

Citizens' Report

Performance of the National Assembly Standing Committee on Foreign Affairs

During the first 3 years of the 13th National Assembly of Pakistan

March 2008 - July 2011

Citizens' Report

Performance of the National Assembly Standing Committee on Foreign Affairs

During the first 3 years of the 13th National Assembly of Pakistan

March 2008 - July 2011

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.

PILDAT is a registered non-profit entity under the Societies Registration Act XXI of 1860, Pakistan.

Copyright © Pakistan Institute of Legislative Development And Transparency - PILDAT

All Rights Reserved

Printed in Pakistan

Published: July 2011

ISBN: 978-969-558-218-3

Any part of this publication can be used or cited with a clear reference to PILDAT

Published by



Pakistan Institute of Legislative Development and Transparency - PILDAT
Head Office: No. 7, 9th Avenue, F-8/1, Islamabad, Pakistan
Lahore Office: 45-A, Sector XX, 2nd Floor, Phase III Commercial Area, DHA, Lahore
Tel: (+92-51) 111-123-345; Fax: (+92-51) 226-3078
E-mail: info@pildat.org; Web: www.pildat.org

CONTENTS

<i>Preface</i>	05
<i>Executive Summary</i>	07
Introduction	09
The National Assembly Standing Committee on Foreign Affairs	12
- Meetings Held	12
- Attendance	13
- Reports Presented	15
- Foreign Visits	15
- Major Issues Discussed	15
- Comparison with the Senate Standing Committee on Foreign Affairs, Kashmir Affairs and Gilgit-Baltistan	15
Key Observations & General Recommendations	18
List of Figures	
Figure 1: Meetings held by National Assembly Standing Committee on Foreign Affairs	12
Figure 2: Comparison of Committees Meetings	13
Figure 3: Party Wise Average Attendance 2008-2011	14
Figure 4: Average Attendance of Committees in Pakistan, India and UK	15
Figure 5: Reports Tabled in the Respective Houses (2008-2011)	15
Figure 6: Comparison of Meetings between the Standing Committees of National Assembly and Senate	17
Figure 7: Comparison of Reports presented between Standing Committees of National Assembly and Senate	17
List of Tables	
Table 1: Membership of National Assembly Standing Committee on Foreign Affairs	11
Table 2: Meetings of the National Assembly Standing Committee on Foreign Affairs	12
Table 3: Members' Attendance 2008-2011	14
Table 4: Party-wise Percentage Attendance 2008-2011	14
Table 5: Major Issues Discussed in the Committee	16
Appendices	
Appendix A: Diagram Foreign Policy Formulation Process in Pakistan	20

Performance of the National Assembly Standing Committee on Foreign Affairs

During the first 3 years of the 13th National Assembly of Pakistan

PREFACE

The **Citizens Report** on the **Performance of the National Assembly Standing Committee on Foreign Affairs** by PILDAT (www.pildat.org) is the latest in the series of reports on the performance of the Parliamentary Committees. The report has been prepared in the backdrop of the principle of *Parliamentary Oversight of the Executive*. PILDAT had earlier published a similar report titled **Performance of the parliamentary Committees of Defence and National security: during the first 3 years of the 13th National assembly of Pakistan**.

The report covers the period of 3 years since March 2008 to July 2011 examining closely the publicly-available data on the work of the National Assembly Standing Committee on Foreign Affairs.

PILDAT has been striving for the development and strengthening of the democratic institutions such as the Parliament and Parliamentary Committees. The objective of this report is not to offer a critique of the work of these committees but to analyse their performance in the backdrop of the foreign policy and security concerns of Pakistan. The report is a part of PILDAT's larger focus on improving Parliamentary Oversight of Executive and assisting the Parliament and its committees in undertaking well-researched, objective and non-partisan oversight.

Disclaimer

PILDAT team has made every effort to ensure the accuracy of the publicly-available data and the analysis based on that data in this report. Any error or omission is not deliberate.

Islamabad
July 2011

Performance of the National Assembly Standing Committee on Foreign Affairs

During the first 3 years of the 13th National Assembly of Pakistan

EXECUTIVE SUMMARY

PILDAT analysis reveals that the National Assembly Standing Committee on Foreign Affairs charged with the responsibility to oversee Pakistan's foreign affairs in such turbulent times does not have much preference or time to ponder over Pakistan's foreign policy outlook and its challenges or nudge government to conduct its regional and international affairs in keeping with Pakistan's interests.

While Pakistan continued to face challenges ranging from ever-complex Pak-US relations to Pak-India relations in the aftermath of Mumbai attacks, the National Assembly Standing Committee only met for **17 times during 3 years, 59 per cent of the times (10 out of 17) only to meet visiting delegates**. It is of particular importance that the National Assembly Standing Committee on Foreign Affairs held **no meeting related to the unilateral strike of US into Pakistan on May 2, 2011** and the resultant stress into Pak-US relations. While the Committee did convene on June 6, 2011, after a gap of nearly 6 months in the all-important period in which both Raymond Davis issue and May 02 raids took place among others, the meeting was held just to meet with the British Ambassador to Afghanistan and not to discuss any substantial issue.

The National Assembly Standing Committee on Foreign Affairs was formed on April 24, 2008 alongside other committees of the 13th National Assembly as provided in the National Assembly Rules of Procedure 2007. However, the Committee **became functional after a period of 05 months**, i.e., on September 17, 2008 when the election of the chairman took place. The Committee has held a total of **17 meetings** during the last three years with only **2 meetings held during 2008-2009, 07 meetings during 2009-2010 and 08 meetings to-date in 2010-2011**. The number appears to be dismal when compared to the performance of the corresponding committees in India and UK, with the *Committee on External Affairs, Indian Parliament holding a total of 52 meetings during 3 years* while the *Foreign Affairs Committee of the UK House of Commons* held a total of 82 meetings during the same period.

Attendance, which can be taken as a measure of the interest of the Parliamentarians in the working of a committee, provides worrisome statistics. The average attendance of the National Assembly Standing Committee on Foreign Affairs stood at **38%**, which means that in the majority of the meetings, **more than half of the members were absent**. The same holds true for the **Chairman of the Committee, Mr. Asfandiyar Wali Khan**, MNA, ANP (NA-7, Charsadda-I), who also had an average attendance of **41%** - the chairman was available to **chair only 7 out of 17 meetings**. **Ms. Fouzia Habib**, MNA, PPP (NA-296, Punjab-XXIV), had the **highest attendance** among the members, i.e., **she was present in 15 (88%) of the meetings** held. Both **Maulana Fazlur-Rehman**, MNA, JUI-F (NA-26, Bannu, Khyber Pakhtunkhwa), who is also the leader of JUI-F and Chairman Kashmir Committee, and **Mr. Hamza Shahbaz Sharif**,¹ MNA, PML-N (NA-119, Lahore-II, Punjab) had the lowest attendance as they **attended only 01 meeting (06%) each** of the National Assembly Standing Committee on Foreign Affairs during the three years.

It is important to note that while committee membership includes political stalwarts including heads of political parties, their membership of the committee, whether sought by them or inducted by the Parliament, should have been based on the understanding whether their other engagements would allow sufficient time for them to lead the committee in effective discharge of its functions.

In comparison, the **Senate Standing Committee on Foreign Affairs, Kashmir Affairs and Gilgit-Baltistan, which became functional after Senate Elections of March 2009, on May 06, 2010, a delay of nearly 14 months**, held **11 meetings** during the year 2010-2011 which is **38% more** than the number of meetings held by the National Assembly Standing Committee on Foreign Affairs during the same year. Furthermore, the Senate Committee presented **3 reports during the 2010-2011 compared to zero (0) reports presented by the National Assembly Standing Committee on Foreign Affairs** during the past three years. This is also in a stark contrast to the *UK Foreign Affairs Committee, which published a total of 32 reports* during the same period, i.e., 08 in 2008-2009, 11 in 2009-2010 and 13 in 2011-2012. Similarly, the *Parliamentary Committee on External Affairs, India*

1. When contacted to verify this Mr. Hamza Shahbaz maintained that he felt that participation in the Committee meetings was a waste of time when the Parliament was not able to implement its joint resolution on national security passed in October 2008. He maintained that the Chairman was himself not present to chair the meetings. He also felt that his time was better spent in being in his constituency addressing issues of his constituents. Maulana Fazlur Rehman's office did not return to PILDAT.

Performance of the National Assembly Standing Committee on Foreign Affairs

During the first 3 years of the 13th National Assembly of Pakistan

tabled a total of 12 reports during these three years.

It must be noted that the Senate Standing Committee on Foreign Affairs, under the chairmanship of *Senator Mushahid Hussain Sayed*, had set new traditions of Parliamentary influence and oversight of foreign policy by holding regular meetings, 33 in 4 years, and documenting and making publicly-available 24 reports of the Committee during 2004-2008.

The **ruling PPPP** which has 37.5% of the membership of the National Assembly Standing Committee on Foreign Affairs with 6 members out of a total of 17, fared the best among the political parties in terms of attendance, with an average percentage **attendance of 55%**, followed by **PML-N** with an average attendance of **36%**. The yearly comparison of the available data suggests that for 2009-2010, the average attendance for the National Assembly's Standing Committee on Foreign Affairs was 40%, while the same for the Committee on External Affairs, Indian Parliament and Foreign Affairs Committee of the UK House of Commons was 51% and 77% respectively. Similarly in 2010-2011, while the average attendance for the National Assembly Standing Committee on Foreign Affairs was 37%, in comparison Indian and UK Parliament's corresponding committees had average attendance of 40% and 84% respectively.

Foreign Affairs Committees of the Parliament are generally regarded as among the most important and prestigious and their performance is regarded as crucial to the Parliamentary oversight of the executive. These committees usually display greater activism by inviting and questioning the foreign policy establishment in the country and subjecting them to probing questions and offering policy approaches and guidelines in line with public aspirations and national interest as defined by public representatives. It is also very common that foreign relations committees invite foreign relations experts and seek their comments on the foreign policy.

Inter-Parliamentary Union (IPU), a Geneva-based representative body of the world Parliaments of which Pakistan is also a member, considers Parliament's role in Foreign Policy so important that it has included this role as one of the six major functions of a Parliament in its tool kit to evaluate the Performance of the Parliaments. The National Assembly of Pakistan had scored **37 %²** and **44 %³** for its '*involvement in international policy*' in 2008-2009 and 2009-2010 respectively as per the evaluation carried out by a 32-member committee consisting of 16 multi-party MNAs and 16 other citizens convened by PILDAT in May 2010.

2. For details please see **Performance of the 13th National Assembly: Score Card**, PILDAT Report, 2010 at <http://www.pildat.org/Publications/publication/Democracy&LegStr/ScoreCardof13thNationalAssemblyofPakistan-The2ndYear.pdf>
3. For details please see **Evaluation of Parliament: 2008-2009**, PILDAT Report, 2009 at <http://www.pildat.org/Publications/publication/Democracy&LegStr/evaluationofparliament2008-2009.pdf>

Performance of the National Assembly Standing Committee on Foreign Affairs

During the first 3 years of the 13th National Assembly of Pakistan

Introduction

The Parliament of Pakistan has entered the 4th year of its constitutional term. Pakistan is assessed to be a much more democratic and free country today than at any time in its history.⁴ It can be argued that this period provides Parliament with an opportunity to institute and strengthen traditions to effectively carry out its responsibilities of legislation, representation and oversight.

While the principal role of drawing up foreign policy remains with the executive in Parliamentary democracies, as is the case in Pakistan, Parliament's role revolves around influencing a country's foreign policy as it is required that the broadest possible spectrum of a country supports its foreign policy. Moreover, the globalisation of interstate relations, expansion in the international horizon as well as in the field of a parliamentary presence and parliamentary action in world forums, have necessitated that Parliaments have a role, both direct and indirect, on foreign policy and engage in "Parliamentary diplomacy."⁵

Foreign Policy of Pakistan: Constitutional Provisions

Under the Rules of Business of the Government of Pakistan made in pursuance of the Article 90 and 99 of the Constitution, no important foreign policy decision can be taken without the approval of the Prime Minister [Article 5(1)]. However, under Article 16 of the Rules of Business, all proposals involving negotiations with foreign countries e.g., exchange of diplomatic and commercial representation, treaties and agreements, visits of goodwill missions, representation at international conferences and meetings, etc. shall be brought before the Cabinet. Besides, the Cabinet is required to consider all matters relating to vital political, economic and administrative policies.⁶ The Ministry of Foreign Affairs is the centre for the initiation of all proposals relating to the conduct of Pakistan's foreign affairs with the exception of any matters that may be assigned to other Divisions/Ministries of the Government.

This should be clear from the reading of the subjects allocated to the Ministry under the Rules of Business (Article 13 of Schedule 11 of the Rules of Business). In addition, Rule 13 of the Rules of Business clearly lays down that the Ministry of Foreign Affairs shall be consulted on all matters which affect the foreign policy of Pakistan or the conduct of its foreign relations.⁷ For further understanding the formulation of Foreign Policy in Pakistan please see a diagram in Appendix I.

Parliamentary Committees

The principle of Parliamentary oversight on the Executive is enshrined in the Constitution of Pakistan mandated mainly through Parliamentary powers of legislation and passage of the budget. These powers are further defined under respective rules of the National Assembly and the Senate of Pakistan that govern the functioning of the Parliamentary committees as well.

Committees are created in the National Assembly and the Senate of Pakistan with most of the standing committees set-up to correspond to the Ministries or Divisions of the Federal Government. The functions of such a Standing Committee are to debate legislation relating to, and oversee the working and performance of, the relevant Ministry or Division. Standing committees have wide powers to call witnesses, requisition official records, seek statements on oath and take up any matter within their jurisdiction, without reference by the House.

Defining specific roles and powers of the Standing Committees in the National Assembly of Pakistan, clause 198 of the Rules of Procedure and Conduct of Business of the National Assembly states that:

1. *there shall be a Standing Committee for each of the Ministry of the Government*
2. *Each Committee shall deal with the subjects assigned, under the rules for the allocation and transaction of business of the Government to the Division or the Ministry with which it is concerned or*

4. For Details, please see **Mid-Term Report on the Assessment of the Quality of Democracy in Pakistan**: March 25, 20008 - September 24, 2010, PILDAT Report; can be accessed at <http://www.pildat.org/Publications/publication/SDR/PILDATMidTermDemocracyAssessmentReportSeptember2010.pdf>

5. Parliamentary diplomacy, is a term common used to describe the wide range of international activities undertaken by members of parliament in order to increase mutual understanding between countries, to improve scrutiny of government, to represent their people better, and to increase the democratic legitimacy of inter-governmental institutions. *Parliamentary Diplomacy*; The Hague Journal of Diplomacy 2 (2007) 93-99; Frans W. Weisglas and Gonne de Boer. Can be accessed at <http://www.fransweisglas.nl/images/uploads/publicaties/6.pdf>

6. For further details, please see **The Process of Foreign Policy Formulation in Pakistan**, authored by Ambassador Javid Husain, PILDAT-Briefing Paper. April 2004. Can also be accessed at <http://www.pildat.org/Publications/publication/FP/TheProcessofForeignPolicyFormulationinPakistan.pdf>

7. Ibid.

Performance of the National Assembly Standing Committee on Foreign Affairs

During the first 3 years of the 13th National Assembly of Pakistan

any other matter referred to it by the Assembly

Clause 201 (1) further defines the role of the Committees as “A Committee shall examine a Bill, subject or matter referred to it by the Assembly or the Speaker and shall submit its report to the Assembly or to the Speaker, as the case may be, with such recommendations including suggestions for legislation, if any, as it may deem necessary. In the case of a Bill, the Committee shall also examine whether the Bill violates, disregards or is otherwise not in accordance with the Constitution.”

Clause 201 (4) further states that “A Committee may examine the expenditures, administration, delegated legislation, public petitions and policies of the Ministry concerned and its associated public bodies and may forward its report of findings and recommendations to the Ministry and the Ministry shall submit its reply to the Committee.”⁸

Parliament and Foreign Policy

As far as the Parliament's role in Foreign Policy is concerned, the executive, that is, the Cabinet headed by the Prime Minister, is collectively responsible to the Parliament, both the Senate and the National Assembly of Pakistan.⁹ The Parliament can influence the foreign policy formulation and implementation process by adopting non-binding resolutions on foreign policy issues; by holding hearings on crucial issues in the Standing Committees on Foreign Affairs and by asking questions on foreign affairs in the House.¹⁰

Like the rest of the World, Pakistan's Parliament and Committees are also challenged with the phenomenon that foreign affairs and international policy have traditionally been regarded as the exclusive domain of the Executive. However, with the increasing blurring of the distinction between foreign or international and national or domestic affairs, Parliament and its foreign relations committees must therefore step beyond the traditional Executive prerogative in international affairs, and subject governments to the same degree of oversight as in the domestic policy arena.¹¹

This report looks at how the National Assembly Standing Committee on Foreign Affairs has performed in the three year period from March 2008 to July 2011. The purpose of this report is to record the trends in the work of the Committee to gauge the overall direction, pace and developments in the field of Parliamentary oversight in Pakistan relating to foreign policy. The report can also be used as a reference for future assessments of the performance of the Committee.

8. Rules of Procedures and the Conduct of Business in the National Assembly of Pakistan, National Assembly of Pakistan.

9. Under the 18th Constitutional Amendment, the Prime Minister and his/her Cabinet will henceforth be collectively responsible both to the Senate and the National Assembly of Pakistan.

10. For further details, please see **The Process of Foreign Policy Formulation in Pakistan**, authored by Ambassador Javid Husain, PILDAT-Briefing Paper. April 2004. Can also be accessed at <http://www.pildat.org/Publications/publication/FP/TheProcessofForeignPolicyFormulationinPakistan.pdf>

11. IPU Guide on Parliament and Democracy, Chapter 7. Can be accessed at: <http://www.ipu.org/dem-e/guide/guide-7.htm>

Performance of the National Assembly Standing Committee on Foreign Affairs*During the first 3 years of the 13th National Assembly of Pakistan***Table 1: Membership of National Assembly Standing Committee on Foreign Affairs**

No.	Party	No. of Members
Pakistan Peoples Party Parliamentarians (PPPP)		6
1.	Mr. Nauman Islam Shaikh , MNA (NA-198, Sukkur-I, Sindh)	
2.	Mir Amer Ali Khan Magsi , MNA (NA-206, Larkana-III, Sindh)	
3.	Syed Ghulam Mustafa Shah , MNA (NA-214, Nawabshah-II, Sindh)	
4.	Ms. Farah Naz Ispahani , MNA (NA-310, Sindh-III)	
5.	Ms. Palwasha Khan , MNA (NA-291, Punjab-XIX)	
6.	Ms. Fouzia Habib , MNA (NA-296, Punjab-XXIV)	
Pakistan Muslim League-Nawaz (PML-N)		5
7.	Sheikh Aftab Ahmad , MNA (NA-57, Attock-I, Punjab)	
8.	Mr. Ayaz Amir , MNA (NA-60, Chakwal-I, Punjab)	
9.	Raja Muhammad Asad Khan , MNA (NA-63, Jehlum-II, Punjab)	
10.	Mr. Humair Hayat Khan Rokhri , MNA (NA-72, Mianwali-II, Punjab)	
11.	Mr. Muhammad Hamza Shahbaz Sharif , MNA (NA-119, Lahore-II, Punjab)	
Pakistan Muslim League (PML)		3
12.	Ch. Ghias Ahmed Mela , MNA (NA-65, Sargodha-II, Punjab)	
13.	Rana Asif Tauseef , MNA (NA-80, Faisalabad-VI, Punjab)	
14.	Makhdoom Syed Faisal Salah Hayat , MNA (NA-88, Jhang-III, Punjab)	
Awami National Party (ANP)		1
15.	Mr. Asfandyar Wali Khan , MNA (NA-7, Charsadda-I, KP, ANP)	
Muttahida Majlis-e-Amal Party (MMAP)		1
16.	Maulana Fazl-ur-Rehman , MNA (NA-26, Bannu, Khyber Pakhtunkhwa)	
Muttahida Qaumi Movement (MQM)		1
17.	Dr. Muhammad Farooq Sattar , MNA (NA-249, Karachi-XI, Sindh)	

Performance of the National Assembly Standing Committee on Foreign Affairs

During the first 3 years of the 13th National Assembly of Pakistan

National Assembly's Standing Committee on Foreign Affairs

The National Assembly Standing Committee on Foreign Affairs was formed on April 24, 2008 alongside other committees as provided in the National Assembly Rules of Procedure 2007. However, a Committee only becomes functional upon the election of its Chairperson, which, in the case of National Assembly Standing Committee on Foreign Affairs, took place after almost 5 months on September 17, 2008 when **Mr. Asfandyar Wali Khan**, MNA (NA-7, Charsadda-I, KP, ANP), President of Awami National Party, was elected as its Chairman. The details of the members of the committee are provided in Table 1.

Meetings Held

The National Assembly Standing Committee on Foreign Affairs held a total of 17 meetings during the three Parliamentary years, with two (2) meetings held in the Parliamentary year 2008-2009 and seven (7) meetings each held in Parliamentary year 2009-2010 and Eight (8) meetings held to-date in 2010-2011.

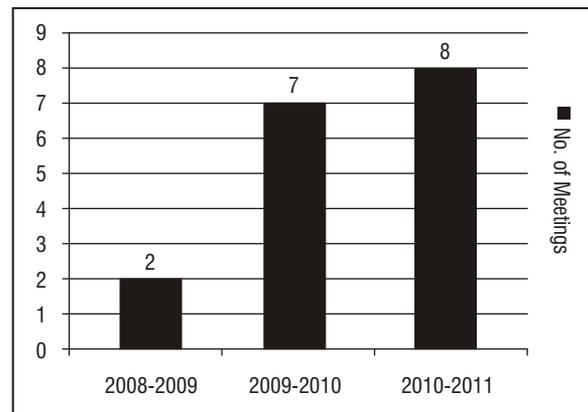
While Pakistan continued to face challenges ranging from ever-complex Pak-US relations to Pak-India relations in the aftermath of Mumbai attacks, the National Assembly Standing Committee met 59 per cent of the times (10 out of 17) only to meet visiting delegates and not to discuss foreign policy challenges. It is of particular importance that the National Assembly Standing Committee on Foreign Affairs held no meeting related to the unilateral strike of US into Pakistan and the resultant stress into Pak-US relations. While the Committee did convene on June 6, 2011, after a gap of nearly 6 months in the all-important period in which both Raymond Davis issue and May 02 raids took place among others, the meeting was held just to meet with the British Ambassador to Afghanistan and not to discuss any substantial issue.

Table 2: Meetings of the National Assembly Standing Committee on Foreign Affairs

Year	Number of Meetings
2008-2009	2
2009-2010	7
2010-2011	8
Total	17

Figure 2 presents a comparison between the Standing Committee on Foreign Affairs in Pakistan (SCPA, PAK) with that of the Indian Parliamentary Committee on External Affairs (PCEA, India) and Foreign Affairs Committee, UK House of Commons (FAC, UK). The statistics show that the number of meetings held by these committees is significantly more than the number of meetings held by the National Assembly Standing Committee on Foreign Affairs. The Indian Committee on External Affairs held a total of 52 meetings, i.e., 14 meetings in the 1st year, 24 in the 2nd year and 14 in the 3rd year.¹² The Foreign Affairs Committee of the UK House of Commons held 29 meetings in the 1st year, 16 in the 2nd year and 37 in the 3rd year, for a total of 82 meetings.¹³

Figure 1: Meetings held by National Assembly Standing Committee on Foreign Affairs



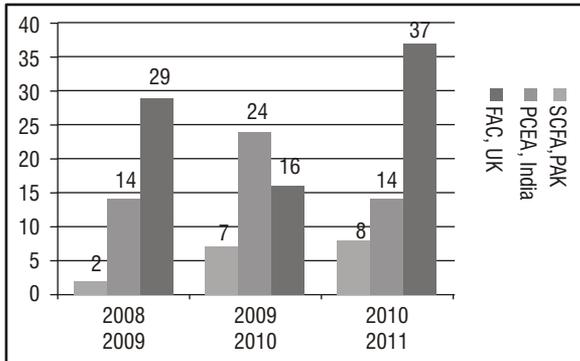
12. Standing Committee on External Affairs, Indian Parliament, http://164.100.47.134/committee/committee_informations.aspx as accessed on July 07, 2011

13. Foreign Affairs Committee, UK House of Commons, <http://www.parliament.uk/business/committees/committees-a-z/commons-select/foreign-affairs-committee/formal-minutes/> as accessed on July 07, 2011

Performance of the National Assembly Standing Committee on Foreign Affairs

During the first 3 years of the 13th National Assembly of Pakistan

Figure 2: Comparison of Committees Meetings



Attendance

Attendance can be taken as a relatively accurate measure of the interest of the members in their Committees. The attendance in the Committee Meetings remains an issue of concern. The average Attendance of the Committee for the last three years stood at 38% while the Chairman of the Committee had an average attendance of 41%. The member-wise attendance is provided in Table 3, while percentage attendance of the parties is provided in Table 4. According to the available data, PPPP fares better than other parties in terms of attendance with an average attendance of 55 %, followed by ANP with 41%, PML-N with 36%, MQM with 35%, PML with 18% and MMAP with an average attendance of 6%.

The Chairman of the Committee, **Mr. Asfandiyar Wali Khan**, MNA, ANP (NA-7, Charsadda-I), who also had an average attendance of 41% - the chairman was available to **chair only 7 out of 17** meetings. **Ms. Fouzia Habib**, MNA, PPPP (NA-296, Punjab-XXIV), had the highest attendance among the members, i.e., she was present in 15 (88%) of the meetings held. Both **Maulana Fazl-ur-Rehman**, MNA, JUI-F (NA-26, Bannu, Khyber Pakhtunkhwa), who is also the leader of JUI-F and Chairman Kashmir Committee, and **Mr. Hamza Shahbaz Sharif**, MNA, PML-N (NA-119, Lahore-II, Punjab) had the lowest attendance as they attended only 01 meeting (06%) each of the National

Assembly Standing Committee on Foreign Affairs during the three Parliamentary years.

It is important to note that while committee membership includes political stalwarts including heads of political parties, their membership of the committee, whether sought by them or inducted by the Parliament, should have been based on the understanding whether their other engagements would allow sufficient time for them to lead the committee in effective discharge of its functions.

Figure 4 provides a comparative analysis of the attendance between National Assembly's Standing Committee of Foreign Affairs, Standing Committee on External Affairs, Indian Parliament and Foreign Affairs Committee, UK House of Commons. The Standing Committee on Foreign Affairs in the National Assembly of Pakistan has an average attendance of 40% in 2009-2010 and 37% during 2010-2011 compared to the Indian Parliamentary Committee on External Affairs which has an average attendance of 51% during 2009-2010 and 40% during 2010-2011 and Foreign Affairs Committee in the UK House of Commons which has an attendance of 77% during 2009-2010 and 84% during 2010-2011.¹⁴

Reports Presented

The Committees can prepare reports on the bills referred to them by the House as well as on issues that fall within their area of focus. Reports can also be used by the committees as an effective tool of putting forward their recommendations as well as to monitor the progress on the implementation of previous reports and recommendations. The National Assembly Standing Committee on Foreign Affairs failed to table even a single report during the last three Parliamentary years. This is in a stark contrast to the UK Foreign Affairs Committee, which published a total of 32 reports during the same period i.e., 08 in 2008-2009, 11 in 2009-2010 and 13 in 2011-2012.¹⁵ Similarly, the Indian Parliament Committee on External Affairs tabled a total of 12 reports during these three years.¹⁶

14. Sessional Returns 2009-2010, First Report, Foreign Affairs Committee-Publication, Parliament of UK website at <http://www.publications.parliament.uk/pa/cm201011/csession/1/00102.htm> as accessed on July 10, 2011

15. Foreign Affairs Committee-Publications, Parliament of UK website <http://www.parliament.uk/business/committees/committees-a-z/commons-select/foreign-affairs-committee/publications/>, as accessed on July 11, 2011.

16. Committee on External Affairs, Parliament of India, http://164.100.47.134/committee/committee_informations.aspx, as accessed on July 11, 2011

Performance of the National Assembly Standing Committee on Foreign Affairs

During the first 3 years of the 13th National Assembly of Pakistan

Table 3: Members' Attendance 2008-2011

No.	Name of the Member	Meetings Attended	% Attendance
1	Mr. Asfandiyar Wali Khan, Chairman, MNA, (NA-7, Charsadda-I, KP, ANP)	07	41%
2	Mr. Nauman Islam Shaikh, MNA (NA-198, Sukkur-I, Sindh, PPPP)	05	29%
3	Mir Amer Ali Khan Magsi, MNA (NA-206, Larkana-III, Sindh, PPPP)	07	41%
4	Syed Ghulam Mustafa Shah, MNA (NA-214, Nawabshah-II, Sindh, PPPP)	06	35%
5	Ms. Farah Naz Ispahani, MNA (NA-310, Sindh-III, PPPP)	11	65%
6	Ms. Palwasha Khan, MNA (NA-291, Punjab-XIX, PPPP)	12	71%
7	Ms. Fouzia Habib, MNA (NA-296, Punjab-XXIV, PPPP)	15	88%
8	Sheikh Aftab Ahmad, MNA (NA-57, Attock-I, Punjab, PML-N)	10	59%
9	Mr. Ayaz Amir, MNA (NA-60, Chakwal-I, Punjab, PPPP)	04	24%

No.	Name of the Member	Meetings Attended	% Attendance
10	Raja Muhammad Asad Khan, MNA, (NA-63, Jehlum-II, Punjab, PML-N)	06	35%
11	Mr. Humair Hayat Khan Rokhri, MNA (NA-72, Mianwali-II, Punjab, PML-N)	10	59%
12	Mr. Muhammad Hamza Shahbaz Sharif, MNA; (NA-119, Lahore-II, Punjab, PML-N)	01	06%
13	Ch. Ghias Ahmed Mela, MNA (NA-65, Sargodha-II, Punjab, PML)	04	24%
14	Rana Asif Tauseef, MNA (NA-80, Faisalabad-VI, Punjab, PML)	03	18%
15	Makhdoom Syed Faisal Salah Hayat, MNA; (NA-88, Jhang-III, Punjab, PML)	02	12%
16	Maulana Fazl-ur-Rehman, MNA (NA-26, Bannu, KP, MMAP)	01	06%
17	Dr. Muhammad Farooq Sattar, MNA (NA-249, Karachi-XI, Sindh, MQM)	06	35%

Figure 3: Party Wise Average Attendance 2008-2011

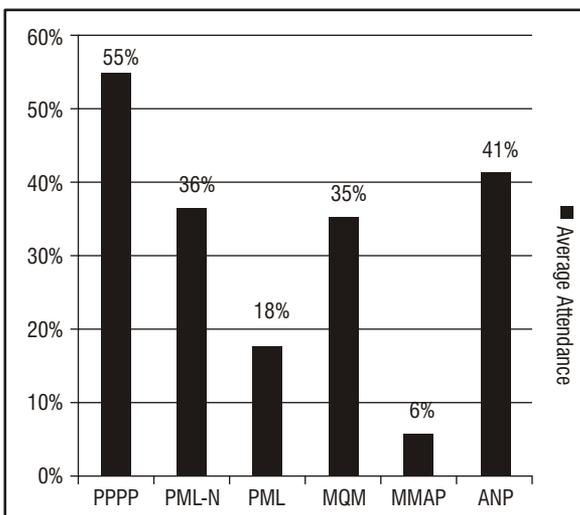


Table 4: Party-wise Percentage Attendance 2008-2011

No.	Party	Percentage Attendance	Party Percentage in the Committee
1	PPPP	55%	35.2%
2	PML-N	36%	29.4%
3	PML	18%	17.64%
4	MQM	35%	5.88%
5	MMAP	06%	5.88%
6	ANP	41%	5.88%

Performance of the National Assembly Standing Committee on Foreign Affairs

During the first 3 years of the 13th National Assembly of Pakistan

Foreign Visits

The National Assembly Standing Committee on Foreign Affairs undertook two foreign visits during these three years. One was to Turkey to attend the 1st meeting of the tri-lateral Parliamentary Commission of Turkey, Afghanistan and Pakistan from May 5 to May 08 2009 and the second was to visit China which was from July 17 to July 24, 2009. No reports / recommendations of these visits are available or have been laid in the National Assembly.

During the first visit the following members were part of the delegation; **Mr. Asfandiyar Wali Khan**, Chairman, (NA-7, Charsadda-I, KP), **Sheikh Aftab Ahmad** (NA-57, Attock-I, Punjab), **Mr. Humair Hayat Khan Rokhri**, (NA-72, Mianwali-II, Punjab), **Raja Muhammad Asad Khan** (NA-63, Jehlum-II, Punjab), **Syed Ghulam Mustafa Shah**, MNA (NA-214, Nawabshah-II, Sindh), **Mr. Nauman Islam Shaikh**, (NA-198, Sukkur-I, Sindh) **Ms. Palwasha Khan** (NA-291, Punjab-XIX) and **Mir Amer Ali Khan Magsi**, (NA-206, Larkana-III, Sindh).

During the second visit the following members were a part of the delegation; **Mr. Asfandiyar Wali Khan**, Chairman, (NA-7, Charsadda-I, KP), **Mr. Nauman Islam Shaikh**, (NA-

Figure 4: Average Attendance of Committees in Pakistan, India and UK

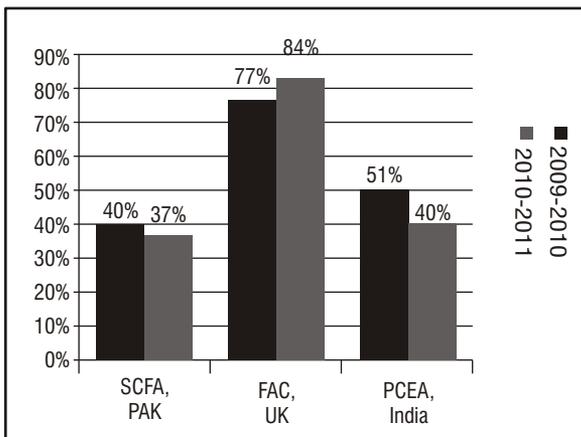
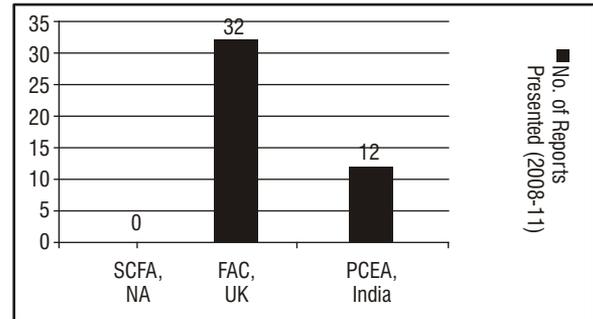


Figure 5: Reports Tabled in the Respective Houses (2008-2011)



198, Sukkur-I, Sindh), **Ms. Palwasha Khan**, (NA-291, Punjab-XIX) and **Raja Muhammad Asad Khan** (NA-63, Jehlum-II, Punjab).

Major Issues Discussed

As mentioned earlier, 59 per cent of the committee meetings (10 out of 17) were held only to meet visiting delegates. The Committee discussed only 1 draft bill during the period titled "The Sovereignty of Pakistan Bill 2010." Table 5 carries a detail of issues/agenda items.

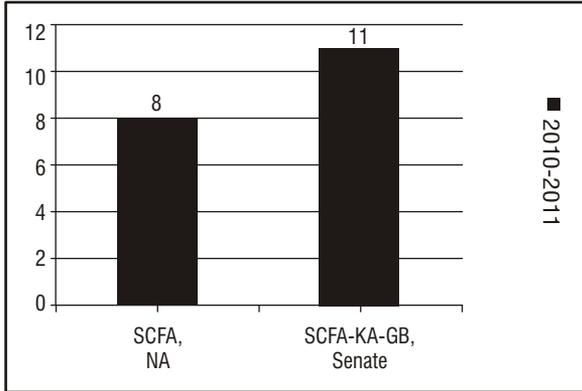
Performance of the National Assembly Standing Committee on Foreign Affairs*During the first 3 years of the 13th National Assembly of Pakistan***Table 5: Major Issues Discussed in the Committee**

No.	Date of the Meeting	Agenda
1	January 06, 2009	i. Briefing on Structure of the Ministry of Foreign Affairs ii. Briefing on the Foreign Policy of Pakistan by the Foreign Office
2	March 05, 2009	Meeting with Danish Parliamentary Committee on Foreign Relations
3	April 08, 2009	Meeting with the delegation of the Russian State Duma
4	April 30, 2009	Meeting with the British Parliamentary Delegation
5	May 21, 2009	Meeting with the African Group to discuss: - To enhance the Political and Trade Relations between the African continent and Pakistan
7	December 22, 2019	i. America's New Afghanistan Policy ii. Impasse in the Pak-India relationship as well as the composite dialogue process iii. Discussion on the report/recommendations of the Sub-Committee of the Standing committee on Foreign Affairs, constituted to examine and look into the matters regarding the deficiency of staff/infrastructure etc. of the Ministry of Foreign Affairs
8	January 07, 2010	i. Briefing followed by discussion on America's New Afghanistan Policy ii. Briefing followed by discussion over the impasse in the Pak-India relationship as well as the composite dialogue process. iii. Through debriefing, followed by discussion on the report/recommendations of the Sub-Committee of the Standing committee on Foreign Affairs, constituted to examine and look into the matters regarding the deficiency of staff/infrastructure etc. of the Ministry of Foreign Affairs
9	March 11, 2010	Meeting with the President of Afghanistan His Excellency Mr. Hamid Karzai
10	March 29, 2010	Briefing regarding the Foreign Affairs by the Ministry of Foreign Affairs
11	March 31, 2010	Meeting with the Congressional Delegation from the United States
12	May 13, 2010	i. Briefing on the recent developments of the SAARC Summit in Bhutan by the Minister of Foreign Affairs ii. Briefing over the resumption of Indo-Pak dialogue by the Minister for Foreign Affairs
13	June 24, 2010	Meeting with Mr. Stefano Stefani, President of the Italian National Assembly Standing Committee on Foreign Relation
14	June 25, 2010	Meeting with Rt. Hon. William Hague, MP, Secretary of State for Foreign & Commonwealth Affairs, UK
15	October 25, 2010	Meeting with the UK House of Commons Foreign Affairs Select committee
16	January 21, 2011	Discussion on the following proposed bill "The Sovereignty of Pakistan Act 2010"
17	June 06, 2011	Meeting with the British Ambassador to Afghanistan Sir William Patey

Performance of the National Assembly Standing Committee on Foreign Affairs

During the first 3 years of the 13th National Assembly of Pakistan

Figure 6: Comparison of Meetings between the Standing Committees of National Assembly and Senate



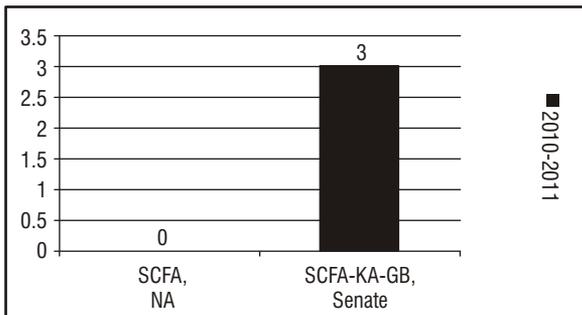
Senate Committee on Foreign Affairs, Kashmir Affairs and Gilgit Baltistan presented three (3) reports in one year compared to National Standing Committee on Foreign Affairs which presented none during the three Parliamentary years.¹⁷

It must be noted that the Senate Standing Committee on Foreign Affairs, under the chairmanship of Senator Mushahid Hussain Sayed, had set new traditions of Parliamentary influence and oversight of foreign policy by holding regular meetings and documenting and making publicly-available the reports of the Committee. The Senate Standing Committee under Senator Mushahid Hussain Sayed had held 33 meetings and presented 24 reports from 2004 to 2008.

Comparison with the Senate Standing Committee on Foreign Affairs, Kashmir Affairs and Gilgit-Baltistan

The Senate Standing Committee on Foreign Affairs, Kashmir Affairs and Gilgit-Baltistan (SCFA-KA-GB, Senate) became functional after Senate Elections of March 2009, on May 06, 2010, a delay of nearly 14 months through election of its Chairman **Senator Salim Saifullah Khan**. The Senate Committee has held 11 meetings during of 2010-2011. This is 38% more than the 8 meetings held by the National Assembly Standing Committee on Foreign Affairs during 2010-2011 (SCFA, NA). Moreover, the

Figure 7: Comparison of Reports presented between Standing Committees of National Assembly and Senate



17. Report-23: Visit of Delegation from Italy, August 2010, Senate Foreign Relations Committee, Report 24: Visit of Delegations from Afghanistan & Sri Lanka, Report 25: Visit to Afghanistan, April 2011

Performance of the National Assembly Standing Committee on Foreign Affairs

During the first 3 years of the 13th National Assembly of Pakistan

Key Observations & General Recommendations

To enable the Parliament to play an active role in foreign affairs in a systematic manner, it is necessary that the Standing Committees on Foreign Affairs of the two Houses play a pro-active role. These Committees should study important foreign policy issues with the help of inputs from experts and officials, and submit their conclusions and recommendations to the full House for its consideration. For accomplishing this task, the Committees should be provided with necessary secretarial and financial support. The views of these Committees and the debates on foreign policy issues in the Parliament would provide to the policy makers a valuable and independent input representing the voice of the people. For its part, the Executive should make a conscious effort to consult the Parliament and its leaders on foreign policy issues more frequently than has been the case in the past.

Following are the key observations with respect to the performance of the National Assembly's Standing Committee on Foreign Affairs:

1. Election of the Chairperson of the Committee

The Committees in our parliament only become functional once the chairman is elected. It has been observed that the election of the chair are sometimes delayed for as long as a year, which wastes precious amount of time despite the condition in the Rules of Procedure and Conduct of Business in National Assembly that the election of the Chairman should take place within 30 days of the election of the Committee. In the case of the Standing Committee on Foreign Affairs, the election took place after almost 5 months of its formation. It is recommended that the rules be amended such that the senior most member of the committee automatically becomes interim chair of the committee 30 days after the formation of the committee is notified in case the chair is not elected during this time. This will at least activate the committee even if the parties are unable to reach a decision.

2. Interest of the Members

The overall average attendance, as well as the individual members attendance, suggests that apart from a few members, the members are generally disinterested in the working of the Committee. One major reason for such an attitude could be the fact that

the chairmanship as well as membership to the committees is made for political considerations rather than based on qualifications, past experience and interest of the Parliamentarians. It is recommended that some mechanism be developed by the Parliament or the political parties to provide membership in consideration of the interests of the respective parliamentarians.

3. Greater transparency of Committee Performance

In addition to providing an incentive to the members to perform efficiently (interest-based membership), some system of checks and balances also needs to be put in place. As mentioned earlier, the Standing Committee on Foreign Affairs did not table even a single report during the three years under the consideration of this report. Similarly, no such rules exist which ensure the regular participation of the members in the committee meetings. It is recommended that the committees should be obligated to compile and publish their annual reports, so as to ensure that some level of transparency is maintained in the committee's working process and the public can gauge its performance.

4. Ratification of International Treaties

Committees need to press for changing of rules so as to make it mandatory for the Government to present international agreements and treaties for ratification by the Foreign Affairs Committees and Parliament.

5. Greater Initiative in Policy Influence

The Committee lacks the initiative to influence policy. Committees such as the Public Accounts Committee (PAC) and the Standing Committee on Human Rights have shown that despite pressure and limitations, the committees can take a bold stance on matters of national significance and ensure vigilant oversight. It must be remembered that the committees can only be as strong and active as their members are. Thus, the members need to take more responsibility and should not be afraid to take up controversial issues.

6. Lack of Support Staff and Subject Expertise

One observation, which holds true for all committees of our Parliament, is that the committees lack research staff, subject specialists and legal assistance to effectively carry out their duties. They are provided with bare-minimum staff. There is no committee office as such. Similarly, the shortage of

Performance of the National Assembly Standing Committee on Foreign Affairs

During the first 3 years of the 13th National Assembly of Pakistan

proper research staff is a major impediment towards effective functioning of the committees. The Committees also do not have the budgetary authority to employ subject specialists on contract in order to carry out independent research on the issues under consideration. This must be rectified, if the performance of the committees is to be enhanced.



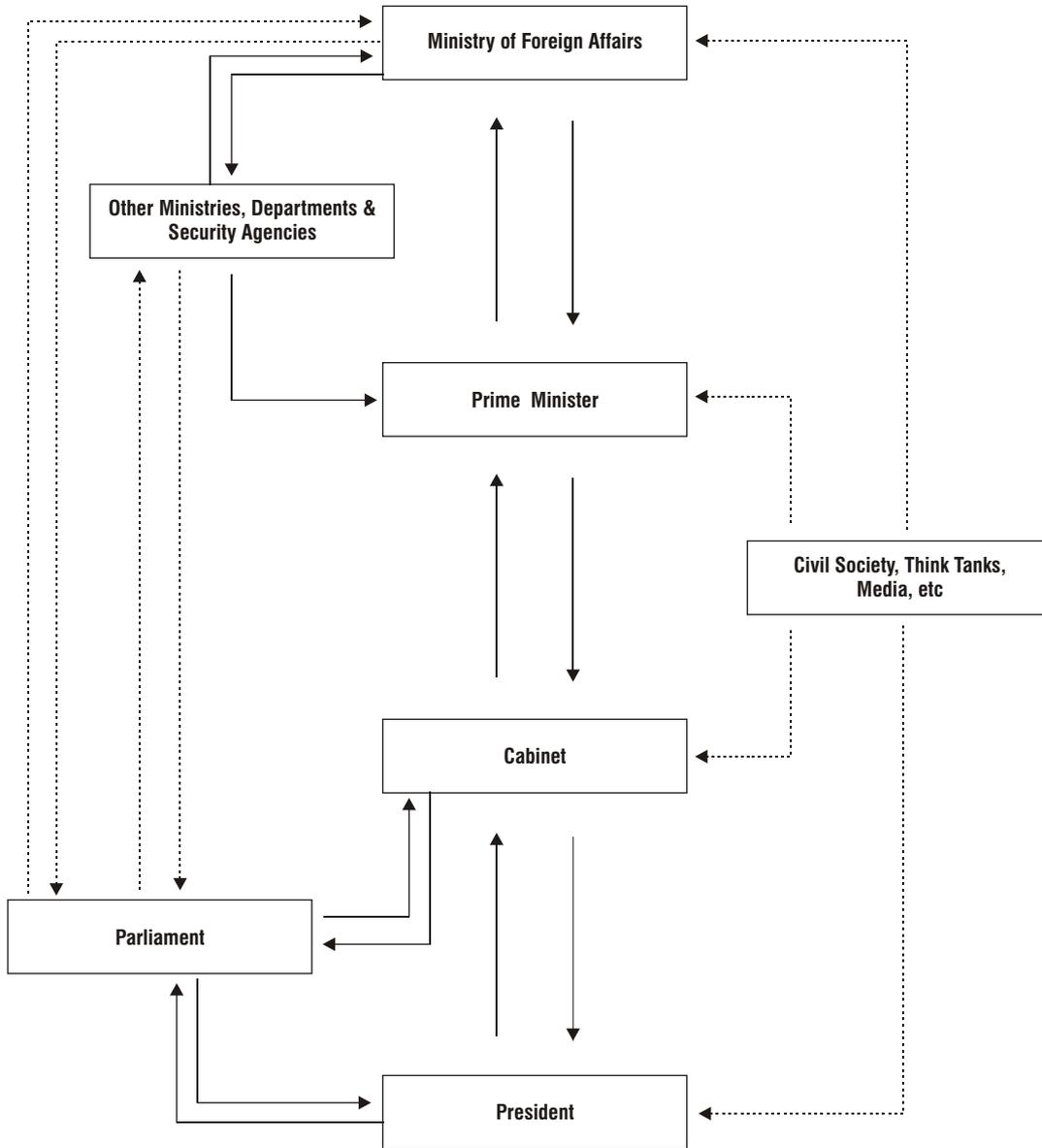
Pakistan Institute of Legislative Development and Transparency - PILDAT
Head Office: No. 7, 9th Avenue, F-8/1, Islamabad, Pakistan
Lahore Office: 45-A, Sector XX, 2nd Floor, Phase III Commercial Area, DHA, Lahore
Tel: (+92-51) 111-123-345; Fax: (+92-51) 226-3078
E-mail: info@pildat.org; Web: www.pildat.org

Performance of the National Assembly Standing Committee on Foreign Affairs

During the first 3 years of the 13th National Assembly of Pakistan

APPENDIX A

DIAGRAM: FOREIGN POLICY FORMULATION PROCESS IN PAKISTAN¹⁸



Directions:

- 1) Normal lines show formal linkages. Dotted lines show informal links.
- 2) Due to limitations of space, the diagram does not fully reflect the close interaction.

18. Please see **The Process of Foreign Policy Formulation in Pakistan**, authored by Ambassador Javid Husain, PILDAT-Briefing Paper. April 2004. Can be accessed at: <http://www.pildat.org/Publications/publication/FP/TheProcessofForeignPolicyFormulationinPakistan.pdf>