms. Ms. Asma Chaudhry**, Anchor Person Dunya TV
2. **Ms. Asma Sherazi**, Journalist & Anchor Person, ARY News TV
3. **Mr. Babar Sattar**, Lawyer and former Rhodes Scholar
4. **Mr. Iftikhar Ahmad Khan**, Correspondent, Dawn Newspaper

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5. **Mr. Imran Manzoor**, Director Market, Pak Plus TV
6. **Mr. Javed Hafeez**, Former Ambassador
7. **Ms. Khalida Parveen**, Staff Officer, National Assembly
8. **Mr. Kashif Abbasi**, Anchorperson, ARY News
9. **Mr. Omar Ayub Khan**, Former Minister of State for Finance Division
10. **Mr. Majid Khan**, Lawyer, AJURIS, Advocates & Corporate Counsel, Islamabad
11. **Mr. Muhammad Mushtaq**, Secretary Legislation, National Assembly of Pakistan
12. **Mr. Musharraf Zaidi**, Columnist
13. **Lt. Gen. (Retd.) Talat Masood**, Former Federal Secretary; Defence Analyst
14. **Mr. Wazir Ahmed Jomezai**, Former Deputy Speaker, National Assembly of Pakistan
15. **Mr. Ahmed Bilal Mehboob**, Executive Director, PILDAT
16. **Ms. Aasiya Riaz**, Joint Director, PILDAT



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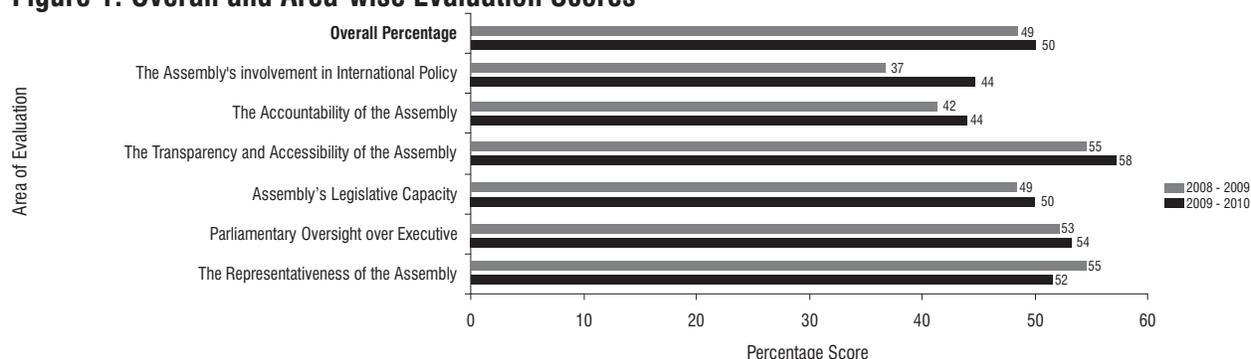
### The Evaluation Results

In the second year of the 13th National Assembly of Pakistan, it received an overall average score of **50** while the overall average in 2008-2009 was **49**. The **Transparency and Accessibility of the National Assembly**, received the highest evaluation score of **58**, compared to **55** in the first year, recording an increase of 5.45%. The National Assembly's **Legislative Capacity**, was scored at **54**, compared to **53** in the first year, an increase of 2%. The **Representativeness of the National Assembly** got the third highest evaluation score of **52**, compared to **55** in the first year, registering a decrease of 5%. **Effectiveness of Parliamentary Oversight over the Executive** got the fourth highest evaluation score of 50, compared to 49 in the first year, recording an increase of 2% while the **Effectiveness of the National Assembly's Involvement in Foreign Policy** received the score of 44 this year compared to 37 last year, an increase of 19%. The **Accountability of Parliament**, the least scorer in the evaluation, got a score of 44 compared to 42 during the first year.

It must be noted, however, that change in the overall performance of the National Assembly and its evaluation over the year is negligible and the need for systemic reforms and improvement is as pressing as was a year ago.

Figure 1 gives the overall evaluation score and score in each of the six areas of the Assembly performance for the both Parliamentary years, March 17, 2008 to March 16, 2009 and March 17, 2009 to March 16, 2010. The scores are out of 100 or expressed in percentages.

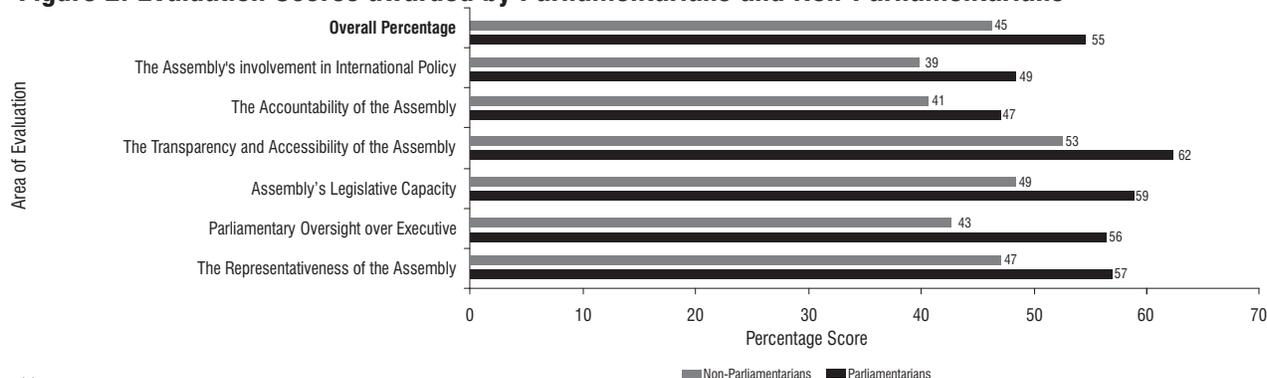
**Figure 1: Overall and Area-wise Evaluation Scores**



### Comparison of Evaluation by Parliamentarians and Non-Parliamentarians

The Figure 2 below presents a comparison of overall and area-wise scores as evaluated by Parliamentarians and Non-Parliamentarians. Parliamentarians, at an average, have scored 10% higher compared to non-Parliamentarians on all categories of evaluation.

**Figure 2: Evaluation Scores awarded by Parliamentarians and Non-Parliamentarians**



## Analysis of the Evaluation Scores in each of the Six (6) Areas

### 1. Representativeness of the National Assembly of Pakistan

Nine (9) sub-areas were evaluated to determine the representativeness of the National Assembly of Pakistan. These sub-areas are:

- a. Diversity of Representation
- b. Women's Representation
- c. Representation of Marginalised Groups and Regions
- d. Electability of a Person of Average Means
- e. Internal Party Arrangements to Ensure Balanced Representation
- f. Freedom to the Opposition
- g. Infrastructure of the Provincial Assembly of the Punjab
- h. Freedom and Security for Dissenting Members
- i. Assembly's Effectiveness for Debate on Questions of Public Concern

#### **The weakest aspect of the Representativeness of the National Assembly of Pakistan: Near impossibility of a person of average means to get elected to the Assembly**

The weakest aspect of the representativeness of the National Assembly of Pakistan is that it is extremely difficult for a person of average means to get elected to the Assembly. The question *How easy is it for a person of average means to be elected to the Assembly?* received a score of **28%**, which is the lowest among the scores received by 9 sub-areas under the Representativeness of the National Assembly of Pakistan. Incidentally, this is the lowest score of any question in the entire evaluation.

Comparing it to the evaluation of the first parliamentary year of the National Assembly, the weakest aspect of the representativeness of the National Assembly of Pakistan was scored to be the same and had received a score of 28 %.

#### **The strongest aspect of the Representativeness of the National Assembly of Pakistan: Effectiveness the Parliament on Questions of Public Concern**

The strongest aspect of the representativeness of the National Assembly turned out to be the Effectiveness of the Parliament on Questions of Public Concern in its work. The question *How effective is Parliament as a forum for debate on questions of public concern?* received the highest score of **64%** while evaluating Representativeness of the National Assembly of Pakistan for the second parliamentary year. During the first parliamentary year of the National Assembly the same question received 66 % score, which is 3 % higher from the score received during the second parliamentary year. In the first year of the evaluation, the strongest aspect of the representativeness of the National Assembly was the question How representative of women is the composition of Parliament? which scored 71 %.

#### **The overall score for the representativeness of the National Assembly of Pakistan**

The representativeness of the National Assembly received a net score of **52%**. Since the overall score is 52 %, the score is slightly above the average. During the first Parliamentary evaluation of the Assembly, the representativeness of the National Assembly received a net score of 55%, which is 5.45 % higher than the current score.

The average percentage for both first and second parliamentary years, if combined together, is 54 %, which is above the overall average of the evaluation.

The score awarded by MPs in this area is 57, which is higher than the score awarded by non-MPs which is 47.

## 2. Effectiveness of the Parliamentary Oversight over the Executive

Eight (8) sub-areas were evaluated to determine the effectiveness of the Assembly's Oversight over the Executive. These sub-areas included:

- a. Procedures
- b. Effectiveness of Committees
- c. The Budget Process
- d. Scrutiny of Executive Appointments
- e. Ability to hold Non-elected Public Bodies Accountable
- f. Autonomy of the Assembly
- g. Expertise of Professional Staff
- h. Research Facilities

### **The weakest aspect of parliamentary oversight over the executive: Inability to scrutinise executive appointments**

The weakest aspect of parliamentary oversight over the executive was evaluated to be the inability of the National Assembly to scrutinise executive appointments and to hold public bodies to account. The question ***How effectively can the Assembly scrutinize appointments to executive posts, and holds their occupants to account?*** received the lowest score i.e. **42%** under the evaluation of the effectiveness of parliamentary oversight over the Executive.

Compared with the evaluation results of the first parliamentary year of the 13th National Assembly, the question received 35 % score and stood as the lowest score. Although little has changed in terms of actual procedures and powers on the ground, the evaluation result has improved 20 % from the previous year.

### **The strongest aspect of Parliamentary oversight over the Executive: Autonomy of the Parliament**

The strongest aspects of the parliamentary oversight over the Executive was scored to be the Autonomy of the National Assembly from the control of the Executive. The question ***How far is the Assembly autonomous in practice from the executive, e.g. through control over its own budget, agenda, timetable personal, etc.?*** received the highest score of **65%**, an increase of 2% than the first year when the question received 64 % score.

### **Overall effectiveness of the National Assembly in oversight of the Executive**

The overall effectiveness of the National Assembly in oversight of the Executive was evaluated to be **50%** during the second parliamentary year while in the first year of the 13th National Assembly the overall effectiveness of the National Assembly in oversight of the Executive received 49 % score.

The score awarded by MPs in this area is 56, which is higher than the score awarded by non-MPs which is 43.

## 3. Effectiveness of the Legislative Capacity of the National Assembly of Pakistan

Effectiveness of the legislative capacity of the National Assembly of Pakistan was evaluated in the following 7 sub-areas:

- a. Procedures for Full and Open Debates
- b. Effectiveness of Committees to Amend Draft Legislation
- c. Procedure to Consult Various Interest Groups on Legislation
- d. Facilities to Introduce Private Member's Bill
- e. Effectiveness of the Assembly in ensuring quality of the passed legislation

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- f. Conformity of Legislation to the Constitution
- g. Incorporation of Gender Equality Perspective in Assembly Working

**The weakest aspect of the effectiveness of the legislative capacity of the National Assembly: carefulness of the National Assembly in ensuring a gender-equality perspective in its work?**

The question *How careful is the National Assembly in ensuring a gender-equality perspective in its work?* received the lowest score under this category i.e., 41%. During the first parliament year a 47 % score was assigned which is significantly or 12.77 % higher than the second parliamentary year.

In the first parliamentary year evaluation the weakest aspect of the effectiveness of the legislative capacity of the National Assembly was the question *How systematic and transparent are the procedures for consultation with relevant groups and interests in the course of legislation?* which scored a 44 % score compared to 46% this year.

**The strongest aspect of the effectiveness of the legislative capacity of the National Assembly: Adequate opportunities for individual members to introduce draft legislation**

The question *How adequate are the opportunities for individual members to introduce draft legislation?* received the highest score that is 63% during the evaluation of the second parliamentary year. In its first parliamentary year evaluation, the same questions received 54% score, which shows a 16.67 % increase in the second year's evaluation.

The strongest aspect of the effectiveness of the legislative capacity of the National Assembly in its first parliamentary year was the question *How effective are committee procedures for scrutinizing and amending draft legislation?* which received 60 % score whereas the same question scored 57% in the evaluation of second parliamentary year registering a 5 % decrease.

**The overall effectiveness of legislative capacity of the National Assembly of Pakistan**

The overall effectiveness of the legislative capacity of the National Assembly of Pakistan was evaluated to be 54%. Compared to this, the National Assembly scored 53 % in this area last year thus registering an increase of 2 % .

Scores awarded by MPs and Non-MPs also differ on this category as MPs assigned a score of 59 compared to 49 by non-MPs.

#### 4. The Transparency and Accessibility of the National Assembly of Pakistan

There were a total of 7 questions to evaluate the transparency and accessibility of the National Assembly of Pakistan. These questions related to the following aspects:

- a. Media Access to the Assembly
- b. Freedom of Journalists to Cover the Assembly Proceedings
- c. Communication with the General Public
- d. Ability to Attract Youth to the Assembly's Work
- e. Channels of Direct Communication by the People to the Members of the Assembly
- f. Availability of Channels of Communication with the Assembly to Civil Society Groups
- g. 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 question *How much opportunity do citizens have for direct involvement in legislation (e.g. through citizens'*

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*initiatives, referenda, etc.?)* received the lowest score under this category i.e. **36%**. During the first parliamentary year of the National Assembly the same question was also the weakest aspect of the transparency and accessibility of the National Assembly of Pakistan and received a score of 37.

### **The strongest aspect of the transparency and accessibility of the National Assembly: Ample freedom to journalists in reporting on the Assembly of and its members**

The question *How free from restrictions are journalists in reporting on National Assembly and the activities of its members?* received the maximum score that is **83%**. Incidentally this question received the highest score in the entire evaluation which underscores the freedom of the media in reporting on the Assembly and its members.

During the evaluation of the first parliamentary year of the National Assembly, this question received 76 % score registering an increase of approximately 9% in the score of the second parliamentary year.

### **Overall transparency and accessibility of National Assembly of Pakistan**

The overall transparency and accessibility of the National Assembly of Pakistan received a score of **58%**. Compared to this the evaluation of the first parliamentary year of the National Assembly scored 55 % in this area, which is slightly lower than the second Parliamentary year score.

The score awarded by MPs in this area is 62 %, which is higher than the score awarded by non-MPs which is 53%.

## **5. The Accountability of the National Assembly of Pakistan**

Seven (7) detailed sub-areas were evaluated in order to determine the Accountability of the National Assembly of Pakistan. These sub-areas included:

- a. Availability of a Proper System for Members of the Assembly to Report Back to their Constituents on their Performance
- b. Effectiveness of the Electoral System to ensure accountability of the Assembly and its members to electorate
- c. Accountability of the Members through Election; Observance of the Code of Conduct by the Members
- d. Transparency of Procedures to Prevent Conflict of Interest by the Members
- e. Oversight of Funding to Candidates and Parties
- f. Acceptable System of Determining Members' Salaries
- g. Availability of a Proper System of Measuring Public Confidence in the Assembly

### **The weakest aspect of the accountability of the National Assembly: Oversight of Funding to Candidates and Parties**

The question that received the lowest score in this aspect of the evaluation was *How adequate is the oversight of party and candidate funding to ensure that members preserve independence in the performance of their duties?*: **36%**. The same question received 39 % score during the first parliamentary year along with the question How systematic is the monitoring and review of levels of public confidence in the National Assembly? which also scored 36% during the evaluation of the first parliamentary year of the National Assembly.

During the first parliamentary year the lowest score in this aspect of the evaluation was How transparent and robust are the procedures for preventing conflicts of financial and other interest in the conduct of parliamentary business? which scored 38% whereas the same question received 44% score during the second parliamentary year, which is 15% higher than the first parliamentary year evaluation.

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### **The strongest aspect of the accountability of the National Assembly: Effective System observance of agreed code of conduct**

Electoral System as an effective mechanism of accountability was considered to be the strongest aspect of the accountability as **49%** score was awarded in response to the question ***How effective is the system for ensuring the observance of agreed codes of conduct by members?*** During the first parliamentary year this question received similar score.

### **Overall score for the accountability of the National Assembly of Pakistan**

Overall, the accountability of the National Assembly of Pakistan received a score of **44%**. Compared to this, the National Assembly scored 42 % in this area during the first parliamentary year registering an improvement of 4.76% in the evaluation of the accountability of the National Assembly of Pakistan.

The score awarded by MPs in this area is much higher, 47% than the score awarded by non-MPs which is 41%. It indicates that Parliamentarians consider the Assembly and MPs much more accountable than the non-MPs.

## **6. Effectiveness of the National Assembly's Involvement in Foreign Policy**

Six (10) sub-areas were evaluated to determine the effectiveness of the Assembly's involvement in international policy (popularly known as 'Foreign Policy' in Pakistan.). These sub-areas were:

- a. Ability of the Parliament to scrutinise and contribute to the Government's foreign policy;
- b. Availability of information to Parliament on on-going negotiations with international entities;
- c. Ability to influence the commitments made by the government to international entities;
- d. Parliament's ability to influence the monitoring reports submitted by the government as a part of its international commitments;
- e. Parliament's ability to monitor Government's Development Policy as a donor or recipient (Mostly as a recipient in the case of Pakistan);
- f. Oversight of the deployment of country's troops abroad;
- g. Parliament's effectiveness to foster political dialogue for resolving domestic and international conflicts;
- h. Effectiveness of inter-parliamentary cooperation at the domestic and international level;
- i. Ability of the parliament to scrutinise the policies and performance of International entities like the UN to which the country contributes.

### **The weakest aspect of the National Assembly's effectiveness in Foreign Policy: Oversight of the deployment of country's troops abroad**

The question that received the minimum score in this category was: ***How rigorous is parliamentary oversight of the deployment of the country's armed forces abroad?*** Though, the score was **40%**, which is the lowest among the scores received by 10 sub-areas under the Effectiveness of the involvement of the National Assembly of Pakistan in Foreign Policy in its second parliamentary year but it is highest percentage increase in terms of improvement of the score that is 33 % compare to the evaluation of the first parliamentary year, where the same question received 30% score.

### **The strongest aspect of the National Assembly's effectiveness in Foreign Policy: Effectiveness in inter-parliamentary cooperation**

A **55 %** score was assigned to the question ***How effective is the Assembly in inter-parliamentary cooperation at regional and global level?*** The same question received the highest score in this category in the evaluation of the first parliamentary year. Of all the 10 questions asked in this category, this question received the highest score for both parliamentary years.

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**Overall Score for the Effectiveness of the National Assembly's Involvement in Foreign Policy:**

Overall Effectiveness of the National Assembly's involvement in foreign policy was rated as **44 %**, with an increase of 18.92 % compared to the first parliamentary year which received 37% score.

The difference between the scores of MPs (49%) and Non-MPs (39 %) is 09%.



## RECOMMENDATIONS

**A**s noted earlier, the change in the overall performance of the National Assembly and its evaluation over the year is negligible and the need for systemic reforms and improvement is as pressing as was a year ago. Most of the reform areas highlighted a year ago are still relevant and the need for reform has therefore only intensified over the year.

### **Make it Possible for a Person of Average Means to be Elected to the Parliament**

The least scores in the entire process of evaluation have been assigned to the possibility of a person of average means to get elected as a member of the National Assembly in Pakistan. According to the declaration of assets by MNAs of the 12th and 13th National Assembly, the average value of assets of a Member of the National Assembly (MNA) was just below Rs. 27 million in 2002-2003 which has increased to almost Rs81 million in 2008-2009 a three-fold increase in assets declared by Members of the National Assembly (MNA) belonging to the 12th National Assembly (2002-2007) and the 13th (current) National Assembly of Pakistan from 2002-2003 to 2008-2009. Although many think that this value is grossly under-reported, even this value is far above the 'average means.'

If democracy and Parliament have to become relevant to common people and they have to have faith in democracy and democratic institutions, the Parliament must legislate tough measures to discourage the role of big money in politics. The Election Commission has to strictly enforce the election spending limits prescribed in the laws and the political parties must ensure that sincere, dedicated and able candidates are preferred irrespective of their financial standing and the party organisation should mobilise funds for such candidates' election campaigns. The Parliament should seriously consider state funding for political parties in proportion to their electoral popularity in order to discourage the influence of big money in politics and election. Unfortunately the Parliament has not considered this problem an issue and that makes the problem even worse.

### **Involve Citizens in the Parliamentary Agenda**

While legislating on key issues, Parliament seeks little or no input from the citizens. On key issues such as the 18th Constitutional Amendment, no public debate was sought after the presentation of the bill in the Parliament. Similarly on key legislation, while in established Parliaments exists a tradition of seeking public input into legislation, especially at the committee stage, the bills are not advertised for public input or scrutiny in the Pakistani Parliament and its committees. The question How much opportunity do citizens have for direct involvement in legislation (e.g. through citizens' initiatives, referenda, etc.?) received one of the lowest score i.e. 36% under the evaluation. This score has slightly dropped from the previous year's score and underlines the need of Parliament and Parliamentary committees to open up to the public and to involve and seek public input into key legislation and policy review and oversight.

### **Involve the Youth**

70% of the population of Pakistan is below 30 years of age, while 45% is below the age of 15 years. The youth demographics alone, if ignored, pose a huge challenge and an opportunity in Pakistan. If youth's potential is not harnessed, especially for democratic participation by the Parliament, interest and relevance of democracy, youth can become a recruiting source for extremism ideologies. The evaluation question that How extensive and successful are attempts to interest young people in the work of the Assembly? received a response of 41%. While initiatives such as the Young Parliamentarians Forum by the young MPs in the Parliament are welcome step in this direction, a concerted effort needs to be made by the Parliament as an institution to engage young people in the work of Parliament, encouraging young people to work as interns in the Assembly, introduction of a 'page' system for school children and facilitation of visits of schools and academic institutions to the assembly to raise awareness and to encourage involvement in Parliamentary democracy.

### **Make the Parliament's Role in the Budget Process Effective**

While one of the key powers of the Parliament is its control of the purse strings, the current role of the Parliament in the Budget process and budget scrutiny leaves much to be desired. The Parliament has no capacity to study, analyse and form an independent opinion about the budget presented by the executive. A very low score (46 %) was assigned to the effectiveness of the National Assembly in the Budget Process. It is important that the National Assembly changes its Rules of Procedure and Conduct of Business to allow the Committees to examine the Demands for Grants. The period of the parliamentary budget debate should also be extended to at least 2 months instead of the present 2 to 3 weeks only.

### **Provide Adequate Research Facilities to Parliament**

The need for qualified adequate research staff that can provide timely and objective research and analytical support to the legislators in the discharge of their responsibilities can not be over-emphasised. Pakistan's Parliament continues to suffer on this count and despite repeated calls for reform, including by serious MPs, the movement forward on this area remains slow. The State needs to allocate its own resources for the provision of research support to Parliament, Parliamentarians and Parliamentary Committees in addition to providing office space for individual MPs.

Effectiveness of the parliamentarians is directly dependent on the adequate and independent research service available to parliamentarians. It is important to establish a Parliamentary Research Service free from executive influence and of high quality to facilitate the function of parliamentarians and parliamentary committees.

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## 13th National Assembly of Pakistan

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### **Trust in Parliament**

What role does Parliament play in resolving key crises and issues touching the lives of the people is directly relevant to the level of public trust in the Parliament as the central institution of the democratic set-up. Even though this Assembly has debated and discussed important issues, Parliament has historically played little or no role in managing and diffusing key crises which are almost always resolved outside the Parliament.

Even though this Assembly can generally boast of better performance than the previous one, and key issues are raised and discussed in the Parliament, it is also apparent that the Parliament in Pakistan has chosen not to play any significant role in resolving key issues and crises. A major crisis facing Pakistan for the last 8 years and intensifying in recent years is insurgency and terrorism, especially in the Federally Administered Tribal Areas (FATA) and the North West Frontier Province (NWFP). It was heartening to see that the joint session of Parliament was convened on the subject which continued for 12 days in-camera from October 8-22, 2008. Senior security officials, including the Director General of the Inter-Services Intelligence (ISI), briefed the members. In the end, the joint session passed a unanimous resolution and resolved to constitute a Special Committee on Terrorism and Security. The Committee has been tasked to 'periodically review, provide guidelines and monitor implementation of the principles framed and road map given in the Resolution' passed by the joint session on October 22, 2009. All meetings of the committee, however, have been in-camera and little is known about what the committee has achieved. The Parliament has not approved a National Defence or National Counter-Terrorism Strategy.

As an institution, Parliament needs to institute a system with which to carry out a periodic review of the public trust in its performance. In response to the evaluation question that How systematic is the monitoring and review of levels of public confidence in the Assembly? A score of 42% has been assigned.

### **Strengthen Parliament's role in Parliamentary Diplomacy and oversight of Foreign Policy**

Under this year's evaluation, the Effectiveness of the National Assembly's Involvement in Foreign Policy received the overall score of 44 but this score goes down in answer to many of the sub-questions such as How adequate and timely is the information available to Parliament about the government's negotiating positions in regional and universal/ global bodies? (42%); How effective is Parliament in ensuring that international commitments are implemented at the national level? (46%) and How effective is Parliament able to scrutinize and contribute to the government's foreign policy? (42%).

As elected representatives of the people, Parliamentarians have the unique position and role to reach out and involve in diplomatic endeavours in keeping with public aspirations where state's institutions are unable to venture. Parliamentary diplomacy, therefore, can open doors and break barriers where State's positions are unable to reach. Pakistan's elected National Assembly has to endeavour to play a strong and systematic role in Parliamentary diplomacy across the region and internationally in the interest of Pakistan. All through the

World, Parliamentarians play this role for their countries, which is generally under-focussed in Pakistan, and lacks the systematic follow-up and coordination even in places where Parliamentary diplomacy creates a headway. Pakistan's inter-parliamentary cooperation at the regional and global levels has continued to score well over the past two years and it is this cooperation which has to be skilfully used in the form of parliamentary diplomacy to reach better goals systematically.

In terms of oversight functions, the Parliament has to assert its role in areas where the State has become signatory to international pacts and treaties. Parliament and Parliamentary Committees must systematically review Pakistan's progress of implementation of international treaties and conventions.

A system is also needed whereby all international commitments Pakistan aspires to adhere to should first be whetted and approved by the Parliament. The crisis of approval of the value added tax, that the Government of Pakistan agreed to implement in Pakistan under agreement with the International Monetary Fund (IMF) is a case in point. Principally, Pakistan's agreement/ Letter of Intent with the IMF should have been discussed and approved by the Parliament before the Pakistan Government agreed for its implementation with the IMF.

#### **Let Parliament have a Role in Scrutinising Key Appointments**

Similarly, Parliamentary Committees should have a role in scrutinising senior executive appointments which, at present, is the sole preserve of the President and /or Prime Minister. For example such senior appointments as that of the Chief Election Commissioner, Chief Justice of Pakistan, Chairman of Federal Public Service Commission, Auditor General, Chairman National Accountability Bureau, etc., should all be reviewed by the National Assembly committees.

#### **Standing Committee on Foreign Affairs should Adopt a Pro-active Role in Formulating, Shaping and Overseeing the Foreign Policy**

As the Foreign Policy assumes a much more important position in the national affairs, its impact on the country becomes more profound. The National Assembly and its Standing Committee on Foreign Affairs have seldom played any significant role in formulating and shaping the country's foreign policy. It is a standard practice for Parliaments to give significant input to the framing of public policies especially the Foreign Policy but the case of Pakistan indicates ineffectiveness of the National Assembly in this context.

The Standing Committee should take up a pro-active role in seeking information on the foreign policy from the executive (Foreign Ministry in this case), hold public hearings, call experts for input and send written recommendations to the government for possible implementation. The committee should employ research and analysis staff on its pay rolls and hold more frequent meetings. The committee should meet at least once a month as fast developments are taking place in this field. The committee may also consider holding joint meetings with its counterpart committee in the Senate and the Standing Committees on Defence in the two

houses. The Committee should also monitor the implementation of the recommendations made by the committee. The monitoring procedures of the Indian Parliamentary Committees may also be studied for adaptation by the Pakistani Parliament.

**Institute Transparent and Robust Procedures and Mechanisms to Prevent Conflicts of Financial and Other Interest in the Conduct of Parliamentary Business**

There should be a Register of Members' Interests kept in the Parliament with a registrar notifying all such interests on the Assembly website and alerting the concerned committee about any possible conflict of interest. The practice in the UK Parliament can be taken as an example of good practice.

**Establish a System of Adequate Oversight over Funding of Candidates and Parties during and after Election**

The Election Commission should make sure that the existing laws in this respect are enforced in letter and spirit. The Parliament should plug the gaps by passing additional legislation in order to make sure that influence of big money on politics and parliamentarians is avoided and corrupt practices are curbed.



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**Table 1: Detailed Evaluation of the National Assembly of Pakistan**

No.	Parameter and Sub-Area of Evaluation	Score % 2009	Score % 2010	Average % 2009-2010	Percentage Increase/ Decrease
<b>1</b>	<b><i>The Representativeness of the National Assembly of Pakistan</i></b>	<b>55</b>	<b>52</b>	<b>54</b>	<b>-5.45%</b>
1.1	How adequately does the Assembly represent the diversity of political opinion in the country (e.g. as reflected in votes for the respective political parties)?	64	59	62	-7.81%
1.2	How representative of women is the composition of the Assembly?	71	56	64	-21.13%
1.3	How representative of marginalized groups and regions is the compositions of the Assembly?	53	50	52	-5.66%
1.4	How easy is it for a person of average means to be elected to the Assembly?	28 <small>(Lowest Score of any Sub-area in the entire evaluation)</small>	28	28	0.00%
1.5	How adequate are internal party arrangements imbalances in parliamentary representation?	39	39	39	0.00%
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 the Assembly?	52	51	52	-1.92%
1.7	How conducive is the infrastructure of Assembly, and its unwritten mores, to the participation of women and men?	56	58	57	3.57%
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?	69	64	67	-7.25%
1.9	How effective is Assembly as a forum for debate on questions of public concern?	66	64	65	-3.03%
<b>2</b>	<b><i>Effectiveness of Parliamentary Oversight over the Executive</i></b>	<b>49</b>	<b>50</b>	<b>50</b>	<b>2.04%</b>
2.1	How rigorous and systematic are the procedures whereby member can question the executive and secure adequate information from it?	56	55	56	-1.79%
2.2	How effective are specialist committees in carrying out their oversight function?	57	54	56	-5.26%
2.3	How well is the Assembly able to influence and scrutinize the national budget, through all its stages?	44	46	45	4.55%
2.4	How effectively can the Assembly scrutinizes appointments to executive posts, and holds their occupants to account?	35	43	39	22.86%
2.5	How far is the Assembly able to hold non-elected public bodies to account?	42	49	46	16.67%
2.6	How far is the Assembly autonomous in practice from the executive, e.g. through control over its own budget, agenda, timetable personal, etc.?	64	65	65	1.56%

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No.	Parameter and Sub-Area of Evaluation	Score % 2009	Score % 2010	Average % 2009-2010	Percentage Increase/ Decrease
2.8	How adequate are the research, information and other facilities available to all members and their groups?	46	44	45	-4.35%
<b>3</b>	<b><i>National Assembly's Legislative Capacity</i></b>	<b>53</b>	<b>54</b>	<b>54</b>	<b>1.89%</b>
3.1	How satisfactory are the procedures for subjecting draft legislation to full and open debate in the Assembly?	56	56	56	0.00%
3.2	How effective are committee procedures for scrutinizing and amending draft legislation?	60	57	59	-5.00%
3.3	How systematic and transparent are the procedures for consultation with relevant groups and interests in the course of legislation?	44	46	45	4.55%
3.4	How adequate are the opportunities for individual members to introduce draft legislation?	54	63	59	16.67%
3.5	How effective is the Assembly in ensuring that legislation enacted is clear, concise and intelligible?	54	54	54	0.00%
3.6	How careful is the Assembly in ensuring that legislation enacted is consistent with the constitution and the human rights of the population?	54	62	58	14.81%
3.7	How careful is the Assembly in ensuring a gender-equality perspective in its work?	47	41	44	-12.77%
<b>4</b>	<b><i>The Transparency and Accessibility of the National Assembly of Pakistan</i></b>	<b>55</b>	<b>58</b>	<b>57</b>	<b>5.45%</b>
4.1	How open and accessible to the media and the public are the proceeding of the Assembly and its committees?	70	78	74	11.43%
4.2	How free from restrictions are journalists in reporting on the Assembly and the activities of its members?	76	<b>83</b> <small>(Highest Score of any Sub-Area in the entire Evaluation)</small>	80	9.21%
4.3	How effective is the Assembly in informing the public about its work, through a variety of channels?	63	60	62	-4.76%
4.4	How extensive and successful are attempts to interest young people in the work of the Assembly?	44	41	43	-6.82%
4.5	How adequate are the opportunities for electors to express their views and concerns directly to their representative, regardless of party affiliations?	46	59	53	28.26%
4.6	How user-friendly is the procedure for individuals and groups to make submissions to a parliamentary committee or commission of enquiry?	45	46	46	2.22%

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No.	Parameter and Sub-Area of Evaluation	Score % 2009	Score % 2010	Average % 2009-2010	Percentage Increase/ Decrease
4.7	How much opportunity do citizens have for direct involvement in legislation (e.g. through citizens' initiatives, referenda, etc.)?	37	36	37	-2.70%
<b>5</b>	<b><i>The Accountability of the Assembly</i></b>	<b>42</b>	<b>44</b>	<b>43</b>	<b>4.76%</b>
5.1	How systematic are arrangements for members to report to their constituents about their performances in office?	40	42	41	5.00%
5.2	How effective is the electoral system in ensuring the accountability of the Assembly, individually and collectively, to the electorate?	46	48	47	4.35%
5.3	How effective is the system for ensuring the observance of agreed codes of conduct by members?	49	49	49	0.00%
5.4	How transparent and robust are the procedures for preventing conflicts of financial and other interest in the conduct of parliamentary business?	38	44	41	15.79%
5.5	How adequate is the oversight of party and candidate funding to ensure that members preserve independence in the performance of their duties?	39	36	38	-7.69%
5.6	How publicly acceptable is the system whereby members' salaries are determined?	46	44	45	-4.35%
5.7	How systematic is the monitoring and review of levels of public confidence in the Assembly?	39	42	41	7.69%
<b>6</b>	<b><i>Effectiveness of the National Assembly of Pakistan's Involvement in Foreign Policy</i></b>	<b>37</b>	<b>44</b>	<b>41</b>	<b>18.92%</b>
6.1	How effective is parliament able to scrutinize and contribute to the government's foreign policy?	35	42	39	20.00%
6.2	How adequate and timely is the information available to parliament about the government's negotiating positions in regional and universal/ global bodies?	33	42	38	27.27%
6.3	How far is parliament able to influence the binding legal or financial commitments made by the government in the international fora, such as the UN?	35	43	39	22.86%
6.4	How effective is parliament in ensuring that international commitments are implemented at the national level?	34	46	40	35.29%
6.5	How effectively is parliament able to scrutinize and contribute to national reports to international monitoring mechanisms and ensuring follow-up on their recommendations?	37	42	40	13.51%
6.6	How effective is parliamentary monitoring of the government's development policy, whether as "donor" or "recipient" of international development aid?	37	44	41	18.92%
6.7	How rigorous is parliamentary oversight of the deployment of the country's armed forces abroad?	30	40	35	33.33%
6.8	How active is parliament in fostering political dialogue for conflict resolution, both at home and abroad?	43	46	45	6.98%

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No.	Parameter and Sub-Area of Evaluation	Score % 2009	Score % 2010	Average % 2009-2010	Percentage Increase/ Decrease
6.9	How effective is parliament in inter-parliamentary cooperation at regional and global levels?	48	55	52	14.58%
6.10	How far is parliament able to scrutinize the policies and performance of international organizations like the UN, World Bank and IMF to which its government contributes financial, human and material resources?	34	43	39	26.47%
<b>Overall Evaluation Score for the National Assembly of Pakistan</b>		<b>48</b>	<b>50</b>	<b>49</b>	<b>4.17%</b>



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