



**Parliament of Pakistan**

**Joint Sessions Roundup**

November 24 and December 7-9, 2009

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## **Overview**

A Joint Session of the Parliament took place on November 24, 2009, during which the Government unveiled the Aghaz-e-Huqooq-e-Balochistan package, an attempt to address the grievances of the people of Balochistan and to end the low-intensity insurgency in the province that had gained fresh momentum after the assassination of Nawab Akbar Khan Bugti during General Pervez Musharraf and Shaukat Aziz's government on August 26, 2006.

As a follow-up to the presentation of the package by Senator Raza Rabbani on behalf of the Government of Pakistan on November 24, a subsequent Joint Session of the Parliament was held from December 07-09, 2009 to get Parliament's input on the package.

A synopsis of the events of the session is given below. This summary was prepared prior to the transcripts of the National Assembly session becoming available. The account of events is based upon press reporting and other reports relating to the business of the session, along with information made available by the National Assembly's website.

## **Background**

To set the business of the session in context it is necessary to understand the events taking place before and during the session.

The first of the two joint sessions of the Parliament was held on November 24, 2009, at which the Balochistan package was presented. The package was intended to represent a consensus proposal to end the unstable situation in Balochistan and redress the grievances of Balochistan's population.

Balochistan, Pakistan's largest but least populace province has had a difficult political history. Following the decision by the British colonial power to partition the British India into two independent sovereign states, India and Pakistan, a part of Balochistan called United States of Kallat declared its independence on August 11, 1947, three days prior to the creation of Pakistan but was later incorporated into Pakistan in 1948. Since then it has seen a number of armed uprisings in support of Baloch nationalism and independence. Much of the resentment against the Federal State stems from the relative under-development of Balochistan and the perceived unjust exploitation by the State of its natural resources. In recent years Balochistan has seen a significant number of political murders and disappearances, including the killing of the popular Baloch leader, Nawab Akbar Bugti. A political solution to Baloch nationalism is seen as vital to Pakistan's political stability and security. The presentation of the package is therefore regarded as a significant step in progress. The package was in the making for the past many months and Senator Raza Rabbani, Chairman of the Parliamentary Committee on Constitutional Reforms was also charged by the federal Government to draft the Balochistan package.

## **Summary of the Joint Sittings:**

### **Joint Session: Tuesday, November 24, 2009:**

The Order of the Day listed a single item, the presentation of Aghaz-e-Huqooq-e-Balochistan package (Package for the Beginning of the Rights for Balochistan). The Balochistan package covers a range of constitutional, political, administrative, economic and monitoring measures aimed at redressing the grievances that have arisen in Balochistan since 1947. The package was presented by Senator Mian Raza Rabbani, Chairman of the Special Parliamentary Committee on Constitutional Reform.

The package is in the form of proposals and its main items are set out below.

1. Constitutional reforms to be settled by the Special Committee on Constitutional Reform
2. Parliamentary Committees to oversee implementation of the package.
3. The Concurrent List to be deleted from the 4<sup>th</sup> Schedule of the Constitution.
4. A restructuring of the National Finance Commission award
5. A judicial probe into the death of Nawab Akbar Bugti and other Baloch leaders.
6. The establishment of a commission to examine the case of missing persons.
7. The release of political prisoners and the return of political exiles.
8. Political dialogue with all stakeholders.
9. An end to the establishment of cantonments and the replacement of the Army by the Frontier Corps at Sui.
10. The Frontier Corps to operate under the control of the Chief Minister.
11. A Rs. 120 billion royalty to be paid in respect of gas rights for the period 1954 to 1991, payable over 12 years.
12. The implementation of Provincial Assembly resolutions.
13. A review of federal agencies working within Balochistan.
14. An end to military operations in Balochistan.
15. A special quota of Higher Education Commission (HEC) scholarships for Baloch youth.
16. A judicial enquiry into land allocation in Gwadar.
17. Ownership of oil and gas companies.
18. 5000 additional jobs for Baloch youth.
19. Rs.1 billion for Dera Bugti internally displaced persons.

Outside the Assembly reaction to the package was mixed. The PML called for a general amnesty for the people of Balochistan, as in their view the package

would be futile without political participation that was fully inclusive. Several Baloch tribal groups dismissed the package, criticising the lack of consultation prior to its announcement and what they saw as the inadequacy of the measures proposed.

Outside the sitting the reaction of Balochistan's political parties was uniformly negative, with all being critical of the package, essentially arguing that they had not been adequately consulted and that the package did not go sufficiently far to address the grievances of the people of Balochistan.

The BNP (Mengal), the Balochistan National Front, the Balochistan National Party, the Jamhoori Watan Party (Talal), the Anjuman Ittehad Marri and the Baloch Students' Organisation (Azad) all rejected the package. The main issues of complaint were the need for provincial autonomy, control and ownership of natural resources and the lack of inclusive consultation.

The BNP-M made a call for sovereign autonomy for Balochistan, whilst the BNF demanded the restoration of the August 11, 1947 position. The JWP-T's Nawabzada Talal Akbar Bugti viewed the package as the creation not of the Government but of "invisible forces" and demanded the withdrawal of the army and Frontier Corp and an end to military and ISI operations in the province. Most political groupings rejected the need for any inquiry into the death of Nawab Akbar Bugti, calling instead for the lodging of murder charges against former President Musharraf.

## **Joint Session, December 7 – 9, 2009**

### **Sitting 1; Monday December 7, 2009:**

The Orders of the Day for each day of the three day joint session listed a single item, discussion on the Balochistan package.

The sitting began at 11:45 am and concluded at 6.30 pm. The Parliamentary response to the package was generally positive, although concern was expressed that the package did not go far enough to address the grievances of the people of Balochistan. Leader of the Opposition in the National Assembly Chaudhry Nisar Ali Khan opened the debate, terming the package a good beginning. He went on to call for a meaningful dialogue and expressed his view that a general amnesty was required to allow all groups to participate. He called for a revolutionary approach to the problem of Balochistan and offered the opposition's help in resolving the outstanding issues.

Senator Shahid Hassan Bugti of the JWP said that much more wide-ranging reform was required and that the package of Constitutional amendments would need to go beyond changes to the Concurrent List. He expressed the view that nothing short of provincial autonomy would suffice. Similarly the BNP's Senator Israrullah Khan Zehri outlined that the package contained many good proposals but that major constitutional reform was required and that the federal government should retain only four subjects: defence; foreign policy; finance; and communications.

Senator Raza Rabbani, Chairman of the Parliamentary Committee on Constitutional Reforms, which is working on the package, informed the House that no vote would be taken on the package but the debate was an opportunity to fine-tune the proposals.

The Prime Minister attended the debate and most members attending remained until he left the House. Following his departure many left, prompting those who remained to comment on the lack of interest of members in discussion of the package.

### **Sitting 2: Tuesday December 8, 2009:**

The day was intended to be the second day of debate on the package. However, the sad death of Mr. Faiz Muhammad Khan, MNA (NA-21, Mansehra-II, NWFP,

PML-N) led, in accordance to the precedent, to the suspension of the sitting for the day after *fateha* were offered.

Outside the House implementation of the package began, with a list of 992 missing persons being issued by the Balochistan Home Department.

**Sitting 3: Wednesday December 9, 2009:**

The debate on the Balochistan package continued, again with broad support being expressed, but also with concerns regarding implementation and the further steps needed to achieve genuine reconciliation. The sitting began at 10:30 am and ended at 07:00 pm.

Senator Dr Abdul Malik of the National Party dismissed the need for an inquiry into the death of Nawab Akbar Bugti and called for the Government to declare former President Musharraf a murderer and to begin legal proceedings. He outlined that for the package to succeed real dialogue would be required. He expressed the view that Balochistan was effectively at war and that those taking part must be included in discussions. He called on the Government to approach Barahmdagh Bugti and Khair Bux Murri in order to establish a dialogue. He concluded by stating that unless the establishment changed its attitude towards Balochistan fundamentally. Balochistan would organise its masses to achieve their rights.

Senator Abdul Rahim Khan Mandokhel of the Pakhtunkwa Milli Awami Party stressed the need for the fair distribution of earnings from natural resources, whilst the PML Senator and Deputy Chairman of the Senate, Mir Jan Muhammad Jamali, called for real steps towards practical implementation of the package. Similar views were expressed by the MQM's Dr. Farooq Sattar, who highlighted the need to look at the real causes of discontent in the province and his view that nothing short of provincial autonomy was required. The PPPP Minister of State for Industries Dr. Ayatullah Durrani stated that Balochistan would not remain part of Pakistan if the package was not fully implemented. He also called upon the United States to reign in what he saw as Indian interference in the province.

The Prime Minister closed the debate by outlining progress in Balochistan since the PPPP coalition government came to power and the immediate progress in implementing the package. He announced the withdrawal of the Army from Kohlu and Sui and their replacement by the Frontier Corps, along with the removal of seven contentious check points in the province. He set out that the Special Parliamentary Committee on Constitutional Reforms was examining the

issue of provincial autonomy and that the Government would review the work of its agencies in Balochistan. He also highlighted the reduction in the number of missing person in Balochistan and the publication of the new list, as well as job and internship creation for the Baloch youth. He acknowledged the need for successful monitoring and implementation of the package's measures.

The joint session was then prorogued after two, rather than the expected three, days of debate.

## **Conclusion**

The importance of the Balochistan Package was demonstrated by the calling of two Joint Sessions of the Parliament (November 24, 2009 and December 7-9, 2009), an event usually reserved for Presidential speeches and other extraordinary occasions. It is very healthy that the Government placed these important proposals before the Parliament for debate and review. This is a welcome step and helps establish the superiority and usefulness of the Parliament.

However, the event was seen by some as an indication of the weaknesses of the current parliamentary system. Turnout was low. According to the National Assembly figures, the attendance of the Parliamentarians stood at a maximum of 307 legislators and a minimum of 175 members during the session on December 07-09, 2009. However, the press reports suggested that the number of legislators present on December 07, 2009 in the sitting fell below 70 by the close of the day. Since the Joint Session was not a part of the parliamentary calendar one may argue that many legislators might have planned other activities. However the National Assembly was scheduled to meet from December 07, 2009 to December, 22 2009, therefore the absence of so many MNAs is somewhat inexplicable. It is for sometime that interest of the legislators in Parliamentary Business both in plenary and committees appears to be waning, which is a cause for concern. The Honourable Speaker and other leaders have also commented on this phenomenon and it continues to be a cause for concern both for the Parliament and the citizens. Political parties can play an important role in exercising greater discipline on their members. The low attendance creates a rather negative image of the Parliament among the citizens.

The level of debate was also not seen as particularly incisive. Whilst it was clear that the majority of parliamentarians and their parties broadly supported the package, most missed the opportunity to “fine tune” as Senator Raza Rabbani had suggested. Few put forward specific suggestions and most of the discussion was general in nature. Parliamentary parties, in general, did not seem to prepare for the debate or do the necessary homework that this important occasion deserved. However, a broad consensus of support for the package did emerge and the debate indicated that coalition and opposition parties alike will place pressure on the Government to implement and monitor the package’s progress.

Out of a the current total strength of 448 Parliamentarians (338 in the National Assembly and 100 in the Senate), only 38 or 9 per cent of the members spoke during the Joint Session of Parliament. Out of these 38 legislators or 16 per cent spoke from both the PPP and the PML-N; 21 per cent of the legislators who

spoke on the subject were from the PML whereas 8 per cent legislators were from the ANP. 3 per cent of legislator each who spoke during the joint session were from the PML-F; the MQM; the PKMAP the MMA and the BNP-A.

The Parliament spent 10 hours and 30 minutes in session over the span of the two days or for a little over 5 hours a day on average. The PPPP consumed 13 per cent of the total time whereas the PML-N legislators used 18 per cent of the entire session debate. Speakers from the PML consumed 12 per cent; the National Party Senators took 11 per cent time of the joint session. Legislators from the ANP and the MQM consumed 7 and 5 per cent time respectively of the entire session.

The suspension of the session for a day due to the sad demise of an MNA once again highlighted the need to re-examine the tradition. While the demise of a member of the house is certainly a sad event and it is befitting to pray for the departed soul and even set aside an hour or so to eulogise the services of the late member, the practice of suspending business for a complete day should be re-examined by the parliamentary leadership. Probably the best homage a house of the parliament can pay to the departed legislator is through relentlessly continuing to work for the mission the late legislator had dedicated his life for.

Appendix A

**The Session at a Glance**

<b>Performance and Working Hours</b>	
Total No. of Days the Session Lasted	<b>3</b>
Actual No. of Days the House Met	<b>2</b> ( <i>One day suspended after fateha</i> )
Total No. of Hours the House Met	<b>10 hours and 30 minutes</b>
Average No. of Hours per work Day	<b>5 Hours and 15 Minutes</b>
Total No. of Speakers During the Session	<b>38</b> ( <i>20 Senators and 18 MNAs</i> )
Average Length of Speech	<b>27 Minutes</b>
Average Level of Attendance per day	<i>Official figures not available. Media reported an attendance of 67 on Day 1 and poor attendance on Days 2 and 3 (from a total of 338 MNAs and 100 Senators). The Speaker of the National Assembly was on an official visit to France leading a delegation of 20 MNAs.</i>

<b>Parliamentary Party</b>	<b>Percentage of Speakers</b>	<b>Total time Consumed by each Party (in Minutes)</b>	<b>Percentage of Time Consumed by each Party</b>
PPPP	16%	84	13%
PML-N	16%	111	18%
PML	21%	75	12%
PML-F	3%	10	2%
MQM	3%	32	5%
ANP	8%	47	7%
PKMAP	3%	24	4%
MMA	3%	13	2%
JUI-F	5%	35	6%
NP	5%	68	11%
BNP-A	3%	36	6%
JWP	3%	37	6%
Independent	8%	20	3%

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