

Women MPs PERFORMANCE in the National Assembly

June 2013-March 2014

Participation in NA Proceedings: 99% Women MPs remain Active, Assertive

- 68 out of 69 Women Parliamentarians Actively Took Part in Parliamentary Proceedings
- 12 Private Members’ Bills Sponsored by Women Members

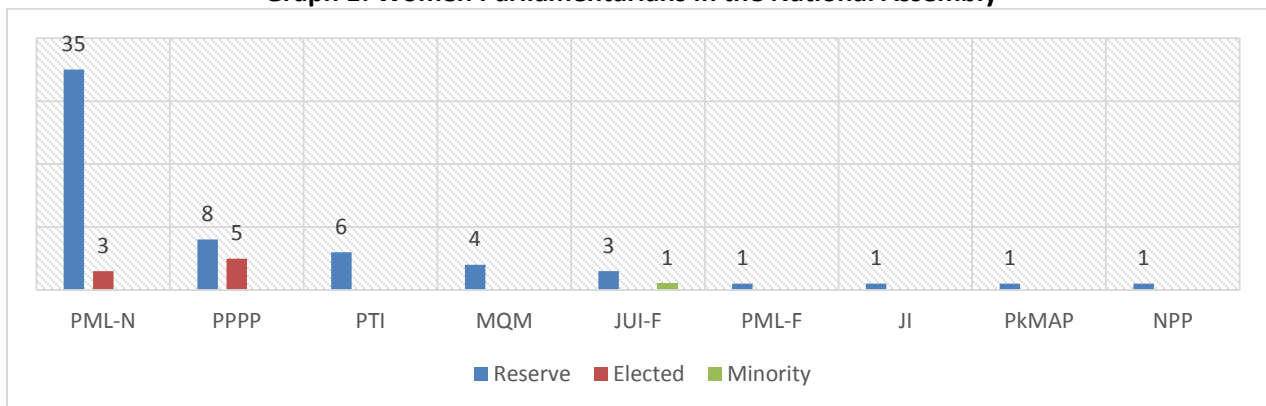
As the first parliamentary year of the incumbent 14th National Assembly is nearing to an end, women legislators performed impressively, asserting themselves in their lawmaking role, according to a Free and Fair Election Network on the International Women’s Day.

They played an active role in the lawmaking process by submitting 12 private member bills (six singly and six jointly with their colleagues). These bills mainly focused of issues pertaining to governance, human rights, democracy and political development. Similarly, women parliamentarians, singly, submitted 20 resolutions, 14 calling attention notices, 1,383 questions, 22 motions under rule 259 and raised 64 points of order during the reporting period.

Women members occupy one-fifth of the National Assembly's seats. Currently, there are total of 340 members - 60 on reserved seats, eight through direct elections and one on minority reserved seat. As many as 68 women legislators actively participated in the parliamentary proceedings either by submitting agenda on Orders of the Day or taking part in the on-floor details.

In a report released by the Inter-Parliamentary Union (IPU) on the comparison of women parliamentarians in lower houses in various countries, Pakistan ranks at 66 – a higher proportion than some of its regional neighbors such as Bangladesh (ranked 71), India (ranked 108) and Sri Lanka (ranked 130). Though, 18 women were directly elected in the last 13th National Assembly, it has decreased to eight for the current National Assembly. Pakistan Peoples’ Party Parliamentarian (PPPP) has won five direct women seats and Pakistan Muslim League-Nawaz (PML-N) three. The following table gives a detail of women members in the National Assembly elected on reserved, direct or minority seats:

Graph 1: Women Parliamentarians in the National Assembly



Women have been appointed on important portfolios in the National Assembly - the State Ministers for National Health Services, Regulations and Coordination, and Information Technology are women. Similarly, the Parliamentary Secretaries for Interior and Narcotics Control and Petroleum and Natural Resources are women MNAs while the Standing Committee on Information, Broadcasting and National Heritage is also being chaired by a woman.

The performance of women parliamentarians is based on FAFEN data (June, 2013 till March, 2014) gathered from direct observation of the proceedings of the bicameral parliament as well as the four provincial assemblies. The report puts forward an analysis on the performance of National Assembly members (MNAs) against various interventions such as bills, resolutions, questions, calling attention notices and motions for debates. However, as parliamentary member’s performance is based on interventions appearing in the plenary, there may be more agenda submitted by female lawmakers that was tabled but not presented in the House.

Overall women tabled 12 legislations - six singly and six jointly with their male colleagues. Half of the resolutions tabled in the first parliamentary year (44 of total 88) were sponsored by women MNAs - 20 singly and 24 jointly. Women were active in conducting oversight of government ministries and departments by submitting 1,383 questions and 54 calling attention notices (CANs) on the agenda. To hold discussions on public issues, they submitted 25 motions (under Rule 259).

Table 1: Women Parliamentarians Performance at a Glance

Agenda	Agenda Submitted by Male MNAs	Agenda Submitted by Female MNAs	Agenda Submitted Jointly by Female and Male MNAs	Total Agenda Submitted in the National Assembly
Private Members Bills Introduced	9	6	6	21
Resolutions	44	20	24	88
CANs	37	14	40	91
Points of Order	824	64	0	888
Questions	2,045	1,383	-	3,428
Supplementary Questions	362	130	-	492
Matters of Public Importance	2		-	2
Motions Under Rule 259	35	22	3	60
Matters which are not Point of Order	142	35	-	177

1.0 Parliamentary Outputs

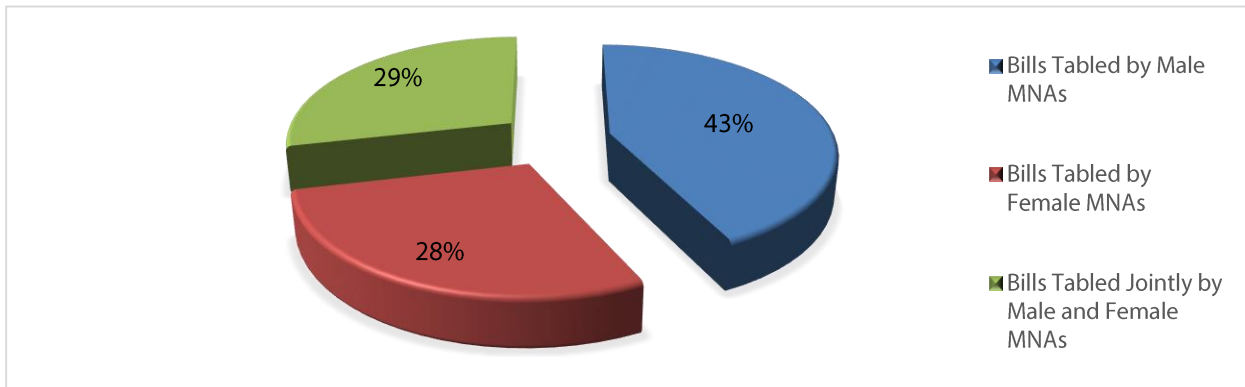
Law making on matters of national significance through careful debate is the Parliament's most important function. In this section the National Assembly's outputs sponsored by women parliamentarians have been discussed in the form of legislation and resolutions.

1.1 Legislation

Women parliamentarians played an active role in the lawmaking process by submitting 12 private member bills. The main focus of women introduced legislation was on governance, human rights, democracy and political development. Two bills solely addressed women rights’ issues- protection of women rights and their better integration in the political processes.

In terms of party-wise performance, women affiliated with PML-N dominated the legislation as five bills were submitted by them either singly or jointly with their colleagues, followed by MQM members (four bills), PPPP (two) and a single bill by JI member. Four of these bills were new pieces of legislation while the remaining eight amend existing laws. Although the said bills were introduced and sent to the relevant committees for scrutiny; none of them has been passed yet.

Graph 2: Private Member Bills Introduced



1.1.1 Thematic Breakdown of the Legislations

a) Human Rights

One women-centered bill (among the three) focuses on the protection of human rights. Two other bills seek amendments to the Pakistan Penal Code, 1860 and the Criminal Procedure Code, 1898. A female PML-N lawmaker moved a milestone bill drafted in line with the Supreme Court recommendations regarding conduct of rape trials¹. The proposed law bars police or magistrates from acting as guardians of the accused in rape cases. It also deals with the delay in the First Investigation Reports (FIRs) and prohibits unlawful settlements between the victim and the aggressor. The said bill proposes free medical treatment for the rape victims in government hospitals victims, recommends administering of DNA testing, and calls for preservation of DNA samples.

The other bill tabled by female and male lawmakers of MQM mandates investigation police to use modern techniques for investigation while giving due care to physical and mental health of a person. It also puts penalties on police/public officers in case of registration of a false or dishonest First Investigation Report (FIR) and investigation into cases with imprisonment and a fine - not less than Rs. 10,000,000.

The year 2013 was marked by reporting on sexual assault cases against children including the brutal rape case of a five-year-old girl in Lahore inciting severe criticism from the media, civil society organizations and general public alike. Such incidents have a heavy bearing on Pakistan as it has ratified the United Nations Convention on Rights of the Child (UNHCR). Responding to the increasing cases of sexual assault on children, two PML-N women MNAs drafted a bill, the Criminal Law (Amendment) Bill, 2014 that increases the age of criminal responsibility from seven to 12 years except in terrorism cases while protecting children from corporal punishment, child pornography and human trafficking.

¹ Supreme Court judgment in 2013 SCMR 203;
http://supremecourt.gov.pk/web/user_files/File/sp_hcj_desig_full_court_reference.pdf

b) Governance

Women legislators' efforts in seeking better governance prompted them to sponsor five bills relating to health, education and employment. To prevent young generation from the destructive effects of narcotics, a PML-N female member moved the Control of Narcotics Substances (Amendment) Act, 2014 which puts direct responsibility of controlling the spread of narcotics on the police and *tehsil* administration within their respective territorial jurisdictions. On breach of the provisions of the aforementioned Act, the violator shall be liable to "imprisonment for ten years and with fine which shall not be less than five hundred thousand rupees". Another bill seeking improvement in public health - the HIV/AIDS (Safety and Control) Act, 2013 - mandates marrying couples and pregnant women to undergo HIV/Aids tests besides making other provisions to create awareness about the disease and measures to control its spread. The said bill was sponsored by women members of PPPP.

Two other bills focus on improvement in the publication and education of the Holy Quran. The publication of the Holy Quran (Elimination of Printing and Recording Errors) Act, 2013 tabled jointly by female and male PML-N members provides for mechanisms to ensure error free publication of the Holy Quran on fine quality papers and proper disposal of its martyred/damaged pages and copies. While another jointly tabled bill, sponsored by JI members, aims to promote the teaching and propagation of the Quran and *Sunnah* as well as an Islamic way of living.

The Civil Servants (Amendment) Bill, 2014 amends the Civil Servants Act, 1973 to provide for streamlining and settlement of pension cases at the earliest by holding relevant authorities responsible for not finalizing civil servants' pension cases within a month liable to a disciplinary action and a major penalty. The mentioned bill was submitted by women members belonging to MQM along with their male party colleagues.

c) Political Development and Strengthening the Federation

Another significant legislation on enhancing women's meaningful representation in the political process within the political parties, parliament, provincial assemblies and local government was introduced by women lawmakers belonging to PPPP. The mentioned legislation titled the Political Parties Order (Amendment) Bill, 2013 amends the Political Parties Order, 2002 mandating every political party to select a minimum of 10% women candidates for general elections while also providing for 33% quota for women in every party's elected general council and associated party committees at the federal, provincial and local levels of the party.

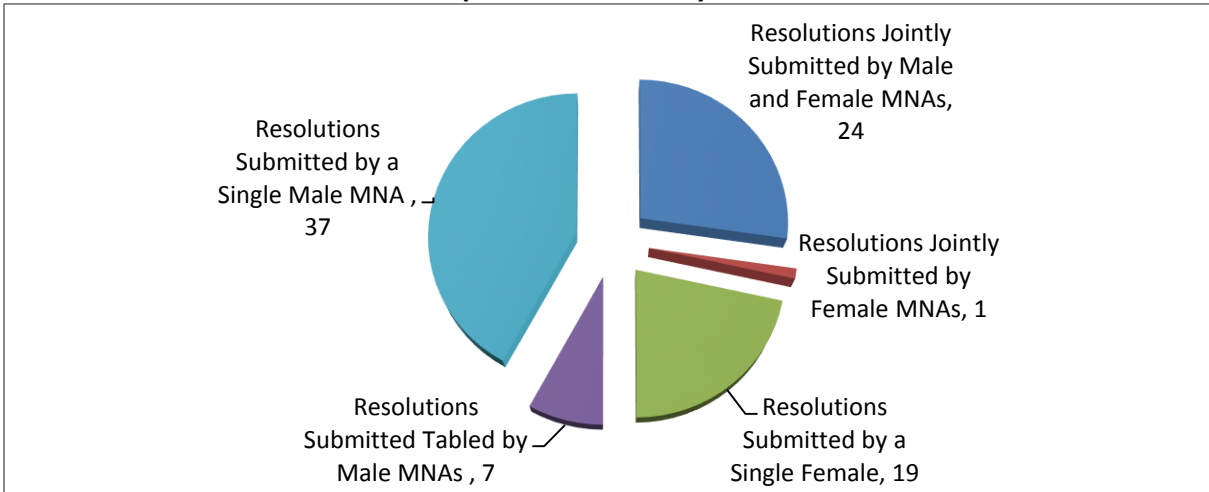
Female lawmakers belonging to MQM tabled two bills regarding upholding democracy and political development. A woman MQM lawmaker moved the Constitution (Amendment) Act, 2013 proposing amendments to Article 51 and 59 of the Constitution to allocate four reserved seats for disabled persons in each House of the Parliament i.e. National Assembly, Senate and the provincial assemblies. Female members co-sponsored the Islamabad Capital Territory Local Government Act, 2013 with their male party members. This is a follow-up of the recommendation of the superior courts regarding local body elections in the Federal Capital for effective delivery of services and transparent decision making through institutionalized participation.

Another bill for strengthening the federation entitled "the Constitution (Amendment) Bill, 2014" was submitted by PML-N female and male members. The bill provides for the setting up of a National Language Commission comprising linguists and experts to develop criteria for awarding the status of national language in the major regional languages including Balochi, Balti, Punjabi, Pashto, Sindhi, Hindko, and Urdu.

1.1.2 Resolutions

Through resolutions, a legislature, elected party/parties or a legislator expresses an opinion, makes recommendations, or conveys a message on a specific and important issue. In the first parliamentary year, women parliamentarians have sponsored nearly half of the resolutions tabled so far – 44 of total 88 – either singly or jointly with their male and female colleagues. Twenty three women backed resolutions were adopted by the House, two were debated while the remaining left unaddressed. Women appear more concerned with issues related to governance, law and order, terrorism, foreign affairs and energy sector reforms.

Graph 3: Resolutions by Gender



Women members sponsored resolutions on the unfortunate and tragic terrorist incidents in the country. These include the killing of army personnel in the Khyber-Pakhtunkhwa and tourists in Gilgit-Baltistan in terrorist attacks. The resolutions strongly condemned the terrorist attacks while the government was called upon to take effective measures to do away with terrorism and bring the perpetrators to justice.

As mentioned earlier, many reports of horrific acts of rape, molestation of girls as young as 5 years surfaced last year. The female members in collaboration with their male members submitted a joint in response to such incidents demanding immediate arrest and speedy trial of the culprits, protection and care of both the girls and the families.

A massive earthquake hit Awaran district of Balochistan in September, 2013. Women MNAs in collaboration with the male members tabled a joint resolution to express their deepest shock and grief over the natural disaster while calling upon the government to expedite its rescue and relief efforts in the affected regions.

Pakistan had some flare ups with India over the line of control (LOC) during 2013 resulting in the killings of army men including the unprovoked killing of army personnel. The National Assembly adopted two resolutions to strongly condemn the LOC violations. It was jointly submitted by male and female members of various parties. The House discussed a resolution tabled by a PPPP female criticizing India over constructing dams on the water-stream coming to Pakistan. It has serious implications for the industrial and agriculture sectors in Pakistan. It was considered a violation of the Indus Water Treaty signed between India and Pakistan in 1960. The resolution urged upon the government to form a commission to re-examine the 1960 Indus Water Treaty between India and Pakistan and take into account its violations and find a way forward.

Women members also co-sponsored two resolutions condemning drone attacks by the Allied Forces in Pakistan and appreciate the efforts of the government that led to the United Nations General Assembly's resolution against the use of drone strikes.

Women moved several other resolutions either singly or jointly with their colleagues. They called upon the government to take steps to end beggary and provide public security in Islamabad, abolish interest based financial system in the country, control the use of fake SIMs, make Pakistan Bureau of Statistics (PBS) as an autonomous body, and provide National Identity Cards to the Citizens free of cost.

Energy sector reforms also demanded to do away with power outages, and to take steps to explore new reserves of oil and gas. Resolution on reviving the Pakistan Steel Mills and holding local body elections were also sponsored by female members in collaboration with their colleagues. Some pertinent resolutions submitted by female members (jointly or singly) were not taken up by the House.

2.0 Representation and Responsiveness

Parliament's responsiveness means members' collective actions on the issues of public interests that are raised and discussed on the floor of the House through motions under rule 259 or matters of public importance.

2.1 Motions under Rule 259

Under Rule 259 of the Rules of Procedure and Conduct of Business of the National Assembly, "any minister or member may give notice of a motion that any policy, situation, statement of any other matter may be taken into consideration."

Women legislators submitted 25 motions under rule 259, of which 20 were submitted singly by female parliamentarians, two jointly with other female colleagues and three with male legislators of the assembly. Party-wise analysis of women members shows that PPPP female members were most active as they submitted 10 motions, followed by PML-N (eight), PTI (four), JI (two) and JUI-F (one).

Of all the 25 motions, only two – one of PTI and other PPPP – were debated in the House while all other were left un-addressed. The PTI debated motion raised the issue of scarcity of clean drinking water in Islamabad Capital Territory leading to health issues. The other motion which was debated before the House was on the country's foreign policy.

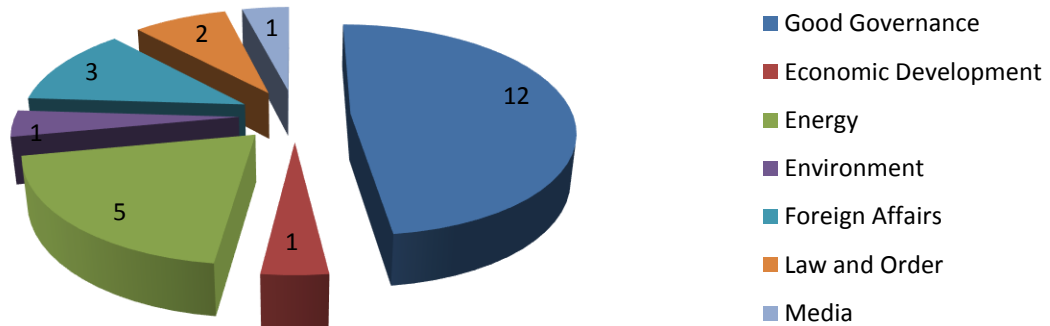
Most of the female members used motions under Rule 259 to voice concern of citizens; issues of good governance (twelve) were submitted followed by energy (five), foreign affairs (three), law and order (two), and one each on media and environment. Through motions, the members put up the subjects of health, education, malnutrition and increasing corruption before the House.

Female legislators of PTI, PPPP, PML-N, and JI also submitted motions on the pressing issue of energy crises. The legislators demanded debates on matters such as energy policy, gas and electricity load-shedding and role of Thar Coal project etc.

Foreign policy of country, its policy on Kashmir and construction of dams by India was the subject of three motions. The said motions were submitted by female legislators of PPPP, JI and PML-N respectively. Two motions of PTI and PPPP requested to discuss overall law and order situation of the country and inadequate arrangements for the security of polio workers in Islamabad.

Two female PPPP legislators voiced the issue of environmental changes and ban on YouTube.

Graph 4: Issues Raised Through Motion under Rule 259



3.0 Executive Oversight

The oversight of executive is one the legislature’s core functions through which it asserts itself as a representative body. It is necessary for the accountability of the executive's actions and ensuring the implementation of policies and decisions made on the floor of the House. It is carried out through Questions and Calling Attention Notices, under Rules 69 and 88 respectively of the Rules of Procedure

3.1 Calling Attention Notices

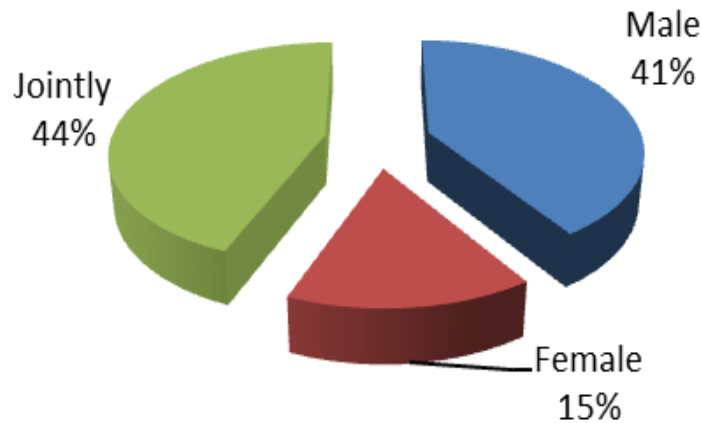
According to the National Assembly's Rules of Procedure and Conduct of Business, “a member may with the previous permission of the Chair call the attention of a minister to any matter of urgent public importance and the minister may make a brief statement or ask for time to make a statement at a later hour or date, provided that no member shall give more than two such notices for any one sitting.”

Fourteen calling attention notices were solely submitted by women parliamentarians during the last nine sessions whereas 40 notices were jointly tabled with their male counterparts. Out of the total 54 CANs, the House took up the majority – 47, while seven were not taken up on the floor.

Female law makers took interest in bringing forward the national and public issues on the floor. They raised notices on terrorism, energy crisis, foreign policy, environment, education, employment issues, health, development works and education.

Two female members from PPPP remained the top performers by submitting 12 CANs either singly or jointly with their male colleagues. However on the basis of party wise analysis, more PML-N members - as 19 of them - took part in submitting notices.

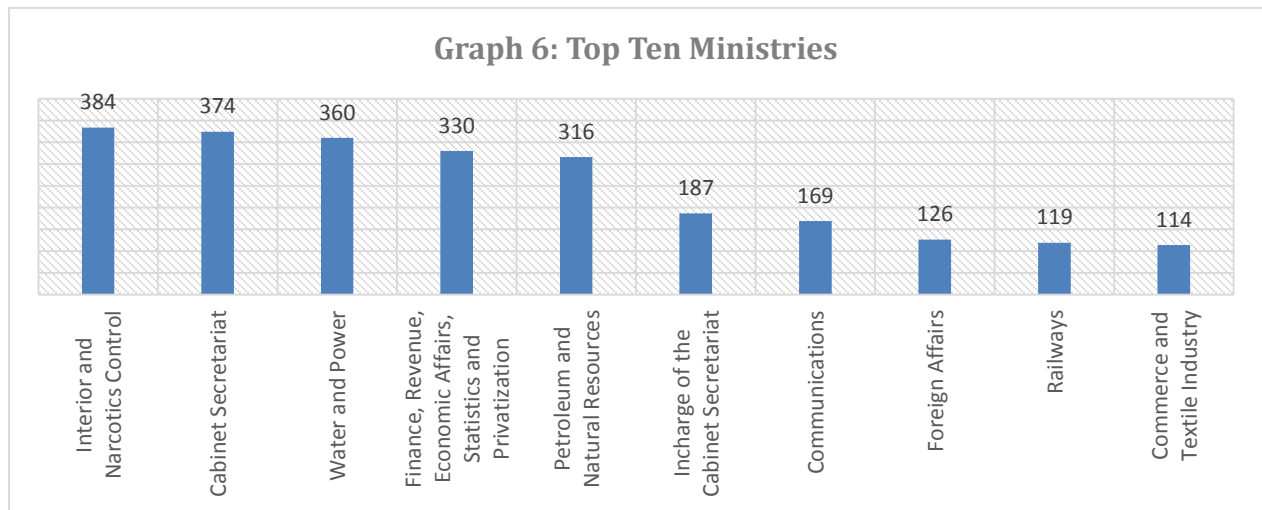
Graph 5: Calling Attention Notices by Gender



3.2 Question Hour

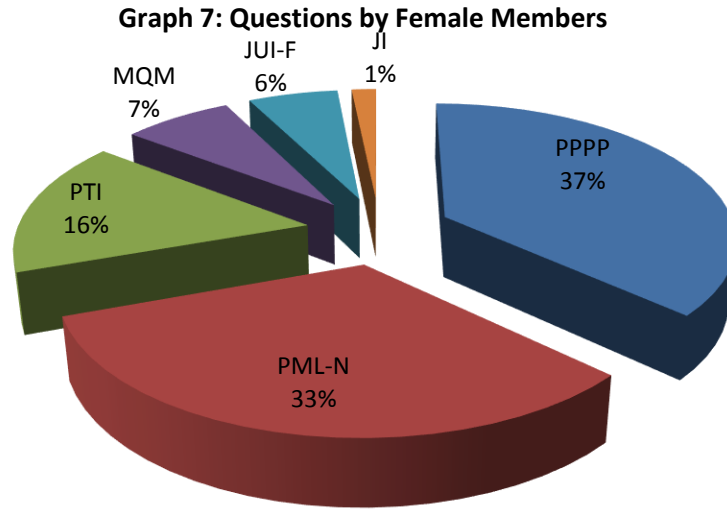
Question hour is an important parliamentary intervention that provides the right to members to elicit factual information from the government regarding matters of public interest. The female parliamentarian’s contributed their fair share in oversight of the executive by submitting 40% (1,383) of the total questions – 3,428, in the House.

Most of the questions were put forward to the Ministries of Interior and Narcotics Control, Cabinet Secretariat, Water and Power, Finance, Revenue, Economic Affairs, Statistics and Privatization, Petroleum and Natural Resources, Communications and Foreign Affairs. Additionally female legislators put forward 69 supplementary questions for further elucidation of the response.



The pie chart shows the party-wise questions raised by female members in the National Assembly. The women parliamentarians representing PPPP asked most of the questions – 507 (37%) on the floor of House and outperformed their male PPPP counterparts. A PPPP member also become the top performer among her female colleagues by putting more questions, 129 – 59 starred and 70 un-starred. The members from PML-N submitted 449 (32%), PTI with 218 (16%), MQM –987%) and JUI-F raised 81 (6%) questions in the assembly. A negligible sum of questions (about 2%) was raised by JI, NPP and PkMAP lawmakers.

Among female members, both PPPP members, Belum Husnain (129) and Nafeesa Inayatullah Khan Khattak (103) asked the most number of questions.



4.0 Order and Institutionalization

This section deals with Order and Institutionalization of members which is important for an efficient and productive legislature. It includes the Points of Order raised and the time consumed in discussing them.

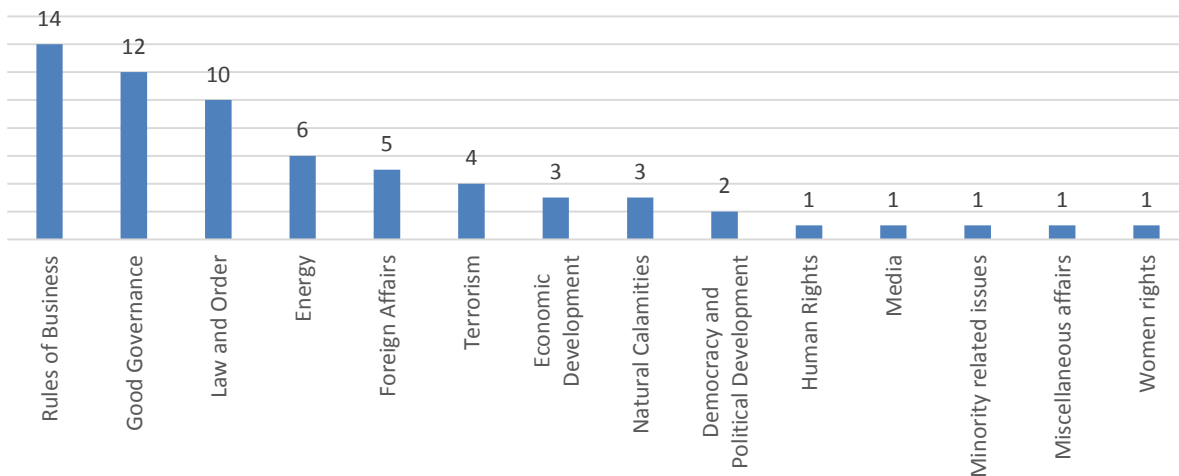
4.1 Points of Order

A Point of Order exclusively relates to the interpretation or enforcement of the rules of procedure. However, the members while speaking on POs mostly discuss national, regional and local issues.

Twenty-five female parliamentarians – eight (PML-N), six (PPPP), three each of PTI, JUI-F and MQM and one each of JI and NPP - raised 64 points of order. Of these 64 points of order, legislators spoke most on rules of business (14), followed by issues of good governance (12), law and order (nine), energy (six) and foreign affairs (five). Other varying issues were also raised by female members of the House.

Female legislators of each PML-N and PPPP spoke on 14 points of order, followed by PTI with 12. Members of JUI-F and MQM raised 10 points of order each, whereas female legislators of JI spoke on three points of order while NPP on one.

Table 2: Points of Order

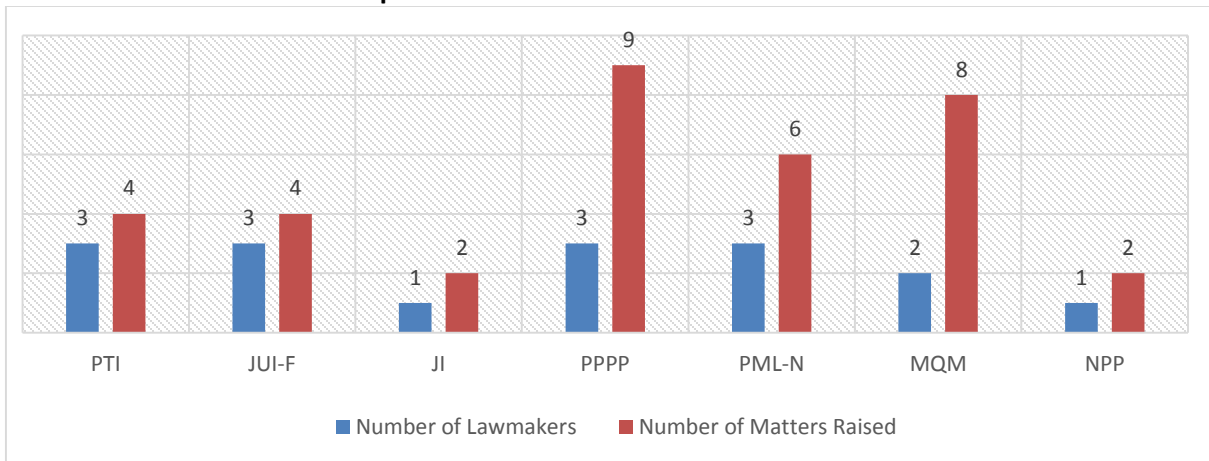


4.3 Matter which is not Points of Order

The Rule 18(1) of Rules of Procedure and Conduct of Business of the National Assembly say “the Speaker may allot last half an hour of every sitting except on Fridays for raising a matter which is not point of order. The member shall be permitted to raise it, only after the Speaker has given his consent and at such date as the Speaker may fix.”

Sixteen female lawmakers submitted 35 matters which are not point of order. Party wise analysis shows that equal number of female legislators (three each) of PTI, JUI-F, PPPP and PML-N participated in submitting matters. However, if the analysis is made on the basis of number of matters submitted by these female parliamentarians, than PPPP took the lead as three of their members submitted nine matters, followed by MQM as two of them submitted eight items. Through number of matters submitted, women parliamentarians of PML-N secured third place as three of them moved six matters. Three each legislator of PTI and JUI-F raised the equal number of matters (four each). The figure below illustrates the party wise number of lawmakers and the number of matters raised by them.

Graph 8: Matter which is not a Point of Order



Through these matters, female lawmakers raised 11 issues pertaining to good governance such as health, education, communication, infrastructure etc. Law and order issue was raised through six matters, followed by economic development (five), rules of business (four) and media (three). Through matters, female legislators also spoke on women rights, minority issues, foreign policy, terrorism and democracy and political development.

Till now, two female parliamentarians – both of PTI – have pointed out lack of quorum in the fifth session of assembly. The first sitting of fifth session was adjourned till next day due to lack of quorum pointed by a female PTI member.

In the fourth sitting of fifth session, also a PTI legislator pointed out lack quorum, however, it was found complete after counting and sitting was resumed to business.

ABOUT FAFEN

Free and Fair Election Network (FAFEN) is a nationwide network of 42 Pakistani civil society organizations. It has been working since 2006 to strengthen democratic systems and promote active citizenship and is now governed by Trust for Democratic Education and Accountability (TDEA). With its primary mandate to observe elections and seek reforms to improve the quality of elections, FAFEN managed unprecedented long-term voter education and election observation initiatives that got 20,000 Pakistani citizens from every district of the country directly involved in the general election process in 2007-08.

In 2013, FAFEN deployed more than 40,000 trained, non-partisan long- and short-term observers to monitor all phases of general election. FAFEN election observation has yielded valuable insights into the quality of the electoral process and enabled generation of critical recommendations for reforms in the constitutional, legal and procedural frameworks that govern elections in Pakistan.

In addition to its vibrant Electoral Oversight, Research and Reforms Program, FAFEN has developed innovative techniques to observe the functioning of Parliament and Provincial Assemblies in order to advocate for parliamentary reforms for a more accountable, transparent and responsive legislative governance. Under its Parliament Oversight, Research and Reforms Program, FAFEN directly observes and objectively reports on the proceedings of all elected Houses in Pakistan.

FAFEN mobilizes and facilitates citizens engagements with elected and public institutions across Pakistan as a prerequisite for strengthening democratic accountabilities as part of its Electoral Governance Oversight, Research and Reforms Program. These activities fit in with the core FAFEN's objective of promotion of active citizenry—a critical ingredient of a vibrant democratic system.

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