

DOCUMENTS

(July-December 2002)

Document No. 1

Statement by Ambassador Munir Akram, the Permanent Representative of Pakistan to the United Nations at the High Level Segment of the Substantive Session of the ECOSOC

July 2, 2002

Mr. President,

It is a great pleasure for me to participate in this important discussion under your stewardship.

Mr. President,

The nomenclature of our item, "Human Resource Development," perhaps denigrates the profoundness of the objective, which these words are supposed to convey. Humans are the subject and the object of development. Humans are the instrument and the aim of development.

Mr. President,

Education and health are obviously two of the most critical sectors in the promotion of human development and, indeed, balanced socio-economic development in any country. The developing countries need to allocate much larger resources to provide basic health protection and amenities to their peoples and to promote literacy and education. Relief from their huge debt servicing burdens – which in 1999 amounted to \$78 billion i.e. more than the amount required to meet the Millennium Development Goals – can be one way to release resources to enable the expansion of budgetary outlays on the health and education.

In the health sector, budgetary outlays and capacity shortfalls are not the only impediments. There is inadequate research into the diseases which traditionally afflict people in the developing countries because they are not as lucrative a market of the richer nations. Secondly, poorer countries are often constrained by the existing international rules and corporate practices from being able to provide drugs to their people at affordable cost. The Declaration on TRIPS and Health adopted at the Doha WTO Conference was a positive step in the right direction. It stated that the TRIPS Agreement "does not and should not prevent members from taking measures to protect public health." The "agreement can and should be interpreted and implemented in a manner supportive of WTO members' right to protect public health and, in particular, to promote access to medicines for all."

We would urge that greater attention be paid to the endeavour within the WHO to promote the rights of all countries, especially developing countries, to have access to essential and life saving drugs.

The TRIPs Agreement and certain restrictions regarding access to and transfer of technology act as constraints for developing countries not only in the health but also the education sector in promoting their developmental goal.

In the education sector, small investments can produce significant results, as we heard yesterday, particularly from the WFP.

A *New York Times* Editorial published yesterday, stated: "The World Bank has identified 18 countries whose efforts to improve education qualify them for immediate outside help. These include Ethiopia, Mozambique, Uganda, Nicaragua and Vietnam. Five others, India, Pakistan, Bangladesh, Nigeria and Congo, which do not yet qualify, are home to more than a third of the children not in school. They need increased international help so that they can meet the standards and qualify for international assistance. Those countries already able to make good use of aid should not be left waiting." We trust the world will heed these words.

Mr. President, the development of human resources is the gravaman of the development policies of President Musharraf's government. This policy focuses on health and education as well as poverty alleviation as essential elements for sustained economic revival and growth in Pakistan. The following elements of our strategy are notable:

First: Governance. We have promoted the concept of democracy at the grass roots and people's direct participation in development. In accordance with the principles of subsidiary, local governments are responsible for health, education and other development activities. Subsidiary is accompanied by gender mainstreaming. Thirty-three per cent of seats in councils and legislatures are reserved for women at the local, provincial and national levels.

Second: The Eradication of Poverty in the Rural Areas. It is in these areas that 60-70 per cent of our population resides. We are placing special emphasis on expanding agricultural production through yield intensification, expansion of cultivated areas and increase in and efficient use of water resources.

Third: The promotion of employment opportunities for the urban educated as well as uneducated youth. For the educated, a massive programme for training and induction into the Information Technology sector has been launched with a view to creating fast track employment opportunities. The urban uneducated, jobless youth have been encouraged, among other things, to establish small and medium scale enterprises including through the utilization of small loans and micro financing.

Fourth: In the education sector, a three-pronged strategy has been adopted which focuses on: (a) improvement in literacy rate and universalisation of primary education, (b) improvement in quality of higher education, better teachers, reformed curriculum and efficient examination system, and (c) introducing gender and area specific technical and vocational education at sub-District and District levels. Special attention is being paid to girls' education. This strategy would be aimed at raising the current literacy rate from 49 to 60 per cent by the year 2010 with primary focus on ensuring gross primary enrolment from 89 per cent to 100 per cent. Adult education programmes, especially helping to improve literacy rates among women, are being launched. The Government of Pakistan is also encouraging public-private sector partnership to improve the education system in the country.

Fifth: In the health sector, the Government has taken steps to raise awareness among the population on infectious diseases such as HIV/AIDS, tuberculosis and malaria. Rural health programmes have been organized at the grass root levels. Vaccination for children has been made compulsory. More emphasis has been laid

on training of the health workers. Special allocations are made to improve the doctor-patient ratio, especially in rural areas. A close watch is being kept on the prices of medicines, especially medicines relating to the infectious diseases.

Mr. President,

We are inviting international organizations such as World Food Programme, which has already conducted a programme for schools in Pakistan to join in our endeavour to create the new foundations to Pakistan's socio-economic revival and growth. We invited international Non-Governmental Organizations as well as the private sector to join with us in creating the environment for sustained growth and sustained development.

The renowned Pakistani economist Dr. Mahbub-ul-Haque, who initiated the Human Development Report, once said: "Development must deal with the entire society and people must be put at the centre of the stage." However, it would seem that the more we have written about how to grow out the poverty, the more poverty has grown. Institutions devoted to development have proliferated, so has under-development. Despite the universal agreement on people centred development, the Human Development Report 2001 records that 1.2 billion people still live on less than one dollar a day and 2.8 billion on less than two dollars a day. Of the 4.6 billion people in the developing countries, over 854 million adults are still illiterate and 325 million children are out of school. Nearly one billion people do not have access to clean water and 2.4 billion people do not have sanitation facilities.

Last year, speaking in this Economic and Social Council on African development, Mr. James Wolfensohn, President of the World Bank, stated that there was "a broad consensus and agreement on what needs to be done:"

First, improving governance and resolving conflicts;

Second, investing in people;

Third, increasing competitiveness and diversifying economies in a globalized environment;

Fourth, increasing finance for development, and forging a new type of aid relationship – built on African ownership and African leadership.

To this list, three more elements should be added:

One, creating a genuinely fair and open trading which could address the priorities of the developing countries including unhindered access to major markets and commodity price stabilization;

Two, creating an equitable and stable international financial system where developing countries are able to secure a fair share of international liquidity for investment and growth and do not remain vulnerable to the volatilities of interest and exchange rate fluctuations in the developed countries; and

Three, ensuring good global governance, where international economic and financial decisions, by international financial institutions and the private sector, are made in a coherent, responsible and accountable way assuring common people, not only shareholders but also the poor in developing countries, that their destinies are not sacrificed to the dictates of profit, greed or the whims of the powerful.

I thank you, Mr. President. ■

<http://www.forisb.org/un02-07.html>

Document No. 2**Address by Chandrika Bandaranaike Kumaratunga,
President of Sri Lanka at the Banquet in Honour of His
Excellency Pervez Musharraf, President of the Islamic
Republic of Pakistan****July 31, 2002**

Your Excellency President Pervez Musharraf, Madam Begum Sehba Musharraf, Hon. Prime Minister Ranil Wickremasinghe, Distinguished Members of the Delegation from the Islamic Republic of Pakistan, Your Excellencies of the Diplomatic Corps, Ladies and Gentlemen,

It is my great honour and privilege to welcome President Pervez Musharraf and Madam Begum Sehba Musharraf to Sri Lanka. I also bid a warm welcome to Hon. Abdul Razak Dawood Minister for Commerce, Industries and Production; Hon. Nisar A. Memon, Minister for Information & Media Development; Hon. Ms. Shahida Jamil, Minister for Environment, Local Government & Rural Development; Hon. Inam UI Haq, Minister of State for Foreign Affairs, as well as the other distinguished members of the delegation of Pakistan.

Relations between our two peoples go back far in time. Our literature abounds in references to the ancient seats of learning and civilization in what is present day Pakistan. The great traditions of Gandhara and Taxila inspired Buddhist art, learning and civilization in Sri Lanka.

Few individuals significantly alter the course of history. Fewer still modify the map of the world. Hardly anyone can be credited with creating a nation State. Mohamed Ali Jinnah did all three. Hailed as the Quaid-i-Azam of Pakistan, and its first Governor General, it could be said that Mr. Jinnah virtually conjured Pakistan into Statehood by the force of his indomitable will.

The Quaid-i-Azam had a clear vision of the State he wanted Pakistan to be. Steeped as he was in the traditions and values of the West. He was the quintessential modern man who could also most eminently pass the test of acceptability to the Muslim community, namely, commitment to his community's quest for a just, respectable and sovereign existence in the modern world in accordance with Islamic values. The political culture that he wished to promote in Pakistan was to be the synthesis of Islamic and democratic values. His deeply ingrained rational spirit was to emerge even when he espoused the creation of an Islamic State. He said, "We are members of the brotherhood of Islam in which all are equal in rights, dignity and self-respect. Consequently, we have a special and very deep sense of unity. But make no mistake. Pakistan is no theocracy or anything like it. Islam demands from us toleration of other creeds and we welcome, in closest association with us, all those who, of whatever creed, are themselves willing and ready to play their part as true and loyal citizens of Pakistan."

Islam, like Buddhism, is a religion of peace, which calls for coexistence, tolerance and respect for the followers of other religions. Last year, I sent the then Prime Minister on a special mission to Pakistan to call for the prevention of an impending outrage – the destruction of the Bamiyan statues. The objective of the

mission was sadly not fulfilled but the Buddhists of Sri Lanka recall with special gratitude the support given to our plea by Your Excellency personally, and by Pakistan, an Islamic State.

Today, we are on the threshold of a landmark free trade agreement between our two countries, which will open a new chapter of potential cooperation for mutual benefit. Pakistan and Sri Lanka share similar perceptions on many major global issues. We work together in various international and regional fora in order to ensure that our shared interests and concerns are accommodated by the world community at a time when global political, economic, technological and security issues are being redefined.

As members of SAARC we are looking at critical issues of relevance to both our countries such as poverty alleviation, social development and intra-regional trade. As the next Chair of SAARC in 2003 we hope very much that Pakistan will play a major role in taking the process of South Asian cooperation forward.

Your Excellency, Pakistan has consistently supported Sri Lanka in the course of the last two decades on matters related to our ethnic conflict. We know that this support derives from Pakistan's genuine desire, based on decades of close neighbourly relations, to see peace and prosperity return to our country. It is, therefore, my duty on this important occasion to share with you my personal optimism regarding developments that have taken place on this front.

The present Government has continued the process initiated by me to find a negotiated political solution to the ethnic problem that has enveloped our country in a climate of violence over the past decades. In February 2002, the Government of Sri Lanka and the LTTE entered into a Memorandum of Understanding, which provides for internationally verifiable commitments on both sides to ensure a violence free environment and create the climate of confidence, which is necessary for the pursuit of political negotiations. We in this country, and our friends all over the world, hope and pray that a process has begun whereby the legitimate political aspirations of all communities in Sri Lanka – Sinhalese, Tamils, Muslims and others – who have lived together in our island home from time immemorial could be realized within a democratic framework in a united Sri Lanka. I am personally deeply committed to the success of this cause.

We in Sri Lanka have closely observed the turbulent unfolding of events in Pakistan's neighbourhood since September 11 of last year. While all of us in South Asia have had to bear a share of the burden of coping with the aftermath of September 11, Pakistan has been called upon to play a leading role in the global coalition against terror under Your Excellency's courageous guidance. I myself bear the scars of senseless terrorist violence and recognize the courage and personal sacrifice that is required to combat terrorism. Many nations have applauded your stand. As a country that has suffered much from terrorism and sectarianism in the past, we hope very much that the burdens you have borne, and still carry, will soon be lifted.

On the 12th of January this year, you made a historic address to your nation wherein you spelt out your vision for fashioning a liberal, moderate, progressive and dynamic Islamic State in Pakistan. Those were the very same ideals that inspired Quaid-i-Azam Mohammed Ali Jinnah. The concrete measures towards that end that you have initiated will greatly help to reveal the humanitarian face of the great religion of which there are so many thousands of followers in Sri Lanka, and dispel the misperceptions about Islam that have grown in some quarters.

This, for me, is an appropriate occasion, the visit to our country of the Head of an Islamic State, to pay a tribute to our own Muslim community. They constitute almost eight percent of our population. They have lived amongst us in peace for many centuries. They have made an enormous contribution to the quality of our national life in all the professions, in academia, in sport and in the world of commerce where, in particular, the Muslim community has excelled. Wealthy members of the community have been noted philanthropists. They have given generously to many worthy causes. In the political arena, Muslim legislators, from the days well before independence and right up to present times, have wielded great influence in moulding national policies and the making of important national decisions. Every legislative assembly and Parliament of Ceylon and Sri Lanka has had Muslim members drawn from all our political parties, often representing predominantly Sinhalese or Tamil constituencies. Every Government, before and after independence, has had Muslim Ministers, often holding key portfolios.

The Muslims of Sri Lanka live and work in villages, towns and cities throughout the length and breadth of the island, as they have the unquestioned right to do. It is the bounden duty of the Government of Sri Lanka – and it is my special constitutional obligation as the Executive Head of State to ensure that our Muslim citizens, as indeed all our citizens, are permitted to live wherever in Sri Lanka they choose freely to live, to pursue their preferred vocations and earn their livelihoods without let or hindrance, without harassment or coercion, without fear or embarrassment. This assurance I give wholeheartedly to our Muslim brothers and sisters.

Your Excellency President Musharraf, Madam Musharraf, Honourable Ministers and distinguished delegates from Pakistan, it is rarely that such a happy state of relations has existed for so long between two countries as between Sri Lanka and Pakistan. The message sent by the Quaid-i-Azam to Ceylon in 1948 on the occasion of our independence could be rewritten today:

We in Pakistan will watch your progress with the most friendly and sympathetic interest as some of the problems confronting your island are similar to ours. ...Pakistan has the warmest goodwill towards Ceylon. I am sanguine that the good feelings which exist between our two peoples will be further strengthened as the years roll by and our common interest, and mutual and reciprocal handling of them, will bring us into still closer friendship

Your Excellency, all your predecessors, and now you yourself, who have stood at the helm of Government in Pakistan over the 54 years of our existence as sovereign nations have vividly displayed in ample measure that “warmest goodwill” that the Quaid-i-Azam so eloquently conveyed to us in 1948. This friendship is further strengthened by the personal understanding and goodwill that have developed between our leaders at the highest political levels. I recall with pleasure the war and generous hospitality extended to me and my delegation during our visit to Pakistan in 1999. We have had many discussions together during the SMRC Summit in Kathmandu. It is therefore a matter of great personal satisfaction to me, as well as to the Government and people of Sri Lanka, that your visit has become a reality today. Long may the friendship between the peoples of Pakistan and Sri Lanka endure and flourish.

Your Excellencies, Ladies and Gentlemen,

May I invite you to join me in a toast to the good health and well being of His Excellency President Musharraf and Madam Begum Musharraf, as well as to the strengthening of the excellent relations that exist between the Governments and the peoples of Sri Lanka and Pakistan. ■

Document No. 3**Speech by the President of Pakistan
at the State Banquet Hosted by
Acting President of Bangladesh**

Mr. President, Madam Prime Minister, Your Excellencies, Ladies and Gentlemen,

I am delighted to return to Bangladesh, an enchanting land blessed with scenic beauty and mighty rivers, a fertile soil, a rich culture and a hospitable people. As my plane touched down in Bangladesh, earlier today, I had a sense of nostalgic homecoming, to friends, colleagues whose memory I cherish. I have been deeply touched by the warm and cordial reception accorded to me and my delegation.

Mr. President,

The ties that bind us are steeped in history, religion, culture, our joint struggle for independence 54 years ago and a shared vision of the future. The people of Pakistan are indebted to their Bangladeshi brethren and their many leaders of the Pakistan movement, for bringing Allama Iqbal's dream and Quaid-e-Azam's vision to reality, in the creation of Pakistan. We were a family torn asunder by a whirlwind of unfortunate events. Some painful memories do cast a shadow on our brotherly relations. It takes time for truth and wisdom to reassert their sway. It takes time for peace, real peace and reconciliation to return. That time, I believe, has come. I would like to convey to the people of Bangladesh that their brothers and sisters in Pakistan equally share the pain of the events of 1971. I wish to express to the Bangladesh people sincere regrets for the tragic events, which have left deep wounds on both our nations. But wounds do heal with time and during the course of the last thirty years relations of our two brotherly nations have certainly come a long way. Let us overcome the sorrow and the bitterness of our past. Let us move forward to build a bright future for our two nations on the basis of sovereign equality and mutually-beneficial cooperation.

The people of Pakistan admire the progress that Bangladesh has made. We take particular pride in the accomplishments of your country in the social sector, especially in poverty alleviation, micro financing, population planning and empowerment of women. These achievements bear witness to sagacity and commitment of the Bangladeshi people and their leaders.

Ladies and gentlemen,

Pakistan and Bangladesh have a universal heritage to refurbish, way beyond all territorial frontiers and geopolitical divides. We have a contribution to make to the history of Islam in the 21st century, prove ourselves, worthy of its vision and promise. It is not going to be easy, as there is much that is warped within us and in our communities. In the world of Islam and for the world of Islam, Pakistan stands shoulder to shoulder with Bangladesh.

Mr. President,

Pakistan and Bangladesh are natural partners for the mutual promotion of trade, commerce and other economic interests. While these ties need to be strengthened for a tangible infrastructure of friendship and cooperation, no less important is the continuous nourishment of our intellectual and emotional bonds. I am visualizing of a pronounced increase in the inter flow of scholars and thinkers,

writers and artists, eminent men and women of media, your sages and ours of today and tomorrow. This calls for a well-coordinated Educational and Cultural Exchange Programme with vigorous participation of individuals, institutions and organizations. The people of Pakistan and the people of Bangladesh have no business to be strangers to each other. Where the old have destroyed some bridges, let us give the young the opportunity to build many more.

The goodwill and kinship that exists between our two nations provide a sound and credible basis for multi-dimensional co-operation. Our relations in the social, political, trade, economic, cultural and educational sectors have great potential for growth. I would like to assure you of our abiding commitment to expand and strengthen the relations between our two fraternal countries.

Mr. President,

My visit to Bangladesh provides a welcome opportunity to review our bilateral relations. We will explore new avenues for their further growth and development. Our talks here will focus on ways and means to impart greater substance and depth to our relations.

While bilateral relations remain the primary focus of our attention, we need to take stock also of the situation in our region and beyond. Momentous developments are taking place 'at the global plane.

Terrorism, globalisation, trade, poverty alleviation, human rights and environment now hold centre stage on the global agenda.

These issues cut across national boundaries and cannot be tackled by individual countries alone. Empathy and co-ordination are necessary to deal with them effectively. Pakistan and Bangladesh have a close convergence of perception in all these areas. We need to co-ordinate our responses. This will also enhance our contribution to regional and global peace and prosperity.

Mr. President,

South Asia has immense potential and strategic importance. It is home to one-fifth of humanity. The international community has a vital stake in its stability. The recent escalation in tension in South Asia is a direct consequence of the unresolved Kashmir disputes. For more than half a century, relations between Pakistan and India have never been normalized and hence prosperity, peace and security, elude the people of South Asia.

If some problems are difficult to resolve, whether it is Kashmir or other issues, the least we can do is not to pretend that they do not exist, or seek to impose unilateral self-serving solutions. We need to keep at them, till they are resolved with justice, with fair play, with the honouring of all past agreements and creating new ones, howsoever, arduous the process. We need to capitalize on the positive in each other, not exploit each other's weaknesses in narrow pursuit of a narrow vision of national power.

Durable peace is an essential pre-condition for improving the living standards of our people and for combating the many evils of under-development. We, therefore, would like our region to be rid of all sources of tension and friction. We want to resolve all our differences in a manner that is peaceful, honourable, just and dignified for all. We believe in sovereign equality and, therefore, will neither accept imposition, pressure or threats, nor shall we seek to use such means against others. We base our case in each instance on legality, justice and fair play.

It is with this constructive mindset that we approach the Kashmir dispute. We seek a resolution, through negotiations or through any other peaceful means recognized in the Charter of the United Nations. Pakistan and India cannot remain

locked in confrontation. We must resolve our problems not only in the interest of our two countries but also in the larger interest of South Asia and world peace.

We deeply appreciate the concern expressed by the Government of Bangladesh over the upsurge of tension between Pakistan and India. Prime Minister Begum Khaleda Zia's call for restraint and a negotiated settlement reflects Bangladesh's standing as a country committed to peace and the well being of the people of this region. We fully share and respect that commitment.

Mr. President,

Bangladesh's pioneering role in the creation of SAARC is a lasting testimony to the able and enlightened leadership of President Zia-ur-Rahman. He envisioned the Organization, "to contribute to mutual trust, understanding and appreciation of one another's problems." We need to revive that vision and move forward in that spirit.

Pakistan condemns terrorism in all its forms and manifestations. We support the international community's drive against terrorism. Indeed, we were among the first to join the international coalition in the campaign against terrorism. There is, however, a need to address the root causes of violence and to maintain a clear distinction between terrorism and the legitimate struggle of a people for self-determination. The fight against terrorism cannot be won without addressing in a fair, reasonable and balanced manner the causes that lead people to acts of desperation.

Mr. President,

I would like to conclude with a prayer for closer friendship and cooperation between Pakistan and Bangladesh; for the continued progress and prosperity of the people of Bangladesh; for durable peace in our region and for international harmony and stability. While I am saddened about some events in the past, I am far more hopeful about the future. Brothers in our separate homes, we remain brothers.

Bangladesh Zindabad

Pakistan Zindabad.■

http://www.pak.gov.pk/public/visits/speech_for_the_president.htm

Document No. 4

Opening Statement by the President of Pakistan at His Breakfast Meeting With the Journalists at Dhaka, Bangladesh July 31, 2002

It is a pleasure to meet all of you. Our meeting fortuitously takes place towards the end of my most fruitful, though brief, visit to your beautiful country.

Let me begin by expressing my appreciation and gratitude for the invitation extended to me by your Prime Minister to visit Bangladesh, the warm welcome accorded to me and the members of my entourage as well as the excellent arrangements made for our comfortable stay.

My talks with the Acting President as well as with Prime Minister Begum Khaleda Zia were held in an atmosphere of cordiality, empathy and complete understanding. We reviewed bilateral relations between our two fraternal countries, discussed ways and means to strengthen them further and also views on the regional situation, as well as on important international developments and issues.

We agreed that the content of our relations, particularly economic and cultural, should correspond to the immense goodwill existing between our two countries. We have, to that end, signed a Protocol on bilateral consultations at the Foreign Secretaries' level, a Cultural Exchange Programme, and an MoU to form a Pakistan-Bangladesh Joint Business Council.

The Foreign Secretary level talks would be held every year alternately at Islamabad and Dhaka. The Cultural Exchange Programme, signed under the Cultural Agreement of 1979, covers co-operation for the years 2003-2007. The main areas of co-operation are education, science and technology, culture and information. We have more than doubled the number of scholarships for Bangladeshi students and added Information Technology and MBA to the fields of study offered by Pakistan. In addition, we have offered new training facilities for Bangladeshi officials in Museography and Museology; and restoration of antiquities and works of art.

The Joint Business Council will work to bring the business communities of the two countries closer together in order to promote bilateral trade and economic co-operation. We have agreed to allow Bangladeshi jute and tea added access to Pakistani market on a unilateral basis. We have also written off Rs. 84 million due on account of supply of defence equipment to Bangladesh.

Pakistan and Bangladesh agreed that peace and stability are essential preconditions to usher an era of sustained economic development and increasing prosperity in South Asia. Peace must be safeguarded and, to that end, all outstanding inter-state issues in South Asia resolved through peaceful means.

SAARC has an important role to promote regional co-operation and must be allowed to play its rightful part. It must be fully revived and reactivated. We wish to move hand-in-hand with fellow member states to build peace and stability in South Asia.

While briefing the Bangladeshi leadership on the current tension brought about by India's deployment of its forces at our borders, I highlighted that Pakistan does not want a war. We also do not want the tension to perpetuate. Therefore, we have all along responded to various escalatory steps with restraint. We want to live in peace and with honour. While we will never initiate a war, if one is imposed on us, we will not flinch. The current tension must be defused by withdrawal of troops to peacetime locations and the commencement of a result oriented dialogue between Pakistan and India.

I remain committed to resolving all problems, including the Jammu and Kashmir dispute, through peaceful means, preferably through dialogue.

However, in order to be durable, solutions have to be based on justice and legality. They cannot be imposed. We will persist in our efforts to engage our neighbour in constructive and purposeful talks.

Pakistan and Bangladesh are one in condemning terrorism in all its forms and manifestations. We are with the international community in its war on terrorism. We were among the first to extend all possible help for that purpose. Pakistan and Bangladesh make a clear distinction between terrorism and the

legitimate struggle of a people for self-determination. The sacrifices made in fighting illegal occupation and repression cannot be branded as terrorism.

The basic objective of my visit to Bangladesh is to promote Pakistan-Bangladesh relations. I undertook the visit with the full realization that there are many in Bangladesh who continue to hark back to the tragic events of 1971 in order to thwart or retard the growth of friendship and co-operation between our two countries. This serves the interest of neither your country nor mine. Therefore, I came to Bangladesh also to make a sincere and genuine appeal that we should put the past behind us and look to the future. Rancour and recrimination between us only promote the agenda of our enemies.

I have renewed my earlier invitation to Prime Minister Begum Khaleda Zia to visit Pakistan. The Prime Minister has very kindly accepted the invitation. The people of Pakistan are keen to welcome her. I am sure that her visit would provide an excellent opportunity to build further on the progress we have made during our talks in Dhaka.

Before concluding, I would like to reiterate my thanks to the Government and the people of Bangladesh for the very warm welcome and the gracious hospitality extended to me, my wife and the members of my delegation. We will carry home very fond memories of our stay in Sonar Bangla. ■

http://www.pak.gov.pk/public/visits/statement_on_dhaka.htm

Document No. 5

President's Remark at Savar

Following is the text of the President's remarks on Visitor's Book at the National Memorial of Martyrs at 'Savar' (Dhaka) during his recent visit to Bangladesh:

I bring good wishes from the people of Pakistan for the Bangladeshi brothers and sisters, we wish this land and its people peace, progress and prosperity. Your brothers and sisters in Pakistan share the pain of the event of 1971. The excesses committed during the unfortunate period are regrettable. Let us bury the past in a spirit of magnanimity. Let not the thought of the future be dimmed. Let us move forward together. Courage to compromise is greater than courage to confront. I am confident that with our joint resolve, Pakistan- Bangladesh friendship will flourish in the years to come. ■

http://www.pak.gov.pk/public/visits/presidents_remarks_at_savar.htm

Document No. 6

Opening Remarks by the President Musharraf at a Meeting with the Srilankan Press

August 1, 2002

At the outset, I would like to thank the Government and people of Sri Lanka for the warm welcome extended to me and my delegation, as well as, for the excellent arrangements made for our visit.

The friendly relations between our two countries are based on shared perceptions and aspirations as well as a mutuality of interests. Pakistan attaches great importance to its relations with Sri Lanka. We share common goals of building prosperous and tolerant societies in our respective countries. We also want our countries to be peaceful and stable. Our two countries have been victims of terrorism. We condemn terrorism in all its forms and manifestations. We are determined to root out this menace from our society.

Strong ties between Pakistan and Sri Lanka are in the interest of peace and security in South Asia. Yesterday I had an in depth exchange of views with Her Excellency, the President of Sri Lanka. We discussed bilateral relations, the regional security situation and other issues of common interest in a most cordial atmosphere.

The current tension between India and Pakistan and the need to resolve all problems, particularly the Kashmir dispute through negotiations, also figured in our talks. We explored ways and means to further strengthen Pakistan-Sri Lanka relations, especially in the area of trade and commerce.

I also had a meeting with Prime Minister Ranil Wickremesinghe and will be having detailed talks with him in a little while today. We hope to sign a Memorandum of Understanding on tourism and archaeology; an exchange programme on culture, science and technology; as well as a Free Trade Agreement (FTA). The FTA should help boost our trade relations in a significant manner. It is an important step in the growth of Pakistan-Sri Lanka relations.

Private sector is the real engine of economic growth and promotion of trade. I hope that entrepreneurs from both the countries would play their rightful role in adding further economic substance to our close and friendly relations. Peace, security and stability are essential ingredients for economic growth and development. I sincerely hope that these will enable the Government and people of Sri Lanka to devote their undivided attention to socio-economic development.

We, on our part will support the sovereignty process initiated by your Government. We sincerely hope that this process would culminate in a durable peace, which meets the aspirations of the people of Sri Lanka. Regrettably, the Kashmir dispute continues to remain a source of tension and conflict between Pakistan and India.

In the past, several months tension along our eastern borders and the Line of Control had reached a dangerous level, stirring fears not only in South Asia but also around the world over the real possibility of a conflict. The tension has somewhat reduced, but a lot more needs to be done.

I would like to reiterate that we do not want war nor do we want to live in a perpetual state of tension. We have exercised maximum restraint. I have always advocated the path of peace and dialogue to resolve problems.

I remain committed to resolving all our problems through dialogue on the basis of justice and fair play. The Kashmir dispute needs to be settled on the basis of the relevant resolutions of the UN Security Council and the wishes of the people of Jammu and Kashmir. We would continue our efforts to engage our neighbour in a meaningful dialogue.

Like Sri Lanka, we are engaged in improving our economy through reform and revitalization. I am proud to say that we have achieved a significant measure of success in our efforts.

In order to improve governance, a number of reforms have been undertaken at all levels with the objective of increasing people's stake in decision-

making. Local bodies elections and devolution of powers were major steps in this direction. Elections to our National Parliament and the four provincial legislatures will be held on 10th October.

I will be leaving Sri Lanka today, with fond memories of this short but fruitful visit. I am confident that my visit will contribute to the further strengthening of relations with Sri Lanka. ■

http://www.pak.gov.pk/public/visits/press_srilanka.htm

Document No. 7

President General Pervez Musharraf's Address to the Nation August 14, 2002

Bismillahir Rehmanir Raheem,

My dear countrymen; Excellencies, Ladies and Gentlemen, *Asalam-u-Alakum*; I take this opportunity to extend my sincere felicitations to all my Pakistani brothers and sisters on this auspicious occasion of our Independence Day. Exactly 55 years ago today at 11.50 p.m. all India Radio Lahore broadcast the following announcement, "at midnight the independent sovereign state of Pakistan will come into existence." Then after 10 minutes at the strike of midnight hour came the following announcement, "this is Pakistan Broadcasting Service," a solitary sentence, 5 simple words but what a momentous victory for the 71 years old Muhammad Ali Jinnah, Quaid-e-Azam, the great leader, the founding father of the new nation who had fought against such odds to create a new homeland for the Muslims of India. Victory also for Allama Iqbal who had conceived the very concept of Pakistan and whom Quaid-e-Azam had described that his death in 1938 as one of the greatest poets, sears and philosophers of humanity. Victory, also for hundreds and thousands of Muslim leaders throughout the length and breadth of the land who had steadfastly worked with the Quaid in the struggle for independence. Victory finally for millions of Muslim throughout the subcontinent who had instantly and whole-heartedly followed the Quaid-e-Azam in transforming the Pakistan movement into a revolutionary movement and had spared no sacrifice in order to make Pakistan a living reality.

My dear countrymen; today, we pay homage to these great men and women who spent their lifetime waging a villain struggle to secure a homeland so that future generations that is we could live in a free country.

It is also a day to pay homage to the father of our nation Quaid-e-Azam Muhammad Ali Jinnah whose greatness and achievements have been recorded by an eminent historian in these words, "few individuals significantly alter the course of history, fewer still modify the map of the world, hardly anyone can be credited with a nation state. Muhammad Ali Jinnah did all three." There can not be a more befitting and better deserved tribute to the father of this nation. Independence days are milestones in the historical journey of a nation. They provide an opportunity for a solemn reflection on our performance. Every nation faces ups and downs in its evolution. We too have experienced our share of ups and downs in the course of the

last 55 years. May be dominated by an over dose of downs but vibrant nations don't dwell and waste time and energy on regretting over their failures. They in fact learned from such experiences and move on with enriched experience. In October 1999, my government was faced with challenges in almost all spheres of governance, areas which needed serious and urgent attention including revival of fledgling economy, strengthening of the federation and national cohesion, improvement of law and order, de-politicisation of state institutions, introduction of a system of accountability and rebuilding of national confidence and morale. These were all priority areas for me, as I wanted to pull the nation out of the political and economic morass that existed then. Two years and Ten months is but a small moment in the life of a nation yet looking back I can take satisfaction in the fact that we were not only able to arrest the rapid down slide of the nation in time but in fact are well on our way to recovery. Substantial and noteworthy progress has been made on our agenda in this short span of time. As a matter of policy and learning from past experience we did not opt for cosmetic changes and quick fixes for the sake of gaining instant popularity. Instead we decided to rebuild and reinvigorate state institutions and undertook fundamental and far-reaching reforms to ensure sustainable and long lasting growth. Briefly, our strategy was to get out of the debt trap way we were spending over 50 per cent our resources in debt servicing through effected debt restructuring and acquisition of more funds on very soft terms we were able to create fiscal space. The financial resources thus released are being used to invest in fast returned development projects, which will give us higher returns than the debt service liability that we incur. The areas of concentration to utilize these additional resources productively are agriculture, information technology, energy, small and medium size industry and communication. As a policy the government has followed merit based practices, principles of good governance have helped us to ensure that the government has at all times kept itself clean and above board and all decisions and actions have been taken in a very transparent manner. In the last nearly three years we have demonstrated to the world that good governance, economic progress and elimination of corruption is possible in Pakistan. The world accepts this now. This is no mean achievement when compared with the despair and despondency, steering us in the face in 1999. Internationally Pakistan's image in the comity of nations today is tall and respected from the threat of being reduced to a Praia status only a few years ago Pakistan has emerged as a respectable and responsible member of the world community.

My dear countrymen; Pakistan thinks and speaks the language of peace. We believe that stability and harmony are the answers for improving human conditions in our region. We owe peace to the people of this part of the world whose aspirations continue to be thwarted fighting the poverty line, provocative rhetoric and war hysteria serve no purpose, instead they lead to inflexibility, confrontation and only complicate issues. It is time to give peace a chance. In order to achieve durable peace in the South Asian region, it is imperative that we resolve the long-standing Kashmir dispute. Pakistan supports the principle struggle of the people of occupied Kashmir for their right of self-determination since long promised to them by the international community. The struggle for self-determination of our Kashmiri brothers is a sacred trust with us, which can never be compromised.

The announcement by India to hold elections in Indian occupied Kashmir is yet another effort to give a mask of legitimacy to India's illegal occupation of Jammu and Kashmir. Pakistan's position on this issue is based on United Nations

Security Council resolutions. Elections can not be a substitute for a free and impartial plebiscite under the auspices of the United Nations. The All Parties Hurriyat Conference, the sole credible voice of the Kashmiri people has already rejected the holding of such elections, as have some other parties. The government of India has organized such farcical elections in the past a well. These so-called elections have invariably been retched and have always been boycotted by the Kashmiri people if the past is any guide the elections planned by India will once again take place without the participation of the Kashmiri people and they are only designed to obtain pre-determined results. The intimidating presence and pressure of hundreds of thousands of Indian security personnel to force the Kashmiri people to participate in these elections will further deny such elections, any semblance of legitimacy. India claims that peaceful election in Indian Occupied Kashmir would be a test of Pakistan's sincerity for a dialogue with India, this is a self-serving argument. Pakistan can not accept any responsibility for developments inside Indian Occupied Kashmir nor can India try to shift the onus of the failure of elections to Pakistan. The Kashmiri struggle is indigenous and the rejection of these elections is a decision that the Kashmiris themselves have taken. While reiterating our strong desire for the peaceful settlement of the core issue of Kashmir and all other outstanding issues, we want to make it abundantly clear that we will never be subdued by coercion, no one dare think of any adventurism across our borders.

My dear countrymen; your Armed Forces are standing guard on the country's borders. Let life and business continues as usual with the confidence that your valiant forces have the *Jazba-e-Eeman* not only to defend every inch of the motherland but also to carry the fight across the border *Inshaallah*. You can rest in comfort; your Armed Forces are wide-awake and fully capable.

Ladies and gentlemen; Pakistan has been a victim of terrorism for a long. After the 11th September incident we have been at the forefront of international war on terrorism. We stand firmly committed to root out this scourge so that the world is a safer place to live in. At home and insignificant minority has held the entire nation hostage to their misconceived views of Islam and fanatical acts of terrorism. They are spreading the malice of sectarianism laced with poison of religious intolerance and violence. The recent attacks specially directed at the places of worship of our Christian brothers and sisters are the most shameful and despicable example of terrorism. All this in the name of Islam, these misled criminals and the terrorists patrons and tutors even have the audacity to think their actions are the route to *Jannat*. Is this the true spirit of Islam? Is this the religion that we all are so proud of? Where is the tolerance, the magnanimity, the chivalry and the large heartedness that characterized true Muslims? We were never so cowardly as to hide and then try to kill children and women other than the innocent victims who get killed, who is the loser, nobody but Pakistan, your country and the poor of Pakistan whose sustenance depends on jobs through investment which shies away. Are we playing in the hands of enemies of Pakistan?

My Pakistani brothers and sisters, we all have to put in a joint effort to root out those who are maligning our religion and tarnishing the image of Pakistan while imagining themselves to be ultra-Islamists. There are no quick fix solutions to the problem of sectarianism and extremism, they are to be tackled in a systematic and methodical manner. This government is doing its utmost to meet this menace frontally to catch the bull by the horn and overall strategy is under execution to enhance all round law enforcement capability. Firstly, the Police Ordinance 1861 has been replaced with the Police Ordinance 2002 after a short period of 141 years.

A counter terrorism organization has been established and is being made more potent with better training and better equipment.

The Law Enforcement Agencies are being strengthened with qualitative improvement through better induction, better training and better equipment. The Judiciary has also taken steps to improve functioning of Anti Terrorists and other courts.

By the grace of Allah results have already started showing, our security agencies have already made very important breakthroughs. A sizeable number of gangs of terrorists have been busted and almost all, I repeat almost all top criminals with head money have been apprehended. The Anti Terrorists courts have also awarded death sentences and exemplary punishments to about 80 criminals. Our response to the Murree and Taxila attacks was swift and effective, all the perpetrators of the attacks have either been killed or all of them have been arrested. More than that just before I entered I got the news from the Interior Minister that they were about 15 terrorists at large involved in these incidents and planning more incidents, all of them have been arrested now. This is commendable work done by security and intelligence agencies and also the judiciary in tandem with each other. They have accomplished all this at the peril of their lives at times and I know that.

We applaud their courage and the resourcefulness. It is time that instead of criticizing these agencies as we always do we appreciate their efforts and lend them our full backing and support. I am confident, we will *Inshallah* break the back of all these criminals and the organization supporting them.

I appeal to all *Ulemas, Mashaikhs*, religious political parties and organization to come forward actively to protect Islam from such distortion and abuse.

Ladies and Gentlemen; Political restructuring has been one of the four areas of focus of my government. We started at the grass roots level empowering the people of the district, *tehsil* and the union councils. This has ushered in a silent revolution where the destiny of the people has been given into their hands by devolving political administrative and financial authority to them. This will be embedded in the Constitution to give them sustainability.

Dear countrymen; in October we shall *Inshallah* usher in an era of true democracy. This fine transition is critical to the future of democracy in Pakistan. We all, therefore, owe it to our country to enter this phase with maturity and a fresh resolve. People of Pakistan have undergone rigors of three general elections in the last decade and have gradually become disenchanted, as those, who were given chance again and again, failed to meet the expectations of the people of Pakistan. The public demands a change of faces in the future election, in the hope that their new leaders will strive to develop the nation and improve the lot of the common man instead of siphoning the country's wealth to distant lands to serve their personal interest, their personal comforts and their personal pleasures. How to bring about this change is the question? The government can only take facilitative action but the ultimate authority lies with you, the people of Pakistan. Let us see what the government has done to encourage a change and bring in new leadership. The voting age has been reduced to 18 years, may be our youth elect better people. Minimum education level of BA has been introduced; this eliminates, to be exact 41 per cent of the previous legislature. Qualification and disqualification of candidates, Article 62 and 63 of the Constitution, have been reinforced; this should eliminate looters, plunderers, criminals, bank defaulters, tax evaders and utility bill defaulters from coming into the Assemblies. It is now up to the Election

Commission to enforce this without fear or favour. A new Political Parties Act has been introduced to bring democracy within political parties and to throw up true leaders. 60 seats have been reserved for women, this will, I am sure introduce a new perspective into the Assemblies. Seats in the Assemblies and the Senate have been increased to allow entry to fresh blood; this is what the government is doing and has done. It now remains up to you to understand the value of your vote. You have to vote for the right person, irrespective of his party, an individual who will serve the nation with honesty, sincerity and dedication. On this solemn occasion, let me give the whole nation a personal guarantee, I will take all possible measures to ensure a free, fair and a transparent election.

My dear countrymen; Pakistan is blessed with a power potential in its human capital and natural resources to earn it a place of honour in the comity of nations. There is no external threat that we can not handle. The enemy lies within. When Pakistan came into being, we were physically at our weakest, our enemy thought we will disintegrate. It was the sheer resolve, patriotic fervour, honesty of purpose of our senior generation and their faith in the future of Pakistan, which kept this country alive and moving forward, many of them are alive today, I salute all of them.

I am reminded of a moving story about the Pakistani flag. A few day before 14 August, 1947 at an international scout jamboree in France, the contingent of wise scout was representing the then British India, some young Muslim Scouts within this group came to know about the new Pakistani flag, such was their excitement and the desire to be a part of this historic event that they promptly decided to make this new flag. This was done by stitching together pieces of green from the turban of one scout and white cut from the shirt of another. Next morning on 14 August, at 9.00 a.m., they proudly hoisted their new country's flag, side by side with 85 other nations, accompanied by salutes and cheers from hundreds of scouts and guides gathered from all over the world. Such was the spirit and feelings of national fervour in those days. It led ordinary boys and girls, men and women to do extra ordinary things, that generation did not wait for someone else to tell them what to do. They took initiatives of their own. They did things because they believed that it was the right thing to do. People, even the poor people, open their homes to incoming refugees and help them generously because they knew that those refugees had left behind their homes, lands and lifetime savings. Government officers and staff made do with whatever they had at their disposal. They knew that the new government did not have adequate financial resources to offer them even the basic minimum office supplies. They worked in makeshift premises, used thorns to write and as common pins, recycled used envelopes by turning them inside out and used crates as tables and chairs. Businessmen rose to the occasion to build our economy from nothing. They did not profiteer. They did not exploit. They knew and accepted that they had to start from scratch and they had to operate under tremendous business constraints. I can go on and on and give you hundreds of examples of individuals and groups of people from that generation, our senior generation, who selflessly made vital contributions to the country in whatever way they could. They did not mourn. They did not complain. They simply took initiative and did whatever had to be done for the good of the country because they knew that whatever was good for the country was also good for them. They were devoted to the cause. They were enthusiastic to have an opportunity to make a difference. They were determined to show to the world that despite dooms day scenario wished by the enemies of the new country they will succeed at all cost.

In short, they had a purpose in life. They put Pakistan on the road to progress but then along the way we started to flounder. It is our generation, my generation that lost its bearing. Why did we falter? Why did we mess it up? Where did we go wrong? How is it that our parents seen dreams have turned into such horrible nightmares now, and the sad, indeed tragic, fact is that some of us have started doubting our own abilities, the nation's abilities and thus failure has become a self fulfilling prophecy and now we have become so negative and cynical about anything and everything that this seems to have become a future of daily life. Pessimism, cynicism, negativism are deadly diseases, they now at the core, we have to shun them like a plague. Let us have faith in ourselves, let us be positive. Let us, each one of us, have the firm belief that, yes, I can change Pakistan for the better. Yes I can make a difference, yes I know that my contribution would be like a drop in ocean but then they would not be an ocean without many many drops.

Now I want to talk to you, one sitting upstairs, the vibrant youth of Pakistan, the future hope of Pakistan, we have now steered Pakistan out of troubled waters but we still have a long way to go. On our way out, we have tried to create conditions for you to take charge and steer the ship of Pakistan into high seas at full sail. The future is with you. You are its custodians and its ultimate beneficiaries; nothing can come in your way to the path of success. Pakistan's future is bright. Your destiny is in your hands. It is entirely up to you how you sail ship and mould the future, as Allama Iqbal had said:

*Khuda nay aaj tuk uss qum ki halat nahee badhly,
na ho jis ko khial aap aapni halat kay badulnay ka.*

My young compatriots, my advice to you is to build high character. I quote Quaid-e-Azam, "what is character, the highest sense of honour and the highest sense of integrity, conviction, incorruptibility, readiness at any time to efface oneself for the collective good of the nation," and according to Allama Iqbal and this is again for the youth:

*uss qum ko shamsheer kee hajat nahee rahtee,
ho jes kay jwano kee khodhi sooratay folad.*

Cultivate patriotic fervour in yourselves, never take Pakistan for granted. This nation came into being because millions of people were willing to sacrifice everything they had because they believed in it. Wherever you are, never forget that you are Pakistanis first, hold your head high, be proud of being a Pakistani. You have a rich heritage, Pakistan is young. Our journey has only begun. Let me conclude by quoting two verses from Allam Iqbal:

*toheed kee amanat seeno may ha hamaray,
assan nahee mittana naamo nishan hamara;
aiy arz-e-pak taree hurmat pay cut murain hum,
ha khoon taree rugon may ub tuk rawan hamara.*

Pakistan zindaabad, Pakistan pindaabad. ■

<http://www.pak.gov.pk/14august/president-speech14august.htm>

Document No. 8

Text of Legal Framework Order - 2002

The Chief Executive issued Legal Framework Order 2002 amending constitutional provisions for smooth and orderly transition. The following Order made by the Chief Executive is hereby published for general information.

Whereas general elections to the National Assembly and the Provincial Assemblies are scheduled to be held on October 10, 2002, and to the Senate on November 12, 2002;

And whereas it is necessary to provide for a smooth and orderly transition;

Now, therefore, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, read with the Provisional Constitution Order No. 1 of 1999, and in pursuance of the powers vested in him by and under the judgement of the Supreme Court of Pakistan, dated the 12th May, 2000, and in exercise of all the powers enabling him in that behalf; to revive the Constitution with the amendments made herein, the Chief Executive of the Islamic Republic of Pakistan is pleased to make the following Order:-

1. Short Title and Commencement:-

- (1) This Order may be called the Legal Framework Order, 2002.
- (2) It shall come into force at once.

2. First Meetings of National Assembly, Senate and Provincial Assemblies:-

- (1) The first meeting of the National Assembly shall be held on a day to be specified by the President for the election of the Speaker and Deputy Speaker, the members of the Senate from the Federal Capital, and for the transaction of such other business as the President may specify.
- (2) The National Assembly shall meet on a day to be specified by the President to ascertain which one of the members of the Assembly commands the confidence of the majority of the members for the purposes of clause (2A) of Article 91 of the Constitution and the President shall invite such member to be the Prime Minister.
- (3) The first meeting of a Provincial Assembly shall be held on a day to be specified by the President for the election of the Speaker and Deputy Speaker, the members of the Senate and for the transaction of such other business as the President specify.
- (4) Every Provincial Assembly shall meet on a day to be specified by the President to ascertain which one of the members of the Assembly commands the confidence of the majority of the members for the purposes of clause (2A) of Article 130 of the Constitution and the Governor shall invite such member to be the Chief Minister.
- (5) The first meeting of the Senate shall be held on a day to be specified by the President for the election of the Chairman and Deputy Chairman and for the transaction of such other business as the President may specify.

3. Amendment of the Constitution and Removal of Difficulties:-

- (1) The Constitution of the Islamic Republic of Pakistan, 1973, referred to in this Order as the Constitution, is hereby amended to the extent and in the manner specified in column (3) of the Schedule.

(2) If there is any necessity for any further amendment of the Constitution or any difficulty arises in giving effect to any of the provisions of this Order, the Chief Executive may make such provisions and pass or promulgate such orders for amending the Constitution or for removing any difficulty as he may deem fit.

(3) The validity of any provision made, or orders passed, under clauses (1) and (2) shall not be called in question in any court on any ground whatsoever.

4. **Revival of Constitution of 1973.** The provisions of the Constitution, as amended by this Order and by such other Orders as may be promulgated hereinafter, shall stand revived on such day as the Chief Executive may, by notification in the official Gazette, appoint; and different days may be so appointed in respect of different provisions.

5. **Order to Override Other Laws.** The provisions of this Order shall have effect notwithstanding anything contained in the Constitution or any other Order or law for the time being in force.

THE SCHEDULE

(See Article 3)

Serial Article/ Amendments made

No. Chapter

(1) (2) (3)

1. **17 (1)** In clause (2):-

(a) after the words 'integrity of Pakistan,' occurring twice, the words 'or public order' shall be inserted; and

(b) for the full stop at the end a colon shall be substituted and there after the following proviso shall be added, namely:

'Provided that no political party shall promote sectarian, ethnic, regional hatred or animosity, or be titled or constituted as a militant group or section.' and (2) after clause (3), the following new clause shall be added, namely: (4) Every political party shall, subject to law, hold intra-party elections to elect its office-bearers and party leaders.

2. **41.** For clause (7) the following shall be substituted, namely:-

(7) The Chief Executive of the Islamic Republic of Pakistan:-

(a) shall relinquish the office of Chief Executive on such day as he may determine in accordance with the judgement of the Supreme Court of Pakistan of the 12th May, 2000; and

(b) having received the democratic mandate to serve the nation as President of Pakistan for a period of five years shall, on relinquishing the office of the Chief Executive, notwithstanding anything contained in this Article or Article 43 or any other provision of the Constitution or any other law for the time being in force, assume the office of President of Pakistan forthwith and shall hold office for a term of five years under the Constitution, and Article 44 and other provisions of the Constitution shall apply accordingly.

3. **51.**

(1) For clause (1) the following shall be substituted, namely:-

(1) There shall be three hundred and forty-two seats of the members in the National Assembly, including seats reserved for women and non-Muslims.

(1A) The seats in the National Assembly referred to in clause (1), except as provided in clause (2A), are allocated to each Province, the Federally Administered Tribal Areas and the Federal Capital as under-

	General	Women	Total
Balochistan	14	3	17
NWFP	35	8	43
Punjab	148	35	183
Sindh	61	14	75
FATA	12	-	12
Federal Capital	2	-	2
Total	272	60	332

- (2) in clause (2), in paragraph (b), for the word “twenty-one” the word “eighteen” shall be substituted;
- (3) for clause (2A) the following clause shall be substituted. namely:-
 (2A) In addition to the number of seats referred to in clause (1A), there shall be, in the National Assembly, ten seats reserved for non-Muslims.
- (4) for clause (4) the following shall be substituted, namely:-
 (4) For the purpose of election to the National Assembly,
 (a) the constituencies for the general seats shall be single member territorial constituencies and the members to fill such seats shall be elected by direct and free vote in accordance with law;
 (b) each Province shall be a single constituency for all
 (c) the constituency for all seats reserved for non-Muslims shall be the whole country;
 (d) members to the seats reserved for women which are allocated to a Province under clause (1A) shall be elected in accordance with law through proportional representation system of political parties’ lists of candidates on the basis of total number of general seats secured by each political party from the Province concerned in the National Assembly;
 (e) members to the seats reserved for non-Muslims shall be elected in accordance with law through proportional representation system of political parties lists of candidates on the basis of total number of general seats won by each political party in the National Assembly; Provided that a political party securing less than five per centum of the total number of seats in the National Assembly shall not be entitled to any seat reserved for women or non-Muslims; and (5) Clauses (4) to (6) shall be omitted.
4. **58.** In clause (2), after paragraph (a), the following new paragraph shall be added, namely:-
 (b) a situation has arisen in which the Government of the Federation cannot be carried on in accordance with the provisions of the Constitution and an appeal to the electorate is necessary.
4. **59.**
 (1) For clause (1) the following shall be substituted, namely:-
 (a) fourteen shall be elected by the members of each Provincial Assembly;
 (c) eight shall be elected by direct and free vote from the Federally Administered Tribal Areas, in such manner as the President may, by Order, prescribe;

- (d) two on general seats, and one woman and one technocrat including *aalim* shall be elected from the Federal Capital in such manner as the President may, by Order, prescribe;
 - (e) four women shall be elected by the members of each Provincial Assembly;
 - (f) four technocrats including *ulema* shall be elected by the members of each Provincial Assembly."; and
- (2) In clause(3),
- (a) for paragraph (c) the following shall be substituted, namely:-
 - of the members referred to in paragraph (c) of the aforesaid clause, -
 - (i) one elected on general seat shall retire after the expiration of the first three years and the other one shall retire after the expiration of the next three years, and
 - (ii) one elected on the seat reserved for technocrat shall retire after first three years and the one elected on the seat reserved for woman shall retire after the expiration of the next three years; and
 - (b) for paragraph (d) the following shall be substituted, namely:-
 - of the members referred to in paragraph (d) of the aforesaid clause, two shall retire after the expiration of the three years and two shall retire after the expiration of the next three years; and
 - (c) of the members referred to in paragraph (e) of the aforesaid clause, two shall retire after the expiration of the first three years and two shall retire after the expiration of the next three years.
6. **62.** For clause (b) the following shall be substituted, namely:-
- (b) he is, in the case of the National Assembly, not less than twenty -five years of age and is enrolled as a voter in any electoral roll in
 - (i) any part of Pakistan, for election to a general seat or a seat reserved for non-Muslims; and
 - (ii) any area in a Province from which he seeks membership for election to a seat reserved for women.
7. **63.**
- (1) In clause (1):-
- (a) for paragraphs (h), (i) and (j) the following shall be substituted, namely:-
 - (h) he has been convicted by a court of competent jurisdiction on a charge of corrupt practice, moral turpitude or misuse of power or authority under any law for the time being in force; or
 - (i) he has been dismissed from the service of Pakistan or service of a corporation or office set up or controlled by the Federal Government, Provincial Government or a Local Government on the grounds of misconduct or moral turpitude; or
 - (j) he has been removed or compulsorily retired from the service of Pakistan or service of a corporation or office set up or controlled by the Federal Government, Provincial Government or a Local Government on the grounds of misconduct or moral turpitude; or; and
 - (b) for paragraph (p) the following shall be substituted, namely:-
 - (p) he has been convicted and sentenced to imprisonment for having absconded by a competent court under any law for the time being in force; or

(q) he has obtained a loan for an amount of two million rupees or more, from any bank, financial institution, cooperative society or cooperative body in his own name or in the name of his spouse or any of his dependents, which remains unpaid for more than one year from the due date, or has got such loan written off; or

(r) he or his spouse or any of his dependents has defaulted in payment of government dues and utility expenses, including telephone, electricity, gas and water charges in excess of ten thousand rupees, for over six months, at the time of filing his nomination papers; (2) for clause (2) the following shall be substituted, namely:-

(2) If any question arises whether a member of *Majlis-e-Shoora* (Parliament) has become disqualified from being a member, the Speaker or, as the case may be, the Chairman shall, within thirty days from raising of such question refer the question to the Chief Election Commissioner; and (3) after clause (2), substituted as aforesaid, the following new clause shall be added, namely:-

(3) Where a question is referred to the Chief Election Commissioner under clause (2), he shall lay such question before the Election Commission, which shall give its decision thereon not later than three months from its receipt by the Chief Election Commissioner.

8. **63A.** For Article 63A the following shall be substituted, namely:-

63A. Disqualification on grounds of defection, etc.

(1) If a member of a Parliamentary Party composed of a single political party in a House;

(a) resigns from membership of his political party or joins another Parliamentary Party; or

(b) votes or abstains from voting in the House contrary to any direction issued by the Parliamentary Party to which he belongs, in relations to;

(i) election of the Prime Minister or the Chief Minister; or

(ii) a vote of confidence or a vote of no-confidence; or

(iii) a Money Bill;

he may be declared in writing by the Head of the Parliamentary Party to have defected from the political party, and the Head of the Parliamentary Party may forward a copy of the declaration to the Presiding Officer, and shall similarly forward a copy thereof to the member concerned:

Provided that before making the declaration, the Head of the Parliamentary Party shall provide such member with an opportunity to show cause as to why such declaration may not be made against him.

(2) A member of a House shall be deemed to be a member of a Parliamentary Party if he having been elected as a candidate or nominee of a political party which constitutes the Parliamentary Party in the House or, having been elected otherwise than as a candidate or nominee of a political party, has become a member of such Parliamentary Party after such election by means of a declaration in writing.

(3) Upon receipt of the declaration under clause (1), the Presiding Officer of the House shall within two days refer the declaration to the Chief Election Commissioner who shall lay the declaration before the Election Commission for its decision thereon confirming the declaration or otherwise within thirty days of its receipt by the Chief Election Commissioner.

(4) Where the Election Commission confirms the declaration, the member referred to in clause (1) shall cease to be a member of the House and his seat shall become vacant.

(5) Any party aggrieved by the decision of the Election Commission may within thirty days, prefer an appeal to the Supreme Court which shall decide the matter within three months from the date of the filing of the appeal.

(6) Nothing contained in this Article shall apply to the Chairman or Speaker of a House.

(7) For the purpose of this Article.

(a) 'House' means the National Assembly or the Senate in relation to the Federation and a Provincial Assembly in relation to the Province, as the case may be.

(b) 'Presiding Officer' means the Speaker of the National Assembly, the Chairman of the Senate or the Speaker of the Provincial Assembly, as the case may be.

9. **70.**

(1) In clause (2) for the words "considered in a joint sitting" the words and figure "referred to a Mediation Committee constituted under Article 71 for consideration and resolution thereon" shall be substituted; and

(2) for clause (3) the following shall be substituted, namely:-

(3) Where a Bill is referred to the Mediation Committee under clause (2), the Mediation Committee shall, within ninety days, formulate an agreed Bill which is likely to be passed by both Houses of the *Majlis-e-Shoora* (Parliament) and place the agreed Bill separately before each House and if both the Houses pass the Bill, it shall be presented to the President for assent.

10. **Part III.** After Article 70, amended as aforesaid the following Chapter 2. new Article Chapter 2 shall be added namely:

71. Mediation Committee.

(1) Both Houses of *Majlis-e-Shoora* (Parliament) shall, within fifteen days from the date of referral of the Bill by the House in which it was originated for consideration and resolution by the Mediation Committee under clause (2) of Article 70 nominate eight members each as members of a Mediation Committee.

(2) The House in which the Bill was originated shall nominate a member of the Mediation Committee as Chairman of the Committee and the other House shall nominate a member as the Vice-Chairman thereof.

(3) All decisions of the Mediation Committee shall be made by a majority of the total number of members of each House in the Committee.

(4) The President may, in consultation with the Speaker of the National Assembly and Chairman of the Senate, make rules for conduct of business of the Mediation Committee.

11. **73.** For clause (1) the following shall be substituted, namely:-

(1) Notwithstanding anything contained in Article 70, a Money Bill shall originate in the National Assembly.

Provided that simultaneously when a Money Bill, including the Finance Bill containing the Annual Budget Statement, is presented in the National Assembly, a copy thereof shall be transmitted to the Senate, which may, within seven days, make recommendations thereon to the National Assembly.

(1A) The National Assembly shall, consider the recommendations of the Senate and after the Bill has been passed by the Assembly with or without incorporating the recommendations of the Senate, it shall be presented to the President for assent.

12. **75.** In clause (2)

- (a) the words 'in joint sitting' shall be omitted; and
- (b) for the words and comma 'by the votes of the majority of the members of the both Houses present and voting,' the words, figure and comma 'in accordance with Article 70,' shall be substituted.

13. **101** In clause (1), for the words on the advice of the words 'after consultation with' shall be substituted.

14. **106.**

(1) For clause (1) the following shall be substituted:-

(1) Each Provincial Assembly shall consist of general seats and seats reserved for women and non-Muslims as specified herein below.

	General Seats	Women	Non-Muslims	Total
Balochistan	51	11	3	65
NWFP	99	22	3	124
Punjab	297	66	8	371
Sindh	130	29	9	168

(2) in clause (2), in paragraph (b), for the word 'twenty-one' the word 'eighteen' shall be substituted;

(3) for clause (3) the following shall be substituted, namely:-

(3) For the purpose of election to a Provincial Assembly.

(a) the constituencies for the general seats shall be single member territorial constituencies and the members to fill such seats shall be elected by direct and free vote.

(b) each Province shall be a single constituency for all seats reserved for women and non-Muslims allocated to the respective Provinces under clause (1);

(c) the members to fill seats reserved for women and non-Muslims allocated to a Province under clause (1) shall be elected in accordance with law through proportional representation system of political parties' lists of candidates on the basis of the total number of general seats secured by each political party in the Provincial Assembly:

Provided that a political party securing less than five per centum of the total number of seats in the Provincial Assembly shall not be entitled to any seat reserved for women and non-Muslims. and

(4) Clauses (4), (5) and (6) shall be omitted.

15. **112.** (1) In clause (2), after paragraph (a), the following new paragraph shall be added, namely:-

(b) a situation has arisen in which the Government of the Province cannot be carried on in accordance with the provisions of the Constitution and an appeal to the electorate is necessary.

16. **Part IV,** After Article 140, the following new Article shall Chapter 3 be inserted, namely :-

140A. Local Government. Each Province shall, by law, establish a local government system and devolve political, administrative and financial responsibility and authority to the elected representatives of the local governments.

17. **Part V,** In Part V, in Chapter 3, before Article 153, the Chapter 3 following new Article shall be inserted, namely:-

152A. National Security Council.-

(1) There shall be a National Security Council to serve as a forum for consultation on strategic matters pertaining to the sovereignty, integrity and security of the State; and the matters relating to democracy, governance and inter-provincial harmony.

(2) The President shall be the Chairman of the National Security Council and its other members shall be the Prime Minister, the Chairman of the Senate, the Speaker of the National Assembly, the Leader of the Opposition in the National Assembly, the Chief Ministers of the Provinces, the Chairman Joint Chiefs of Staff Committee, and the Chiefs of Staff of the Pakistan Army, Pakistan Navy and Pakistan Air Force.

(3) Meetings of the National Security Council may be convened by the President either in his discretion, or on the advice of the Prime Minister, or when requested by any other of its members, within the time frame indicated by him.

18. **199.** (1) In clause (4A) for the words and commas 'unless the case is finally decided, or the interim order is withdrawn, by the Court earlier' the comma and words "provided that the matter shall be finally decided by the High Court within six months from the date on which the interim order is made" shall be substituted: and (2) clause (4B) shall be omitted.

19. **203C.** In clause (9),

(a) for the word, 'salary,' occurring twice, the word 'remuneration' shall be substituted: and

(b) for the full stop at the end a colon shall be substituted and thereafter the following proviso shall be added, namely:-

Provided that where a Judge is already drawing a pension for any other post in the service of Pakistan, the amount of such pension shall be deducted from the pension admissible under this clause.

20. **209.** In clause (5)-

(i) for the words and comma 'received from the Council or from any other source,' the words and comma 'from any source, the Council or' shall be substituted: and

(ii) after the words Council to, the commas and words, or the Council may, on its own motion, shall be inserted.

21. **218.**

(1) For clause (1) the following shall be substituted, namely:-

(1) For the purpose of election to both Houses of *Majlis-e-Shoora* (Parliament), Provincial Assemblies and for election of such other public offices as may be specified by law or until such law is made by the *Majlis-e-Shoora* (Parliament) by Order of the President, a permanent Election Commission shall be constituted in accordance with this Article.

(2) in clause (2), in paragraph (b),-

(i) for the word 'two' the word 'four' shall be substituted; and

- (ii) after the words 'High Court,' occurring for the first time, the words 'from each Province' shall be inserted,
22. **224.** In Article 224,
- (a) in clause (1),
- (i) for the word "preceding" the word "following" shall be substituted: and
- (ii) for the full stop at the end a colon shall be substituted and thereafter the following proviso shall be added, namely:-
'Provided that on dissolution of an Assembly on completion of its term, the President, in his discretion, or, as the case may be, the Governor, in his discretion but with the previous approval of the President, shall appoint a care-taker Cabinet.'
- (b) in clause (4), after the words and comma 'Provincial Assembly,' the word "general" shall be inserted;
- (c) after clause (5), the following new clauses shall be added, namely:-
- (6) When a seat reserved for women or non-Muslims in the National Assembly or a Provincial Assembly falls vacant, for death, resignation or disqualification of a member, it shall be filled by the next person in order of precedence from the party list of the candidates submitted to the Election Commission for the last general election by the political party whose member has vacated such seat.
- (7) When a care-taker Cabinet is appointed, on dissolution of the National Assembly under Article 58 or a Provincial Assembly under Article 112, or on dissolution of any such Assembly on completion of its term, the Prime Minister or, as the case may be, the Chief Minister of the care-taker Cabinet shall not be eligible to contest the immediately following election of such Assembly.
23. **243.**
- (1) In clause (2),-
- (a) in paragraph (a), after the semi-colon at the end. the word 'and' shall be added:
- (b) in paragraph (b), for the word and semi-colon 'and' a full stop shall be substituted; and
- (c) clause (c) shall be omitted: and
- (2) after clause (2), amended as aforesaid, the following new clause shall be added, namely:-
- (3) the President shall, in his discretion, appoint-
- (a) the Chairman, Joint Chiefs of Staff Committee;
- (b) the Chief of the Army Staff;
- (c) the Chief of the Naval Staff; and
- (d) the Chief of the Air Staff,
- and shall also determine their salaries and allowances.
24. **260.** In clause (1), after the expression 'clause,' the following new expression shall be inserted, namely:-
'consultation' shall, save in respect of appointments of Judges of the Supreme Court and High Courts, mean discussion and deliberation which shall not be binding on the President.
25. **268.** In clause (2),-
- (a) after the word 'amended,' the commas and words, 'expressly or impliedly,' shall be inserted; and

- (b) after the word 'President,' the words accorded after consultation with the Prime Minister shall be added.

26. **Part XII**, After Article 270A. The following new Articles shall Chapter 7 be inserted, namely:-

270 AA. Validation of Laws.

(1) The Proclamation of Emergency of the fourteenth day of October, 1999, all President's Orders, Ordinances, Chief Executive's Orders, including the Provisional Constitution Order No.1 of 1999, the Oath of Office (Judges) Order, 2000 (No.1 of 2000), the Referendum Order, 2002 (Chief Executive's Order No. 12 of 2002) and all other laws made between the twelfth day of October, one thousand nine hundred and ninety-nine and the date on which this Article comes into force, are hereby affirmed, adopted and declared notwithstanding any judgment of any court, to have been validly made by competent authority and notwithstanding anything contained in the constitution shall not be called in question in any court on any ground whatsoever.

(2) All orders made, proceedings taken, appointments made, including secondments and deputations, and acts done by any authority, or by any person, which were made, taken or done, or purported to have been made, taken or done, between the twelfth day of October, one thousand nine hundred and ninety-nine, and the date on which this Article comes into force (both days inclusive), in exercise of the powers derived from any proclamation, President's Orders, Ordinances, Chief Executive's Orders, enactments, notifications, rules, orders, bye-laws, or in execution of or in compliance with any orders made or sentences passed by any authority in the exercise or purported exercise of powers as aforesaid, shall, notwithstanding any judgment of any court, be deemed to be and always to have been validly made, taken or done and shall not be called in question in any court on any ground whatsoever.

(3) All Proclamations, President's Orders, Ordinances, Chief Executive's Orders, laws, regulations, enactments, notifications, rules, orders or bye-laws in force immediately before the date on which this Article comes into force shall continue in force until altered, repealed or amended by competent authority.

Explanation.- In this clause, 'competent authority' means,

- (a) in respect of President's Orders, Ordinances, Chief Executive's Orders and enactments, the appropriate Legislature: and
 (b) in respect of notifications, rules, orders and bye-laws, the authority in which the power to make, alter, repeal or amend the same vests under the law.

(4) No suit, prosecution or other legal proceedings shall lie in any court against any authority or any person, for or on account of or in respect of any order made, proceedings taken or act done whether in the exercise or purported exercise of the powers referred to in clause (2) or in execution of or in compliance with orders made or sentences passed in exercise or purported exercise of such powers.

(5) For the purposes of clauses (1), (2) and (4), all orders made, proceedings taken, appointments made, including secondments and deputations, acts done or purporting to be made, taken or done by any authority or person shall be

deemed to have been made, taken or done in good faith and for the purpose intended to be served thereby.

27. **270 B.** In Article 270B, after the figure and comma '1977,' the words commas, the figures, brackets and letters 'and the Conduct of General Elections Order, 2002 (Chief Executive's Order No.7 of 2002),' shall be inserted.

28. **Part XII,** After Article 270 B, amended as aforesaid, the Chapter 7 following new Article shall be inserted, namely:-

270C. **Oath of Office of Judges, etc:-** Notwithstanding anything contained in the Constitution, all persons appointed as Judges of the Supreme Court, High Courts and Federal Shariat Court who have taken oath under the Oath of Office (Judges) Order, 2000 (1 of 2002), or not having been given or taken oath under that Order have ceased to continue to hold the office of a Judge shall be deemed to have been appointed or ceased to continue to hold such office, as the case may be, under the Constitution and such appointment or cession of office shall have effect accordingly.

29. Sixth. After entry 24, the following new entries shall be Schedule added, namely

25. The State Bank of Pakistan Act, 1956 (XXXIII of 1956).

26. The National Accountability Bureau Ordinance, 1999 (XVIII of 1999).

27. The Balochistan Local Government Ordinance, 2001 (XVIII of 2001).

28. The North-West Frontier Province, Local Government Ordinance, 2001 (XIV of 2001).

29. The Punjab Local Government Ordinance, 2001 (XIII of 2001).

30. The Sindh Local Government Ordinance, 2001 (XXVII of 2001).

31. The Election Commission Order, 2002 (Chief Executive's Order No.1 of 2002).

32. The Conduct of General Elections Order, 2002 (Chief Executive's Order No.7 of 2002).

33. The Political Parties Order, 2002 (Chief Executive's Order No.18 of 2002).

34. The Qualification to Hold Public Offices Order, 2002 (Chief Executive's Order No. 19 of 2002).

35. The Police Order, 2002 (Chief Executive's Order No.22 of 2002).

GENERAL PERVEZ MUSHARRAF

Chief Executive of the Islamic Republic of Pakistan,

and Chief of the Army Staff. ■

Dawn, August 22, 2002, <http://www.dawn.com/2002/08/22/top3.htm>

Document No. 9

Speech by the President, General Pervez Musharraf at the Harvard University, USA

September 8, 2002

President Dr. Larry Summers, Dean Nye, Distinguished Members of the Faculty, Alumni, Ladies and Gentlemen.

It is a pleasure to be in Cambridge again after my visit last February and indeed a privilege to be hosted by Harvard University and to address its alumni.

I am thankful to you, President Summers, for your gracious invitation. I would also like to thank Dean Nye and the Kennedy School, for organizing this evening's programme.

Harvard is synonymous with the spirit of inquiry, learning, and academic excellence. Harvard's contribution in expanding the frontiers of human knowledge is universally recognized. It has produced seven US Presidents and some 40 Nobel laureates of whom two are from the family of President Summers.

Ladies and Gentlemen, today I would like to share with you my vision of Pakistan in the 21st century.

We are striving to build a modern, moderate, tolerant and a progressive, democratic, Islamic state. Regionally and internationally, we wish to be a force for peace and stability, and a reliable partner of the world community. On the civilizational plane, we see Pakistan as an important bridge between the Islamic world and the West.

The inspiration for our vision comes from our founding father – Quaid-e-Azam Mohammad Ali Jinnah. He was a true Renaissance man, passionately attached to the idea of modernity. He desired his new country to be progressive and pluralistic internally, and a promoter of amity among nations externally. He wanted his Pakistan to be, "At peace within, and at peace without."

This was the guiding light when we began our journey as an independent nation in August 1947. It was a remarkably hopeful moment. We made quick strides in many spheres and created an impact internationally. But in the decades of the 80s and 90s we lost our way. Successive leaders failed to address mounting economic, political and social challenges. The people became disenchanted.

When I came to office three years ago, I had one overriding objective – to stem the drift and change the course to construct a future of hope for our people. We accepted the challenge and initiated a far-reaching process of national reconstruction, reform and renewal. At its core, this reform process seeks economic revival, good governance, stable and enduring democracy, and social harmonization.

Our top priority has been the revival of the economy. Sound economic policies and strict management and control have been put in place to correct macro-economic imbalances, reform the revenue system, correct chronic budget deficits, restore investor confidence and achieve sustainable long-term growth. Four key sectors have been selected to be the engine of growth, namely: agriculture, small and medium-sized industries, energy, and Information Technology (IT). Positive results have emerged. The basic macro-economic indicators are now in sync and Pakistan's economy is poised for sustainable growth. However, challenges do remain. The principal challenges are; debt reduction and poverty alleviation.

Establishment of the rule of law and good governance is another key priority. The writ of the State has been strengthened. Specific steps such as de-weaponization, de-politicization of State institutions, dispensation of justice, transparent public accountability and measures against corruption are underway.

Growth of civil society has been steadfastly nurtured. This is the essential infrastructure of democracy. Community-based programmes of economic development and political participation are central in our endeavours. The devolution plan and strengthening of municipal bodies has generated a silent revolution at the grass-roots level, which is bringing visible change in the lives of the people in their towns and villages throughout Pakistan. Our objective of building a human rights culture flows from this philosophy. Special emphasis has

been placed on police and jail reforms, protection and promotion of the rights of minorities, and the empowerment of women.

Deepening the roots of democracy is very important. Through the devolution plan, we have instituted a system that empowers people at the grass-roots. An unprecedented 33 per cent seats in local government have been reserved for women. This is the most powerful tool for gender empowerment.

I have promoted a dialogue with religious scholars to ensure that militancy and religious extremism have no place in our society. *Madrassah* reforms and reform of the public education system would continue to be implemented with resolve. I remain determined not to allow a fringe element to hold the entire nation hostage and hijack our agenda of reform.

We have always imagined Pakistan's future to be fully democratic. Our democratic transition is well underway and would reach culmination with national elections in October. We are convinced that sustainable democracy can only thrive if it has deep roots and appropriate checks and balances. We have, therefore, instituted necessary constitutional changes.

I am convinced that success in these endeavours will fundamentally re-orient Pakistan in keeping with our vision and to respond to the aspirations of the people of Pakistan. I remain personally committed to the continuity and sustainability of this reform process.

In the 21st century, we envision Pakistan as a strong force for regional peace and stability, engaged with its neighbours in a partnership for prosperity and a reliable interlocutor of the world community on global issues. Our foreign policy shall be crafted to meet the challenges and opportunities arising from this vision.

Pakistan is and will remain a key member of the global coalition against international terrorism. The strategic decisions we took after September 11 are consistent with our moral principles and national interests. Our unstinting support has been critical in the battle against terrorism. This support would continue until our shared objectives are fully met and the evil of terrorism is completely eliminated.

Pakistan would also continue to participate in international peacekeeping operations worldwide. We are proud of our record on this count, being one of the largest contributors of troops and having participated in many UN peacekeeping operations, since 1947. We consider it a reflection of our unrelenting commitment to international peace.

Over the past two decades, Pakistan has hosted the world's largest refugee population. For the most part, we have shouldered this heavy burden through our own limited resources. We have done so in recognition of our international obligations and a sense of compassion. We would continue to work with UNHCR and donor countries. The only resolution of the Afghan refugee problem is their return to a secure Afghanistan.

Narcotics trafficking and its links to international crime are a matter of serious concern to the international community. Pakistan is committed to playing its part in rooting out this twin evil. We have achieved impressive results through collaborative efforts with the US and related UN agencies. Our joint battle against these scourges would continue.

The reconstruction and socio-economic development of Afghanistan are critical objectives in our region. Our legitimate interest is to have a friendly Afghanistan on our Western border. We support the Bonn Agreement and the Karzai government. The deployment of the International Security Assistance Force

(ISAF) beyond Kabul would further advance the objectives of reconstruction and internal security in Afghanistan, which are necessary for its revival. Pakistan would continue to make its due contribution to Afghanistan's re-emergence as a peaceful and economically-viable state.

An enlightened sense of national interest guides our policy of seeking peaceful relations with India. However, our initiatives continue to meet with Indian intransigence. Since September 11, we have faced a relentless Indian campaign to cast Pakistan and the Kashmiris on the wrong side of the terrorism issue. The fact is that Kashmir is a fifty-four years old issue. It is the unfinished business of the creation of independent Pakistan and India. Terrorism has not created the tragedy of Kashmir. To pretend that there is no political problem in Kashmir and that Pakistan is to blame for all the troubles is to endorse injustice and repression over a people who have been denied their right of self-determination for over half a century. The solution lies in giving them their inalienable right to determine their own future in accordance with the resolutions of the UN Security Council.

Pakistan has condemned terrorism – in all forms and manifestations, anywhere in the world. Attempts to paint our position otherwise are sinister and motivated. Pakistan has made major commitments and taken major steps. India must take reciprocal steps in order to impart permanence and sustainability to our initiatives. We await de-escalation and resumption of dialogue.

President Bush, Secretary Powell and senior administration officials have been engaged in efforts for the reduction of tensions in South Asia. There is grave risk, yet nothing to be gained from military brinkmanship. Issues must be resolved peacefully, through political and diplomatic means. From our perspective, India needs to be persuaded that coercive diplomacy is not a viable instrument of policy in our regional environment.

It is also important not to be misled by any electoral exercise that India might stage in Kashmir. The so-called 'elections' in Kashmir have had a long history of manipulation by New Delhi. There is no possibility that these can be free, fair, open, transparent and inclusive. These 'elections' in any case are no substitute to the plebiscite promised to the Kashmiris by the world community.

Pakistan remains ready to discuss all issues. We are, however, convinced that without meaningful progress towards a resolution of the Kashmir issue in conformity with the wishes of the Kashmiri people, Pakistan-India relations would not normalize. The United States, with friendly ties to both Pakistan and India, is in a unique position to facilitate the resolution of this core dispute between Pakistan and India, which will create the conditions necessary to establish durable peace in our region.

Peace and security in South Asia are vital to the economic development and prosperity in the region. Peace in the region will also contribute significantly to the promotion of international peace and stability given South Asia's strategic location astride regions with vast natural resources and economic potential.

Ladies and Gentlemen, while world leaders have rightly asserted that the effort to eliminate terrorism is not directed against any religion or a people, there is nonetheless concern among the Islamic nations of the emergence of widespread prejudice and xenophobia. Some people have succumbed to the temptation of easy explanations for the phenomenon of terrorism. They have sought to sow seeds of discord at a time when greater understanding of cultures and civilizations is needed. Hate should have no market. It must be stamped out with the same zeal as marks the fight against terrorism.

Pakistan joined the international coalition against terrorism and by its unstinting support has made a crucial contribution to the war against terrorism. The present war is against terrorism, and not Islam. Pakistan is an important part of the Islamic community, which is composed of over fifty nations and one fifth of humanity.

It is important that we diagnose the malaise and treat the root causes of terrorism. What is it that conjures up such storms in the mind? Why is life so cheap to the suicide bomber – his own and that of the victims? How is the instinct for survival overcome by a death-wish? What peaceful means of redress do a people have when repression and perpetuation of injustice is the only response they receive for there legitimate demands for freedom and dignity. These questions and others have to be faced with honesty and addressed with generosity of spirit. The process must be inclusive whereby a new order is created not biased to sectional interest or values or norms, but in support of a universal vision, if not a universal dream, and to which we could all lay claim of ownership as citizens of the world.

I am an advocate of civilizational dialogue as an important pillar of our strategy. Stereotypes on both sides have caused too much damage. It is time we began dealing with the ‘real’ Islam and the ‘real’ West rather than caricatures of each. The dialogue that Pakistan envisions would be promoted through greater exchanges at all levels, quality academic research by exchange scholars to remove misconceptions, enhanced people-to-people contacts and vigorous public diplomacy programmes to win the ‘hearts and minds’ of ordinary people.

The United States and Pakistan are well-endowed and well-positioned to strengthen their partnership and make a seminal contribution. On our part, Pakistan’s strong Islamic credentials permit us to speak with credibility and to act as a bridge to create more contacts and greater understanding. We must ensure the Islamic world and the West are allies in combating terrorism, and do not at any stage turn into antagonists confronting each other.

The international community understands what we are doing and how important it is for our region and the world. The people of Pakistan have supported me at every step of the way. I have no doubt that we shall achieve Jinnah’s vision and rebuild Pakistan according to the ideals and values that we hold dear and are close to our hearts.

I thank you. ■

<http://www.forisb.org/CE-024.htm>

Document No. 10

Address by the President, General Pervez Musharraf at the Chicago Council on Foreign Relations Chicago, USA, on, Pakistan: Our Security and Economic Environment September 10, 2002

Mr. John W. Madigan, Chairman of the Council, Mr. Marshall M. Bouton, President, Chicago Council, Mr. Robert L. Barnett, Executive Vice President of

Motorola Inc. Ladies and Gentlemen, it gives me great pleasure to address this distinguished audience. I would like to thank you for arranging this joint event. It brings together political thinkers and the leaders of industry and commerce, who figure increasingly and prominently in relations amongst states.

As a premier institution in the Mid-West, the Chicago Council helps reach out to the heartland of the US. It is a privilege to be in such distinguished company and to share some thoughts on, 'Pakistan: Our Security and Economic Environment.'

Ladies and Gentlemen;

Pakistan-India

Peace and stability is essential for South Asia. For fifty-four long years, Pakistan and India have remained mired in strife, which has denied our people, over one-fifth of humanity, a decent quality of life. This must end. We must normalize relations. We must live in harmony, not acrimony. We must facilitate creation of synergies amongst our people and our nations. That is our vision. We must work for a South Asia of friendship and amity, cooperation and collaboration. We must forge economic and trade partnerships, which create prosperity and distribute rewards evenly. We believe in this future. We are firmly committed to this future.

I also believe that the path to this future lies inevitably and unavoidably through the resolution of all our differences and disputes through genuine, sustained and purpose-oriented dialogue, in a peaceful manner, on the basis of equality and equity and without any efforts to leverage power disparities.

The key to the normalization of relations between Pakistan and India is the core issue of Kashmir. The resolution of the Kashmir problem will unlock the door to normalization. The principle of self-determination and the means to achieve that goal are enshrined in the Resolutions of the United Nations on the Kashmir dispute. The repression of the Kashmiri people must stop. The solution must accord with the wishes of the Kashmiri people.

A sustained dialogue can propel us in that direction. We are ready for this dialogue at any time, any place and any level.

Afghanistan and Central Asia

A peaceful and stable Afghanistan engaged in national reconstruction and in reintegration with the world is another imperative. Pakistan supports the Bonn Agreement. We support President Karzai and his Administration. Pakistan has offered full cooperation by opening up its markets to Afghanistan. We have earmarked US \$ 100 million for reconstruction purposes over a period of five years of which US \$ 18 million has already been disbursed.

In our assessment, the mandate of the International Security Assistance Force (ISAF) should be to promote peace and stability.

Afghanistan is the link to Central Asia. The restoration of this link could create a whole new matrix of market forces, including trade, transport and communications, utilization of oil and gas reserves. Economic synergy among the ECO countries could foster a huge zone of peace, partnership and prosperity.

Terrorism

A word on terrorism. Pakistan is against terrorism in all its forms and manifestations, wherever it occurs. We are part of the international coalition in the fight against terrorism. Our role and record speak for themselves. A number of

Pakistanis lost their lives in the gruesome attack last year at the WTC. Our soldiers and policemen have given their lives in the fight against terrorism and terrorists.

I have also taken unprecedented and wide-ranging steps to curb extremism and religious intolerance at home. I need not go into details here. Our actions have not been without cost.

We are being targeted for the decisions taken by us to combat extremism. Terrorist incidents such as the killings in the Church in Islamabad, killing of foreigners and members of the Christian community in Karachi, Murree and Taxila illustrate this point. As I said we continue to lose precious lives in our efforts against terrorism. More than a dozen Pakistani security personnel sacrificed their lives in supporting the US effort against Al-Qaeda activists. But we are resolute. I shall not allow a fringe minority to hold us to ransom. We need your support and understanding in accomplishing this mission.

Nuclear

I know that scare scenarios of nuclear holocaust in South Asia have been painted of late. I have stated categorically that nuclear war is unthinkable. Nuclear weapons are not weapons of use. They are meant not to commit aggression but to deter aggression. Let me add that we are extremely conscious of the devastating consequences of the use of nuclear weapons for our own people and the people of South Asia in general.

Pakistan was not first to conduct nuclear explosions, and we shall not be the first to resume testing. Historically, Pakistan has had to react and respond in order to restore equilibrium in regions. We have offered to India a triad of peace, security and progress based on settlement of disputes, a strategic restraint regime for nuclear and conventional weapons and economic cooperation. Unfortunately, India has not responded positively to our proposals and seems intent, instead, on building a triad of nuclear weapon systems. Let me also assure you that Pakistan has established fail-safe safeguards and custodial controls on our nuclear assets. We have an impeccable record. In this context, Pakistan and the US have remained engaged in a high-level dialogue on security issues, particularly regarding restraints in South Asia.

Economic

Let me now turn to the key economic challenges we have faced since October 1999 and underline the policies that have been crafted and the economic opportunities they present.

From the very beginning, a core priority of my government has been the rescue and revival of Pakistan's economy that had gone into a nose-dive following years of mismanagement and unbridled corruption. We, therefore, were determined to re-establish good governance and the rule of law, so as to restore the confidence of our citizens, of foreign investors and our development partners in the credibility of the government and its institutions. We then formulated a broad-based, private sector-led medium term programme to place the economy on the path of reform and growth. Simultaneously, we have expanded the process of structural reform, de-regulation and privatisation with special focus on poverty alleviation and the social sector.

The country was saddled with a huge debt burden. Our foreign debt had reached US \$ 38 billion through profligate borrowing with no income generating projects to show for it. We have been able to re-profile this debt with the support and understanding of the International Financial Institutions (IFIs) and friendly governments. As a result, we now have the resources for projects essential for

economic development and the fiscal space to restructure the economy. For the first time, arrangements with the IMF were completed successfully and on schedule. A three-year Poverty Reduction and Growth Facility has been signed and programmes are proceeding apace.

A key feature of the government's reform programme is that it is based upon consultations with all stake-holders. As a result :

The principal macro-economic indicators are in place. Inflation is down to 3per cent this year from last years' figure of 4.7 per cent. The inflation rate had climbed to 10-13 per cent for most of the 90s.

Foreign exchange reserves have crossed the US \$ 7.5 billion mark and are expected to reach US \$ 8 billion by October.

The stock market in Pakistan has been amongst the star performers in the region. During the last 18 months, the Karachi stock market has been the best performing market among the 14 leading markets in Asia, registering a return of 41 per cent.

Direct Foreign Investment has also registered some improvement. It gives me pleasure to state that the USA has emerged as our largest investment partner with a 41 per cent share in total direct foreign investment inflow of US \$ 6 billion, over the last decade.

Pakistan is one of the most de-regulated economies in the region and has an impressive success rate for returns on investments. All sectors are open to foreign investment. Foreign investors are allowed to hold 100 per cent ownership. There are no restrictions on remittance of profits, dividends and repatriation of capital. Our investment policy provides a level playing field to foreign and domestic investors.

Large public sector developmental projects have been initiated, notably in the social sector and for infrastructure, with an out lay of 4 billion dollars. These projects will be completed in the next 4-5 years.

I am also happy to note that OPIC, Exim Bank and TDA have resumed operations in Pakistan. So has the US AID. The Governments of Pakistan and the US have established Bilateral Economic Forums and Trade and Investment Groups. These forums provide further opportunity to the private sectors to forge long-term and mutually beneficial economic relationships.

Pakistan provides attractive opportunities for investment and has a well-qualified English speaking work-force to multiply dividends on such investment. We are taking difficult and far-reaching decisions to improve our law and order situation. We assure you of the Government's commitment for the security of your investment and personnel in Pakistan. It is through our united efforts during such difficult times that we would be able to fight the scourge of terrorism. An economically strong Pakistan would be a more effective partner in fighting terrorism.

Conclusion

Pakistan and the US enjoy a tradition of close, cordial and cooperative relations. These relations stand renewed and re-invigorated in the post 9/11 environment. Both sides are committed to an enduring and mutually beneficial partnership. I believe that Pakistan-US relations serve the cause of peace and stability in our region.

I thank you. ■

<http://www.forisb.org/CE-025.htm>

Document No. 11**Address by the President General Pervez Musharraf at
the 57th Session of the UN General Assembly****September 12, 2002**

Mr. President, Mr. Secretary-General, Ladies and Gentlemen!

I extend to you, Mr. President, my felicitations on your election. I also congratulate your predecessor, Dr. Seung-Soo Han, for his able stewardship of the preceding session of the General Assembly.

We commend Secretary General Kofi Annan for his commitment and dedicated efforts in the pursuit of the Charter's purposes and principles.

I also congratulate Switzerland and East Timor on their admission to membership of the United Nations.

Mr. President, last year, this Assembly met under a shadow of the terrorist attacks on New York, our host city. The horror of that day galvanized the international community to combat this modern day evil, which threatens to destabilize our societies.

Pakistan is in the forefront of the fight against terrorism. We have made major sacrifices in this war. We have interdicted infiltration by Al-Qaeda into Pakistan. We have arrested and deported foreign suspects found on our territory. We are determined not to allow anyone to use our soil for terrorist acts inside or outside Pakistan.

Mr. President, However, unfortunately, some quarters are utilizing the war against terrorism as a vehicle to spread hatred against Islam and Muslims. Terrorism has no creed or religion. In our globalizing world, religious and cultural diversity should be a vehicle for complementary creativity and dynamism, not the rationale for a new ideological or political confrontation. A sustained dialogue between the Islamic and western nations is essential to remove the veil of ignorance and prejudice and to promote harmony and cooperation. As a first step, May I propose that the General Assembly consider the adoption of a Declaration on Religious and Cultural Understanding, Harmony and Cooperation.

Mr. President, there is a need to address the root causes of terrorism. It is not religion, which impels a terrorist act; it is often a sense of frustration and powerlessness to redress persistent injustices. When a people's right to self-determination and freedom are brutally suppressed by foreign occupation, they be driven to put up resistance by all means. Terrorist attacks must be condemned. But acts of terrorism by individuals or groups cannot be the justification to outlaw the just struggle of a people for self-determination and liberation from colonial or foreign occupation. Nor can it justify state terrorism.

Mr. President, Misusing the rationale of the war against terrorism, India has sought to de-legitimise the Kashmir freedom struggle, tarnish Pakistan with the brush of terrorism and drive a wedge between Pakistan and its coalition partners. Boasting of its coercive capability, India has deployed about a million troops in battle formation against Pakistan. Such threatening and aggressive posturing will not resolve disputes. We cannot be coerced or frightened into compromising our principled position on Kashmir.

The conflict in occupied Kashmir is being waged by the Kashmiris themselves. No amount of external assistance could have inspired the Kashmiri people to sacrifice the lives of 80,000 of their youth and to sustain their struggle for decades against India's occupation army.

India's planned elections in Kashmir will once again be rigged. Such elections, under Indian occupation, will not help peace; they may set it back, in fact. The people of Jammu & Kashmir must be allowed to exercise their right to determine their own future in accordance with the relevant resolutions of the UN Security Council.

Despite India's provocation and threats over the past year, Pakistan has acted with restraint and responsibility. We have advanced several peace proposals. They have all been spurned by India. Let me declare from this rostrum: Pakistan will not start a conflict with India. But let me also declare if war is thrust upon us we shall exercise our right to self-defence fully and very effectively.

Mr. President, Today, peace in South Asia is hostage to one accident, one act of terrorism, one strategic miscalculation by India.

In this dangerous situation, crisis management should not be allowed to become a substitute for conflict resolution. The steps required to avoid a conflict and advance peace are clear, in South Asia. These are:

- a. Mutual withdrawal of forward deployed forces by both the States;
- b. Observance of a cease-fire along the Line of Control in Kashmir;
- c. Cessation of India's state terrorism against the Kashmiri people.

Also, simultaneously, a dialogue must be resumed between India and Pakistan. The structure for such a dialogue was agreed between Prime Minister Vajpayee and myself at Agra. The Kashmiris should be fully associated with the dialogue on Kashmir and should be allowed to travel freely to Pakistan and Azad Kashmir.

Mr. President, to ensure sustainable peace and stability in South Asia, a Kashmir solution should be accompanied by agreed measures for nuclear restraint and a conventional arms balance between India and Pakistan. India's ongoing massive military build up reflects its own desire for domination over South Asia and the Indian Ocean. In the interest of regional and global stability, this must be discouraged.

Mr. President, India's belligerence also reflects the chauvinistic ideology of the Hindu extremist parties and organizations. Rising fanaticism in India has targeted Muslims, Christians, Sikhs and even the scheduled caste Hindus. Last February, an estimated 2000 innocent Muslims were massacred and burnt alive in Gujarat with the complicity of BJP State leaders. There must be accountability for this massacre. The international community must act to oppose extremism in India with the same determination it displayed in combating terrorism, religious bigotry, ethnic cleansing and fascist tendencies elsewhere in the world.

Mr. President, even as fundamentalism is rising in India, Pakistan is waging a successful struggle to restore its traditions of a tolerant Islam. We are acting vigorously to eradicate the sad legacy of the Afghanistan war i.e. religious extremism, drugs and guns.

We in Pakistan are determined to transform into reality the vision of our founding Father, Quaid-e-Azam Muhammad Ali Jinnah; for a progressive, modern, democratic Islamic State. We wish to play a constructive role in promoting peace and prosperity in South Asia, Central Asia and the Gulf region.

In three short years, my government has laid the foundations for sustainable development and sustainable democracy in Pakistan.

We have:

- a. Empowered the people by devolving decision-making to the grassroots;
- b. Improved human rights, virtually eliminated exploitive child labour and empowered women;
- c. We have rationalized economic policies and, despite internal and external shocks, set Pakistan on the path of sustained economic growth;

Pakistan also has become the first country to set up a Human Development Fund with the collaboration of UNDP and a National Volunteers Corps for the achievement of the Millennium goals of poverty alleviation and Human development.

In 30 days, Mr. President, we will hold national, provincial and senate elections, completing the process of restoring a true democracy in Pakistan.

Mr. President, we remain extremely happy in Pakistan with the positive changes in Afghanistan, after two decades of conflict. We fully support President Hamid Karzai. We appreciate the efforts of the Secretary-General and his Special Representative, Mr. Lakhdar Brahimi, to bring hope and peace to the long-suffering Afghan people. We believe that faithful implementation of the Bonn process and the Tokyo commitment is essential for success. Ensuring credible security in Kabul and other centres is of paramount importance. This was brought home by the attempt, a few days ago, to assassinate President Karzai.

Mr. President, The international community must urgently revive the Middle East process also to realize a comprehensive and just peace on the basis of the resolutions of the Security Council and the principle of land for peace.

Pakistan supports the full and faithful implementation of all Security Council Resolutions.

Mr. President, in our globalizing yet divided world, the most important war we must fight is the war against poverty. The objectives of this 'war' have been identified – at the Millennium Summit, in Doha, Monterrey and Johannesburg. We must implement the commitments made in an integrated and a coherent manner.

Let me say here, a pernicious aspect of the international Banking system is the stashing away, in secret accounts, of illegally acquired money by corrupt elite from developing countries to developed countries. An international regime to interdict and return illegally acquired wealth to developing countries will make a genuine contribution to reduction of corruption in developing countries and in poverty alleviation.

Mr. President, despite current differences among governments, people both from rich and poor nations, are beginning to embrace universal values and common goals: avoiding war; ending poverty, hunger, disease, discrimination and human rights violations; promoting democracy; sharing technology; creating decent work for all; and protecting the environment.

We must capture this growing spirit of global humanism to advance the quest for global prosperity and universal peace. This can be accomplished only by the United Nations.

Our decisions and actions today will shape events of the future. We must rid ourselves of forces of intolerance and radicalism. We have to create a safer world for our future generations – a world of peace and conciliation, not one of conflict and tension.

I thank you, Mr. President. ■

Document No. 12**Statement by Ambassador Munir Akram,
Permanent Representative of Pakistan to the United
Nations in Response to Indian Prime Minister's
Statement****September 13, 2002**

Mr. President, Pakistan has asked for the floor to respond to the rhetoric against my country by the distinguished Prime Minister of India. We had hoped for a response from him to the call for de-escalation and dialogue, which was offered by the President of Pakistan in his address yesterday.

Instead, we heard usual diatribe against my country. The Prime Minister spoke about nuclear blackmail. Let me remind him that it is India which has moved its troops to the frontiers of Pakistan. It was, Mr. Vajpayee himself, who threatened in May a 'decisive battle' against Pakistan. It was India, which had introduced nuclear weapons in South Asia. It was India, which initiated nuclear explosions in 1998. It was India, which declared itself a nuclear weapons state after those explosions. It was India, which announced a nuclear doctrine, which involves the deployment of triad of nuclear weapons in land, sea and air. It was Indian Army Chief who on the 11 January said that Pakistan could be threatened with a strike, which could make its continuation in any form doubtful. This is nuclear blackmail.

Pakistan has proposed a nuclear weapons free zone in the region for 20 years. We proposed nuclear restraint after the explosions. President Musharraf said that the use of nuclear weapons should be unthinkable that our conventional defence is sufficient to deter India. We have even proposed the de-nuclearization of South Asia. Let India respond positively to our proposals.

If India sincerely wants to avoid the war, all Prime Minister Vajpayee has to do is to accept our President's offer to withdraw the troops to peacetime locations, to accept reintroduction of the ceasefire on the LoC (Line of Control) which we had observed in the year 2000 and to resume the dialogue which was started and almost formalized in the declaration at Agra, which was agreed between our President and Prime Minister Vajpayee but was scuttled by certain hardliners in the Indian Government.

Mr. President, a dialogue is necessary when the two countries have differences. That dialogue must address the underlying causes of their differences and that is what the Secretary General and so many other people of goodwill have called for. But Indian Prime Minister even admonished them for suggesting that we should address the underlying causes of our differences.

In a rare admission, however, the Indian Prime Minister admitted that there was a call for plebiscite in Kashmir to decide its future. That plebiscite was called for by the UN Security Council. Yes fifty years ago. But it was repeated several times. A Security Council resolution does not become time barred. After all resolution 242 also is 35 years old. It is not time barred certainly.

No Security Council resolution is time barred until it is implemented. And India is the biggest violator for the longest time of the most number of the Security Council resolutions adopted by this distinguished organization.

Self-determination is an inherent right given by the Charter. It cannot be extinguished until it is exercised. The people of Jammu & Kashmir have that right to self-determination. That right to self-determination will not be extinguished until India accepts its exercise by the people of Jammu & Kashmir through what the Security Council has called "a UN supervised plebiscite." India remains in violation of the Security Council resolutions until it accepts that. And we have all heard yesterday that Security Council resolutions must be implemented. We endorse that statement.

Mr. President, the distinguished Prime Minister of India spoke about elections in Kashmir. The Security Council had declared that such elections in Kashmir cannot be a substitute for plebiscite. But no elections can be fair and free when it is held under the jackboot of 700,000 troops, which India has deployed in Kashmir. No elections can be fair when India refuses the suggestion made, among others, by the Secretary of State of the United States to accept international monitors to see that these elections are fair. No elections can be fair when 25 of 40 leaders of the Kashmiri APHC, the conglomerate of 35 political parties of which 25 of the 40 leaders remain in Indian jails. Nobody has to interfere with these elections--so called elections. Mr. President, they have been rejected by APHC. They have been refused by the Kashmiri people. In fact these so-called elections were dead on arrival.

The Indian Prime Minister spoke about the large number of Muslims in India. He said they were 150 millions. We think he exaggerates. But certainly the number will not go up if the Hindu majority which Mr. Vajpayee leads in the BJP, if they continue the practice of massacring Muslims every few weeks. Since 1947, there have been 150000 communal riots in India; 3000 such riots every year. In February this year 2000 Muslims were killed mercilessly by mobs organized with the complicity of the state Chief Minister and his government. Over 2000 innocent men, women and children were killed. Women raped. Pregnant women killed in cold blood. There has been no accountability for this act of genocide against the Muslims of Gujarat. There has been a cover-up by the Government in New Delhi and there has been silence in this world and this hall.

Mr. Vajpayee spoke about communal harmony being the signature tune of the Indian civilization. Well Mr. President this signature tune is designed to lull the world while they continue the carnage of innocent Muslims.

Mr. President, India poses as the largest democracy in the world. We all know this corrupt democracy. It is, in our view, the largest hypocrisy of this world. In its short history, India has emerged as a state with a clear proclivity to resort to force or the threat to use of force. It has undertaken the largest number of conflicts with its neighbours. It has a conflict or dispute with everyone of its neighbours. It has 16 internal conflicts which are taking place. It is a country and a society driven by divisions and multiple apartheid of the caste system. This is a country which comes here to preach and lecture on democracy and terrorism. We do not accept the credentials of this hypocrisy. We ask this Assembly to call on India to stop the massacre of Muslims to stop the massacre of Kashmiris and implement the Security Council resolutions. ■

<http://www.un.int/pakistan/00home02913.htm>

Document No. 13

Trade Policy 2002-2003

Fellow Citizens, Ladies & Gentlemen, It is my privilege to submit to you the Trade Policy for the current fiscal year – the third to be presented by this Government.

Almost three years ago when this Government assumed its responsibilities we went about the onerous task of gauging your aspirations, the direction you wanted this Government to take and the kind of policies you wanted. In the area of trade and investment we sought out advice on policy preferences with the aim of enabling the business community of Pakistan to unleash all its energies to secure for Pakistan its rightful place in world trade.

Through an intense interaction with as many stakeholders as was possible we could distil the following principles of policy formulation:

First, Consistency of policies. Indeed, many businessmen reminded me that they could perhaps live with bad policies but not with shifting policies,

Second, Market driven policies, with only a minimal governmental intervention to balance the imperatives of equity and social justice,

Third, Liberalization, deregulation and reducing the cost of doing business in Pakistan,

Fourth, Stable macro-economic framework, especially in terms of inflation, interest rates, and exchange rate, and,

Finally a vision, a road map, developed in concert with the stakeholders, for our trade and industrial growth.

Your government has, in all earnestness, tried to follow this policy prescription. Of course, in the ultimate analysis it is only for you, for the people who bear the brunt of Government policies, to make the definitive pronouncement; but, Fellow Businessmen, in all humility I do hope you will share my belief that we have largely stayed on course.

Through the last two years we have sought to make our major export products internationally competitive, reduce our vulnerability through product and market diversification, and go up the value chain. The results are somewhat equivocal; for instance:

- a. Volume increases in most major products have been quite encouraging: over the last four years growth has been 30 per cent in yarn, 45 per cent in fabric, 30 per cent in synthetic textiles, 50 per cent in readymade garments, 65 per cent in bed-wear, and 82 per cent in towels. That the total value of our exports has not shown a corresponding increase is a reflection of the deteriorating terms of trade that Pakistan is faced with.
- b. Unit prices have been generally lower, despite the strengthening of Pak Rupee. In the textile sector this has been partly a function of lower cotton prices this year, but largely because it has been a buyer's market. Events following September 11, too, had a deleterious affect, which obliged our exporters to 'sell at all costs'. I would like to commend our exporters for maintaining market share at the expense of profitability. We all know market share is vital; profitability can always improve in due course.

- c. In market and product diversification at first glance our achievements appear to be lack luster: share of the top twenty markets and products in our total exports remained almost unchanged at 80.1 and 89.5 percent respectively. But, then, a deeper analysis does bring out unmistakable signs of growth – even if small - in several non-traditional markets and products. Over last year we see growth in such non-traditional markets as South Africa (15 per cent), Greece (17 per cent), Kenya (123 per cent), Mexico (52 per cent), There have also been impressive gains in Yemen, Jordan, Iraq, Poland, Austria and Tunisia. Again, in non-traditional products we see major gains in molasses (64 per cent), footwear (32 per cent), electrical machinery (52 per cent), petroleum products (18 per cent), oils, seeds and nuts (72 per cent). Our kindergarten products like electric fans, auto parts and furniture have also posted increases of 59, 28 and 33 per cent respectively. Export of wheat and its milled products went up by 270 per cent to \$ 122 million.
- d. In value-addition the sector that has done well is the textiles sector, thanks largely to the substantial investment that our exporters have made in new machinery and equipment. The Cotton policy that permitted generally stable prices and free import of superior cotton also made an important contribution. As a consequence of all this the share of value-added products in our textile exports i.e. made-ups and garments has gone up from 54 per cent last year to 57 per cent this year. In other sectors we clearly need to do a lot more work.
- e. One particularly encouraging factor has been the 49 per cent increase in Foreign Direct Investment (FDI) this year. Getting almost within striking distance of our target of half a billion dollars is reassuring, especially in view of the unfavourable climate ushered in by the September 11 events. With this FDI, and noncommittal domestic investment, we are better poised for our value addition objective.

Ministry of Commerce had developed five-year roadmaps (Vision) in respect of four major product groups i.e. textile, leather, horticulture and rice. We have now carried out a mid-term review of these ‘Visions’. While not all the milestones have been reached the overall trend is reassuring. There have been encouraging levels of capital investment in textile, horticulture and rice sectors; the regulatory framework in all these sectors has been eased; and greater market access (except certain categories of textile) secured. We have now undertaken preparation of road maps for the engineering and chemical sectors.

I may add here that in all these areas – competitiveness, diversification, and value addition – our efforts are constrained by fiscal and reform imperatives; but, more importantly, these efforts are of a long-gestation nature where real results will manifest themselves only with consistent application over a sustained period of time.

Ladies and Gentlemen, before I come to the specific measures of Trade Policy 2002-2003 an objective review of the preceding year, with as much emphasis on failures as successes, would be in order.

During the year 2001-02 we managed to shave off our trade deficit by 21% to bring it to \$ 1.2 billion, which is the lowest in the last 25 years. Our imports were lower by 4 percent. This was largely a function of softer crude oil and tea prices and the much lower sugar imports – only \$ 23 million compared to \$ 252 million last year. Import of textile machinery continued its growth and was up by

another 10%. There was an encouraging growth of 43% in import of construction and mining machinery, including that used for oil and gas exploration. The 20% increase in import of iron and steel is an indicator of increase in construction activity, as also, to a certain extent, revitalization of the engineering industry. Overall steel consumption during the preceding year grew by about 10%.

Exports during the year are about the same level as last year i.e. \$ 9.1 billion. We did not achieve our original target of \$ 10 billion. But given the most extraordinary developments of the year who can deny that achieving even last year's level is a tribute to the hard work and enterprise of our exporters. Let us not forget that following September 11 we were all fearing the worst. Prospects for our exports looked very grim indeed. During the year we witnessed:

- a. September 11, and its consequential developments. These included cancellation of orders, difficult buyer-contact (because of travel advisories on the one hand and visa restrictions for Pakistani exporters on the other), imposition of War Risk Insurance, disruption of airline services, and an overall situation where our goods could be sold only at low prices as the buyers perceived Pakistan to be an 'unreliable' source of supply.
- b. Recession in the US and European markets, particularly in the textile sector.
- c. Falling prices of main commodities like raw cotton, rice, and petroleum based products.
- d. Contraction in exporter profitability as a result of an eight percent revaluation of Pak Rupee, rollback of implicit subsidies like Export Finance, and Duty Drawback Rates, and above all the problem of sales tax refunds that continued to plague the exporting sector.

These developments constrained us to drastically curtail our export target. That we were able to recover and achieve the same level of exports as last year, despite all the odds, testify the grit, determination and resilience of our exports. On behalf of the nation I salute them.

Ladies and Gentlemen in last year's Trade Policy we had introduced several structural changes to ensure a sustained growth of exports. By and large we are on track. However, in certain areas we could not make sufficient progress. We intend to intensify our efforts in these areas. The particular initiatives of last year that we propose to work further on are the following:

- a. While we did manage to secure appreciable market access gains in the European Union (EU) and some in the US – and to a small extent in Turkey (textiles), Egypt (wheat) and the Philippines (rice) – and we managed to respond fairly quickly to the developments in Afghanistan to put in place zero rating facilities, we need to do much more. Without doubt securing for our exporters greater market access is one of the most fundamental responsibilities of the Government. Here I must remind you that market access has been a totally new field of endeavour for Pakistan. We did not have the tools and we did not know the technique. There were no past initiatives to guide us. We were breaking new ground. It took us some time to develop the necessary expertise. During the year we hope to be able to conclude Free Trade Agreements with certain countries and initiate negotiations with others. We will vigorously seek removal of non-tariff barriers, particularly for our agricultural products, and adopt a more pro-active role in regional trading arrangements.

- b. This year we are launching a special campaign to focus on Africa, where our current export levels do not match the growing potential of the African markets. Through a combination of market access enhancement initiatives, strong promotional measures, and supplier credit arrangements we propose to increase the share of African markets in our exports by at least 20 per cent. Sufficient funds for this special effort have been earmarked.
- c. On 16th July last year we launched the Pakistan Export finance guarantee Agency. In November the Foreign Currency Export finance scheme got activated. My feed-back is that there have been only limited gains from these export finance instruments. We propose to build on the experience that we have gained and refine these instruments further. We also propose to work on a viable exchange rate cover, or an exchange insurance scheme, to maximize use of lower cost dollar denominated export finance.
- d. The Cabinet has also authorized preparation of a feasibility report for an EXIM Bank. A committee headed by the Governor State Bank and consisting of Secretaries Finance and Commerce has been set up. Committee will submit its report to the Cabinet by March 2003.
- e. We just have not been able to make a headway in our warehousing abroad initiative. We are redesigning the scheme in order to induce greater exporter interest in this important marketing tool.
- f. Our on-shore capacity building plans, especially for the Small and Medium enterprises, still require a lot of work. Ministry of Commerce's own capacity constraints have inhibited progress in this area. We have now been able to identify our weaknesses and take remedial measures. I am confident we will be able to step up our efforts to contribute to the capacity building of our exporting enterprises.
- g. I had strongly emphasized last year the compelling need for our exporting units to comply with the requirements of the buyers to produce their goods in a socially acceptable environment. This assumes an even greater importance as we approach the end of textile quota regime at the end of 2004. We will intensify our work with exporters on the social compliance matters and substantially increase the number of compliant exporting units. Sufficient funds are being earmarked in the EDF to share the SA 8000 certification costs and other allied expenses. We are also providing a platform for creating greater awareness and for sharing with the buyers the progress we are making in the area of social compliance.
- h. In pursuit of quality improvements, greater value-addition, and product and market diversification objectives, businessmen have to take on more responsibility for managing the strategic direction. Hence the importance of the various Boards that we proposed to set up. We expect the businessmen from the relevant sectors to come forward and own these Boards. We have made progress in the setting up of Horticulture and Rice Boards. We will continue our efforts with the other Boards and extend this initiative to Sports Goods, Surgical Instruments and Seafood sectors.
- i. Work on the Trade Facilitation project that we initiated last year is at an advanced stage. Several legal instruments have been drafted and are being examined by the concerned agencies. With the completion of this exercise we will be able to minimize costs of doing business, provide for a much faster clearance of goods, and ensure the predictability and transparency of the system.

In the context of review of some of the measures initiated last year it will be pertinent to reiterate that waiver of Export Development Surcharge for small exporters and those who exceeded their exports by more than 10 per cent will get activated this year now that their export figures for the year have become available.

Ladies and Gentlemen, I now come to our projections for 2002-2003. Based on the assumptions discussed later we expect the trade deficit to shrink further to US\$ 0.7 billion. Imports are projected to grow by 7.4 per cent to \$ 11.1 billion.

On the export side we are fairly confident to, *Inshallah*, breach the elusive \$ 10 billion mark for the first time. We are looking at total exports of \$ 10.347 billion, a 13.4 per cent increase over the preceding year. Besides the specific export enhancement measures that I will presently be sharing with you, greater market access, spin-off from investments in textile sector, and a continued inventory build-up in Europe and USA are the supporting factors. Under-lying assumptions are that the exchange rate will remain stable to favourable, that there will be a greater access to export finance, that the international raw cotton prices will remain close to current levels, and that the trade environment will not be faced with any unforeseen challenges.

Let me share with you here the broad parameters our strategy. It will be recalled that in our last two trade policies we had made a deliberate departure from the traditional 'fiscal incentives' approach to 'policy direction.' To the extent desirable we propose to persevere with this. Thus, for the current year we will build upon our National Export Strategy, whose main elements are:

- a. Sound Macro-Economic framework;
- b. Capacity development of exporting enterprises;
- c. Enhanced market access;
- d. Reduced anti-export bias;
- e. Improved social & physical infrastructure;
- f. Deregulation and 'decongestion;'
- g. Lowered barriers to fresh entry (new generation of exporters)

Ladies and Gentlemen, while several of our competitors continue to subsidize their exports Pakistan has been following a policy of subsidy roll-back. We believe that subsidies have a distortionary affect and that competitiveness can and ought to be ensured through the exchange rate mechanism. For a variety of reasons this has not happened. Exchange rates are increasingly determined by market forces and there are limits to State Bank intervention. Clearly, therefore, we need to put in place a countervailing system to offset the subsidies available to competitors, and neutralise, to the extent possible, such cost penalties as inadequate physical infrastructure, high price of utilities, and in-competitive interest rates. Also we have to accept the reality that our prices will remain under pressure, which will further squeeze exporters' profit margins.

Our fiscal and other imperatives do not give us much room for manoeuvre but within these constraints we are taking the following specific measures to mitigate the competitive disadvantage that Pakistani exports are faced with:

- a. Duty and Taxes Remission for Export (DTRE) Rules 2001 are being revised to make them more users friendly. It is also intended to consult with CBR to find a way to allow duty draw back and sales tax refund on domestically procured tax-paid inputs in sectors where there is an unavoidable reliance on substantial domestic procurement. With a

workable DTRE regime in place the problem of delayed sales tax refunds will be automatically minimized.

- b. It is proposed to bring about reasonable parity in the concessions available to the Export Processing Zone and Export oriented units, defined as enterprises that have exported, on an average, 60 per cent of their production during the last three years. Cabinet has set up an inter-ministerial committee to consider maximum possible facilities to Export Oriented Units.
- c. New Products and New Markets. In order to strengthen our drive for product and geographical diversification it has been decided to give
- d. Freight subsidy of 25 per cent for 'new products' i.e. products whose annual export has not been more than \$ 5 million in any one of the last three years. Similar freight subsidy will be provided for new markets i.e. Latin America, Africa, East Europe and Oceania; or for any country where Pakistan's total exports have averaged less than \$ 10 million in the last three years, and,
- e. Apply the lowest rate of presumptive income tax (i.e. 0.75%) in respect of these new products and markets.

The Agricultural Produce Cess that was being levied at the rate of 0.5 percent ad valorem on export of a number of agricultural products under the Agriculture Produce Cess Act, 1940 is being done away with.

Ladies and Gentlemen

Export Processing Zones are important export promotional tools. Unfortunately our export processing zone is not up to par and compares most unfavourably with similar zones in the region. We intend to set things right. Cabinet has allowed trading activity in KEPZ, with the exception of a negative list being notified separately. This will enable exporters to have duty-free input goods available to them on a 'Just In Time' basis. Also, greater re-exports will take place, especially through the 'consolidation business'. Cabinet has also set up an inter-ministerial committee to examine the tax regime available to the KEPZ, as also restricting custom duties to imported inputs only.

Our Karachi export processing zone is weak in terms of facilitation as well as availability of the kind of facilities that investors are used to in other zones in the region. We need to bring this Zone at par with competition. I have ordered preparation of proper plans to upgrade KEPZ facilities to regional standards. A steering committee for this purpose is being notified separately. I have also directed the KEPZ management to review its various charges and fees with a view to checking disincentives.

The Cabinet has also approved, in principle, to make Gawadar a Free Trade Zone. Necessary instruments in this regard are being prepared.

Ladies and Gentlemen, this Government had promised maximum liberalization and deregulation. My last two trade policy speeches had included several such measures. In the same vein I would now like to announce the following trade regime improvements.

- a. The compulsory requirement for an exporter or importer to register himself with the EPB before he can undertake trading activities is being done away with. Repeal of Exporters & Importers Registration Order is being notified along with consequential amendments in the relevant rules and regulations.
- b. Intellectual Property Rights.

We have recently revised our laws governing Intellectual Property Rights (Trade Marks, Patents, Copyrights, Integrated circuits layout and industrial designs). Violation of intellectual property rights acts as a deterrent to foreign investment, causes considerable leakage of revenue, and is a disincentive for creative work. We are determined to ensure better protection of Intellectual Property Rights. We have also noticed that certain provisions of the Pakistan Penal Code (PPC) overlap with those of the Trade Marks Ordinance (TMO) but are not consistent with each other. For instance, PPC does not provide for minimum punishment but TMO does; the offences under the relevant PPC sections are cognisable while under the TMO they are not. In order to remove uncertainty and ensure better enforcement it is proposed to bring about consistency between the two laws. Necessary ordinances are being submitted for Cabinet's consideration.

While we have vastly improved upon our legal framework we have done nothing to upgrade our institutional arrangements for expeditious and effective processing of Intellectual Property cases. Quite frankly, the working of our copyright, trademark and patent offices is unsatisfactory and desperately calls for a major revamp. We are accordingly setting up a Pakistan Intellectual Property Rights Organization (PIPPO) that will service all the intellectual property rights requirements under one organization. This will be a self-financing and autonomous organization manned by professionally qualified persons. Necessary infrastructure in keeping with contemporary requirements shall be provided.

It has been decided to enhance the monetary limit on export of samples to \$ 10,000 from the existing \$ 5,000.

Export of petroleum products is currently limited to public sector agencies. It has been decided to remove this restriction and make petroleum products freely exportable.

It has been decided to do away with the current restriction of minimum export price for Rice as recommended by Rice Exporters Association. Pre-shipment quality check for Basmati Rice shall continue in order to safeguard its image in international markets.

Currently bulk imports of Gold/Silver are controlled through licensing by Ministry of Commerce, even though in such cases importer arranges for his own foreign exchange. Six parties are currently licensed. It has been decided to do away with the licensing requirement and allow import of gold/silver in bulk so long as the importer manages his own foreign exchange. Normal duties and taxes will, of course, be applicable.

Import of essential spares, when airlifted/couriered, by industrial users against foreign currency demand draft has a limit of \$ 15,000 per annum. This limit is being increased to \$ 30,000. Exporters may import spares etc. beyond this limit subject to a cap of 5% of their last year's exports.

As per current regulations mobile phones are importable by the companies having agreement with the concerned government agencies for supply of mobile phone facility, recognized manufacturers and their authorized agents. These will now be freely importable. Government levies will be automatically collected at the time of activation of the mobile telephones.

Currently import of only such plastic scrap is banned as is used for polyethylene bags. Other types of plastic scrap like polypropylene and polyvinyl chloride are importable. Mindful of our obligations under the Basel convention, that imposes restrictions on clinical and hospital waste, import of all plastic scrap

will henceforth be subject to certification from the exporting country that the scrap does not include hazardous waste.

Other light oils and preparations, mineral oils and lube base oil are currently importable only by industrial consumers/approved blending plants. These restrictions are being removed to make these products freely importable.

Pakistan is a signatory to the Montreal Convention that requires, inter alia, a phased elimination of use of ozone depleting substances (ODS). One such substance is CFC gas (used in air-conditioning and refrigeration), whose use is required to be eliminated by 2010. While we have started to regulate the import of CFC gas, it has been decided to ban the import of CFC gas based refrigerators and deep freezers.

Cotton remains the backbone of our exports and our most valuable asset. Indeed our reliance on it is growing. Thanks to the new investments made in the textile sector our industry now estimates its cotton consumption to exceed 11.5 million bales this year. We thus not only have to strive for greater production, and at a price that is unfair neither to the grower nor the industry, but also to bring about significant quality improvement. We have already taken certain important steps in this regard, including open trade, production of contamination free cotton and better regulation of production and ginning. In furtherance of these objectives following measures are being taken:

- a. After the encouraging experience in the model districts of Rahim Yar Khan and Ghotki, the clean cotton campaign for this season has been extended to Bhawalpur, Sanghar and Nasirabad districts.
- b. Ginning is the weakest link in our supply chain. Factors such as outdated technology, poor infrastructure, and the temptation to run equipment beyond normal life combine to impair quality and increase the wastage levels. Over-capacity is an allied impediment and there has to be a restructuring. The days of ginning being more of a trading activity must end. It now needs to transform itself into a professionally run industry. We propose to approach these issues through a much more rigorous enforcement of the Cotton Control Act on the one hand and professional advice and counselling on the other. For the latter SMEDA is already working on a pilot project with three volunteering ginneries, which will be extended to 13 others who have shown their inclination. We also hope to be able to encourage a greater number of growers to go for custom ginning, and use moral suasion with APTMA to source their supplies from the most 'compliant' ginneries.
- c. Agricultural commodities by definition have a supply and demand disequilibrium: commodities are harvested over a short period of time while their demand is year round. The oversupply during the harvesting months produces a glut that causes a depression of prices. Mechanism of 'Support Prices' is an inefficient substitute that does not balance producer-consumer interests as generally it hurts one or the other.

The State Bank of Pakistan in its report for the year 2001-2002 emphasizes the need for a futures market in cotton as it would mollify seasonal price fluctuations; provide a benchmark for growers, ginners, textile manufacturers and exporters; reduce speculative trades; reduce credit risk for borrowers; and improve information flows.

Forward trading in cotton was introduced in the Karachi Cotton Association in 1934 and was managed satisfactorily until 1975-76 when the Government nationalized the ginning factories.

Ministry of Commerce had set up a committee of stakeholders to examine various aspects of futures trading and to suggest an appropriate mechanism for its introduction. The Committee's report has been received. We propose to put in place the legal instruments required for the futures market during the year.

Draft law for standardization of cotton has been prepared. This will not only help improve the image of Pakistan Cotton in the world markets but also bring about a more sound basis for cotton trading in Pakistan.

Ladies and Gentlemen,

The export concessions and trade regime improvements that I have talked about are going to be supplemented with important other facilitation measures. I would like to share these with you.

Fixation of duty-draw back rates, and their timely revision, has been a matter of concern for the exporters. To fix duty-draw back rates on a professional basis government has set up, under the CBR, the input-output co-efficient organization. In order to assist the exporters an inter-ministerial committee to examine the feasibility of putting the input-output co-efficient organization under the administrative control of EPB.

Currently Export Development Surcharge (EDS) is collected at the time of shipment. This causes inconvenience to exporters, particularly when under/over shipments are involved. CBR is being directed to collect EDS through the receiving banks upon remittance of export proceeds, as is done in the case of export income tax.

At present our exports by road are negligible. This places our exporters at a serious disadvantage, especially for the regional markets. Cabinet has accorded its approval to Pakistan ratifying the Istanbul Convention and accession to the TIR convention. This, along with adoption of ATA Carnet system, will provide for easier transportation of goods to international markets by road. Ministry of Commerce will formalize the necessary arrangements during the current financial year so that exporters can start to benefit from these initiatives at the earliest possible.

One of the impediments in our quota management policy is the lack of reconciliation between Pakistan's export figures and charges against Pakistan's quota ceiling as determined by the US authorities. This non-reconciliation results in a virtual cut on our quota.

While an intensive interaction with the US authorities has led to our getting 50 per cent of the disputed quantities re-credited in most of the affected quota categories, the US authorities require installation of ELVIS (Electronic Visa Information System) for them to consider further reconciliation. This facility will enable information on textile quota transactions to be transmitted electronically from EPB's Computer Network to the US Customs Computer Network, thus eliminating all chances of fake export licenses (visas) or their misuse. I have asked EPB to subscribe to this system immediately.

Participation in Trade Fairs and exhibitions is an important promotional tool. However, it is expensive and requires considerable administrative and logistical resources. While we will continue to strengthen our participation in trade fairs – last year we sponsored participation in 51 international trade fairs – there are certain categories of products (e.g. stationary products, wood and glass products,

handicrafts) where the returns are not commensurate with the expense. We propose to introduce the concept of virtual exhibitions for such products. This concept entails promotion through electronic means and use of satellite telephony.

Ladies and Gentlemen, last year I had talked of providing legitimate protection to our industry against unfair competition. With the recent promulgation of the Safeguards Ordinance, that follows the anti-dumping and countervailing laws promulgated earlier, the trilogy of our Trade Remedy Laws is now complete. I may also report here that just last week we took the first ever anti-dumping action in Pakistan's history. The message that I wish to convey is a simple one, we do not mind competition but we will just not tolerate unfair competition.

We continue to make all possible efforts to make our industry more competitive. We have further built upon the tariff restructuring exercise initiated last year and despite the very considerable revenue sacrifice lowered the raw material duties for a large number of products.

Fellow businessmen I urge you to move forward and use the State Bank facility to officially invest and secure market share, for our exports, by buying distribution outlets and brand names, in USA and Europe. However, in the long run it will be a dream come true when a Pakistani brand is launched in the capitals of the industrialized world. For such an endeavour, whenever it comes about, the government will share some of the costs.

Fellow businessmen, I am aware of your concern that in certain cases exports are not truly zero-rated. I am having such cases examined with a view to finding a fair solution.

Ladies and Gentlemen, one concern that I have been consistently trying to address is the gap between promise and performance, between policy and its implementation. I have not always succeeded but I assure you it has not been for want of trying. Governments the world over are complex organizations and it is not always easy to hasten the processes that characterize large organizations. Although I like to think we have come a considerable way, and that the response time is much quicker now, clearly there is no room for complacency in this regard.

Fellow citizens, while a \$ 10.4 billion target in our exports is a considerable improvement over the export level of \$ 7.78 billion in 1998/99, I am convinced it is no where near our true potential. All through the period that this Government has been in office we have been trying to focus on the structural weaknesses, so that we can put our export growth on a naturally foliating and sustainable path. Let us, together, continue our endeavour.

Finally, I would like to thank all those – and there have been so many of them – who have so generously responded to my frequent requests for advice and guidance. Their advice – and their criticism – has been most invaluable to me.

Fellow businessmen we have moved in the direction as per the policy formulation developed with you. We are now getting some of our fundamentals correct, particularly in our major export categories we have started to get some product and country diversification.

Market access is the centrepiece of government's marketing efforts. Fellow Businessmen we have many challenges in a difficult scenario. Much more work is yet to be done over the new few years. However, we are moving forward in the right direction. I know we can do it and *Inshallah* we will. ■

<http://www.commerce.gov.pk/Index.htm>

Document No. 14**Statement by Prime Minister A. B. Vajpayee
on Jammu & Kashmir Elections****September 24, 2002**

My dear compatriots in Jammu & Kashmir, accept my hearty congratulations for the courage and conviction with which you have participated in the first two rounds of polling in the elections to the Legislative Assembly of your State. All the people in the rest of our country join me in saying, with admiration and thanks, 'Salaam' to you.

We in India have seen many elections. But rarely has there been an election in which the voters have had to brave threats to their very lives just to exercise their fundamental right; in which the vote is not so much for this or that party, not for this or that candidate, but for democracy and national unity. Irrespective of who wins, it is clear to the whole world that, in Jammu & Kashmir, the ballot is winning a resounding victory over the bullet.

Since the elections were announced on August 22, there have been as many as 400 incidents of terrorist violence, in which 37 political activists, including two candidates, have been killed. Sixty security personnel also have lost their lives and over 100 others have been injured.

The successful anti-terrorist operation in Srinagar this morning was a yet another reminder of the lethal plans of anti-India and anti-democracy forces to sabotage the polls. I take this opportunity to express our appreciation and gratitude to all those security and administration personnel who worked for the smooth conduct of polling in the State.

By answering fear with fortitude, you have foiled the sinister designs of those indulging in terrorism, and their patrons across the border. They did everything to subvert the polls – kill candidates, intimidate voters and threaten polling personnel. Their description of the polling in Jammu & Kashmir so far a 'sham' shows nothing but their growing frustration.

Before the start of the electoral process, we had pledged that the elections in Jammu & Kashmir would be free and fair. The first two round of polling are a proof that, with your cooperation, we have redeemed that pledge. I am confident that the remaining part of the election would further reinforce its positive message and open a new chapter of peace and development in the history of your State. ■

http://www.indianembassy.org/pm/pm_sept_24_2002.htm

Document No. 15**President General Pervez Musharraf's Speech at 7th
ECO Summit, Istanbul****October 14, 2002**

Mr. Chairman, I am happy to be in the beautiful and mystical Istanbul, a city that occupies a place of pride not only in Turkey but also in the entire Muslim

world. For me personally, a visit to Turkey evokes memories of the time I spent here in my early years. My delegation and I are overwhelmed by the warm reception and the gracious hospitality of the brotherly people and the Government of Turkey.

Mr. Chairman, I would like to congratulate you on your election as the Chairman of this Summit. We are convinced that under your guidance, the ECO will move confidently towards a brighter future.

May I also pay warm tributes to the sagacious leadership provided by the outgoing chairman, His Excellency Hojjatoleslam Seyed Mohammad Khatami, President of the Islamic Republic of Iran.

We welcome Seyed Mojtaba Arastou as the new Secretary General of ECO, and would like to express our appreciation of the work done by his predecessor, Dr. Abdolrahim Gavahi.

Mr. Chairman, the Seventh ECO Summit coincides with the 10th anniversary of the expansion of the Organization. This auspicious landmark provides us an opportunity to assess the progress made and the problems encountered by the Organization. ECO was born from a vision of economic cooperation, the benefits of which would accrue to all people in the region. Ten years later, it is appropriate that we review our achievements and shortcomings.

Our cultural affinities, shared history, geographical proximity and economic complementarities provide a strong underpinning for enhanced cooperation, for which the institutional framework is now in place.

Some notable achievements have also been registered during the last decade. However, we still have a long way to go before the ECO truly becomes a vibrant regional economic organization by harnessing the resources of the region for an accelerated march towards the goal of socio-economic well-being of our people. We must develop an agreed vision and time-bound targets to realize the full potential of our Organization.

Specifically, the finalization of the ECO Trade Agreement, ratification by all states of the Transit Transport Framework Agreement, completion of road and rail links, the early establishment of the ECO Trade and Development Bank and ECO Reinsurance Company are some of the areas which need our urgent attentions.

Similarly, while we laud the establishment of the ECO Cultural Institute, there is an urgent need to launch the ECO Science Foundation and the ECO Educational Institute.

The organization needs also to identify the comparative advantages of each state in different sectors of economic activity for mutually beneficial cooperation. We should establish centres of excellence, to make available expertise to member states at reasonable cost. I would like to inform this august gathering that Pakistan is willing to share its expertise in genetic engineering and Information technology with all member states, as a step in this direction.

Mr. Chairman, challenges posed by the process of globalisation make it imperative that we cooperate closely for the efficient utilization of resources and improved production through economies of scale. The ECO must become the vehicle for the integration of its member states with the global economy. We must work to ensure that our peoples share the benefits of globalisation and avoid its adverse effects. Collectively we must develop a more effective voice in international economic forums and coordinate our positions in the UN system.

Mr. Chairman, growth and development of any region requires the collective efforts of all its people, irrespective of gender. The ECO should become a leader in the developing world, in focusing on empowering women; we must ensure that women enter the mainstream of economic development activities as well as in the political domain. We, in Pakistan, are making a conscious and concerted effort in this regard by enhancing the role of women in local political, social and economic activities as well as at the national level in our Parliament. The increase in the number of reserved seats for women to sixty in our National Assembly is a major step in this direction. Let us decide at this Summit to work for the full participation of women in the economic development of the region. The Istanbul Summit should be remembered as the one dedicated to the goal of advancement of women.

Mr. Chairman, I would like to extend a warm welcome to my brother Hamid Karzai, President of the Transitional Islamic Government of Afghanistan. We have very special linkages with our Afghan brothers. Pakistan supports fully the establishment of durable peace and reconstruction and rehabilitation of Afghanistan. ECO, as a regional organization, should join hands to help Afghanistan in its efforts for rehabilitation, reconstruction and quick economic recovery.

Mr. Chairman, the Seventh Summit is being held at a defining moment in the history of modern civilization. The attacks of September eleven were a stark manifestation of the threat that terrorism poses to our societies. Pakistan joined the international coalition against terrorism in line with our principled position of opposing terrorism in all its forms and manifestations. We are, however, convinced that the international community's battle against terrorism must also address the root causes that drive people to desperation and violence. The difference between the genuine struggle of people for self-determination and acts perpetrated by terrorists must be underscored. We must also condemn state terrorism carried out against people under foreign occupation.

Mr. Chairman, unfortunately, our eastern neighbour, India, has sought to exploit the international campaign against terrorism to undermine the freedom struggle of the people of Kashmir and to step up the use of brute force, to silence the voice of the Kashmiri people. The 700,000 strong Indian security forces, stationed in Jammu and Kashmir have used terror as a weapon and have killed eighty thousand innocent Kashmir men, women and children over the last decade alone, in their frenzied attempts to destroy the will of the Kashmiri people and to maintain illegal Indian occupation. There can hardly be a more glaring example of State terrorism than Indian brutality in Kashmir.

India has tried to divert international attention from its reign of terror against the Kashmiri people by making spurious allegations against Pakistan of supporting infiltration across the Line of Control in Kashmir. In advancing these baseless charges, India has sought to act as an accuser and a judge. It has refused to accept Pakistan's proposal for the strengthening of United Nations Military Observers Group for India & Pakistan (UNMOGIP) or some other impartial international mechanism to monitor the Line of Control and to objectively assess the veracity of the allegations of infiltration.

Recently India organized farcical elections in the Indian Occupied Kashmir under the bayonets of the Indian troops. The Indian game plan was to justify and legitimise its illegal occupation by claiming that the Kashmiris had spoken through these elections. These elections were boycotted by the Kashmiri

people. Despite the coercion employed by the army to force people to the polling stations, the turnout at the elections was abysmally low. There was blatant rigging before and during the elections. Such sham elections can never be a substitute for a fair and impartial plebiscite under UN auspices to ascertain the wishes of the Kashmir people, as decreed by the United Nations Security Council.

Since the beginning of this year, India has deployed almost one million troops on its border with Pakistan, forcing us to move our troops to forward positions as a defensive measure. The resulting tensions along our border with India and the Line of Control have raised fears of an armed conflict between the two countries. We have repeatedly stated that instead of resorting to accusations, threats and dangerous escalation, India should withdraw troops to peace-time locations and return to the path of dialogue and negotiations. We do not want war; we will not initiate war with India. But if war is imposed on us we will defend ourselves with the utmost resolution and determination.

Mr. Chairman, We condemn the aggression against Azerbaijan in Nagorno-Karabakh. Pakistan calls for the immediate vacation of Azeri territory occupied through aggression.

We support the Turkish people of Northern Cyprus in their determination to secure and protect their fundamental and inalienable rights.

Mr. Chairman, I have drawn the attention of this august gathering to some issues of peace and security as they undermine our ability to devote our resources to the economic progress and uplift of our peoples. Individually and collectively we need to work to strengthen regional peace and stability so that the immense resources available in our region can be devoted to alleviating poverty and enhancing the well being of the people of the region. We have to remember that peace in all areas can be achieved only from a position of strength-never, when we are weak within. This makes it incumbent on all of us to cooperate for the enhancement of our collective strength.

Mr. Chairman, I conclude by expressing once again our confidence that the member States of ECO would continue their steady march towards progress and prosperity. Thank you. ■

http://www.pak.gov.pk/President_Addresses/ECO_speech.htm

Document No. 16

Ordinance for Senate Elections - 2002

President General Pervez Musharraf has promulgated an ordinance to further amend the Senate (Election) Act, 1975. "The Senate (Election) (Amendment) Ordinance, 2002" gives the details about the conduct of elections to the Senate seats and comes into force at once.

Following is the complete text of the ordinance:

An Ordinance,

Further to amend the Senate (Election) Act, 1975,

Whereas it is expedient further to amend the Senate (Election) Act, 1975 (LI of 1975), for the purposes hereinafter appearing;

And whereas the President is satisfied that the matter requires immediate action;

Now, therefore, in pursuance of the Proclamation of Emergency of the 14th day of October, 1999, the Provisional Constitution Order No. 1 of 1999, and in

exercise of all powers enabling him in that behalf, the President of the Islamic Republic of Pakistan is pleased to make and promulgate the following Ordinance:-

1. Short title and commencement:-

- (1) This Ordinance may be called the Senate (Election) (Amendment) Ordinance, 2002.
- (2) It shall come into force at once.

2. Amendment of section 2, Act LI of 1975,- In the Senate (Election) Act, 1975 (LI of 1975), hereinafter referred to as the said Act, in section 2, after clause (C), the following new clauses shall be inserted, namely:-

- (cc) 'Commission' means the Election Commission;
- (ccc)'Commissioner" means the Chief Election Commissioner.'

3. Amendment of section 11, Act LI of 1975.- In the said Act, in section II,-

- (a) for sub-section (2), the following shall be substituted, namely:
 - (2) Every nomination shall be made by a separate nomination paper in the prescribed form signed both by the proposer and the seconder and shall, on solemn affirmation made and signed by the candidate, accompany:-
 - (a) a declaration that he has consented to the nomination and that he fulfils the qualifications specified in Article 62 of the Constitution and is not subject to any of the disqualifications specified in Article 63 thereof or any other law for the time being in force for being elected as a member;
 - (b) a declaration about his party affiliation if any;
 - (c) a declaration that no loan for an amount of two million rupees or more, obtained from any bank, financial institution, cooperative society or corporate body in his own name or in the name of his spouse or any of his dependents, or any business concern mainly owned by him or the aforesaid; stands unpaid for more than one year from the due date, or has got such loan written off;
 - (d) a declaration that he, his spouse or any of his dependents or a business concern mainly owned by him or the aforesaid, is not in default in payment of government dues or utility charges, including telephone, electricity, gas and water charges of an amount in excess of ten thousand rupees, for over six months, at the time of filing of nomination papers;
 - (e) a statement specifying his educational qualifications, occupation, National Identity Card number and National Tax Number, if any, along with attested copies thereof; and
 - (f) a statement of his assets and liabilities and those of his spouse and dependents on the prescribed forms as on the preceding thirtieth day of June;

Explanation. For the purpose of this section, the expression.

- (i) 'loan' shall mean any loan, advance, credit or finance obtained or written off on or after the 31st day of December, 1985, but shall not include the loan the recovery of which has been stayed or suspended by any order of a court or tribunal, including the High Court and the Supreme Court.
- (ii) 'mainly owned' shall mean holding or controlling a majority interest in a business concern;
- (iii) 'taxes' including all taxes levied by Federal Government, Provincial Government or a local government, but shall not

- include taxes that recovery of which has been stayed or suspended by any order of a court or tribunal;
- (iv) 'government dues an utility charges' shall, inter alia, include rent, charges of rest houses or lodges owned by the Federal Government, Provincial Governments, local governments or corporations established or controlled by such governments, but shall not include the government dues and utilities charges the recovery of which has been stayed or suspended by any order of a court or tribunal.'; and
- (b) after sub-section (5), the following new sub-section shall be added, namely:
- (6) The nomination form and accompanying declarations and statements shall be open to inspection by the public, and copies thereof may be made available by the Commission in such manner and on payment of such fee as may be prescribed.
4. Amendment of section 13, Act LI of 1975. In the said Act, in section 13,
- (a) in sub-section (3), in clause (c) after the words 'complied with,' the words 'or submits any false or incorrect declaration or statement in any material particular' shall be added;
- (b) after sub-section (3), amended as aforesaid, the following new sub-sections shall be inserted, namely:-
- (3A) Notwithstanding anything contained in sub-section (3), where a candidates deposits any amount of loan; tax or utility charges payable by him before rejection of his nomination paper on the ground of default in payment of such loan, taxes or utility charges such nomination paper shall not rejected for default thereof;
- (c) in sub-section (5):-
- (i) after the word 'Commissioner,' occurring for the first time, the words 'or a member of the Commission authorized by the Commissioner' shall be inserted;
- (ii) after the word 'Commissioner,' occurring for the second time, the words and commas 'or such member, as the case may be,' shall be inserted;
- (iii) for the full stop at the end a colon shall be substituted and thereafter the following proviso shall be added, namely:
- 'Provided that where a nomination paper is rejected by the Returning Officer on the ground that the candidate is a defaulter of loan or taxes or government dues or utility charges or has had the loan written off and the candidate pays such loan or, as the case may be, taxes, government dues or utility charges or the written off loan on or before the last date fixed for disposal of appeals and satisfies the Member of the Election Commission that such payment has been made, this nomination shall be treated as having been accepted on that ground'; and
- (d) after sub-section (5), amended as aforesaid, the following new sub section shall be added, namely:-
- (6) If the member of the Commission referred to in sub-section(5), is, on the basis of information or material coming to his knowledge from any source, satisfied that a candidate whose nomination paper has been accepted is;

- (a) a defaulter of loans, taxes, government dues or utility charges or has had any loan written off or is subject to any other disqualification from being elected as a member of Senate, he may, on his own motion, call upon such candidate to show cause why his nomination should not be rejected, and if he is satisfied that the candidate is defaulter as aforesaid or has had a loan written off or is subject to any disqualification, he may reject his nomination paper.
5. Amendment of section 24, Act LI of 1975. In the said Act, in section 24, after sub-section (2), the following new sub-section shall be added, namely:-
- (3) Every returned candidate shall, within five days from the date of election, submit return of election expenses in accordance with the provisions of section 29.
6. Substitution of section 25, Act LI of 1975. In the said Act, for section 25, the following shall be substituted, namely:
25. Declaration of result of election. On receipt of the returns of the election under sub-section (3) of section 24, the Commission shall publish in the official Gazette the names of the returned candidates:
Provided that the name of a candidate shall not be published who fails to submit the return of election expenses as required by sub-section (3) of section 24.
7. Insertion of new sections 25A, Act LI of 1975. In the said Act, after section 25, substituted as aforesaid, the following new section shall be inserted, namely:-
- 25A. Yearly submission of statements of assets and liabilities.
- (1) Every member shall, in the prescribed form, submit a statement of assets and liabilities of his own, his spouse and dependents annually to the Commissioner by the thirtieth day of September each year.
- (2) The statements of assets and liabilities submitted under sub-section (1) shall be published in the Official Gazette and copies thereof can be obtained on payment of prescribed fee.
- (3) The Commission shall by the fifteenth day of October each year, notify the names of the members who fail to file statements of assets and liabilities within the period specified in sub-section (1) and, by an order, direct that such member shall cease to function till such statement is submitted.
- (4) Where a member submits the statement of assets and liabilities under sub-section (1) which is found to be false in material particulars, he may be proceeded under section 62 for committing the offence of corrupt practice.
8. Amendment of section 28, Act LI of 1975. In the said Act, in section 28;
- (a) in sub-section (3), for the word 'five' the word 'one million and five hundred' shall be substituted; and
- (b) after sub-section (3), amended as aforesaid, the following new sub-section shall be added, namely:-
- (4) A candidate shall, by a statement, explain the particulars of any election expense supported by receipts and voucher of payments made thereof, except where the amount is less than five hundred rupees.
9. Amendment of section 29, Act LI of 1975. In the said Act, in section 29, in sub-section (1), after the words 'contesting candidates,' the commas and words, 'other than a returned candidates,' shall be inserted.

10. Amendment of section 43, Act LI of 1975. In said Act, in section 43, in sub-section (2), for the words comma, figures, brackets and letter 'Evidence Act, 1872 (I of 1872)' the words comma, figures, brackets and letters '*Qanun-e-Shahadat* Order, 1984 (P.O.No. X of 1984)' shall be substituted.
11. Amendment of section 48, Act LI of 1975. In the said. Act, in section 48, after sub-section (1), the following new sub-section shall be inserted, namely:-
(1A) The trial of the election petition shall proceed day to day and the decision thereof shall be taken by the Tribunal within four months from the date of its receipt from the Commissioner:
Provided that where the delay in the proceedings is occasioned by any act or omission of a returned candidate or any other person acting on his behalf, the Tribunal may refer to the Commission that such candidate may be declared to have ceased to perform the functions of his office either till the conclusion of the proceedings or for such period as the Commission may direct.
12. Insertion of new section 56A, Act LI of 1975. In the said Act, after section 56, the following new section shall be inserted, namely:-
56A. Additional powers of the Tribunal. (1) If a Tribunal is, on the basis of any material coming to its knowledge from any source or an information laid before it, of the opinion that a returned candidate was a defaulter of loan, taxes, Government dues or utility charges, or has submitted a false or incorrect declaration regarding the payment of loans, taxes, Government, dues or utility charges, or has submitted a false or incorrect statement of assets and liabilities of his own, spouse and dependents, under section 11, it may, its own motion or otherwise, call upon any such candidate to show cause why his election should not be declared void and, if it is satisfied that such candidate is a defaulter or has submitted false or incorrect declaration as aforesaid, it may, without prejudice to any order that may, be, or has been, made on an election petition, or any other punishment, penalty or liability which such candidate may have incurred under this Act or under any other law for the time being in force, make an order:
(i) declaring the election of the returned candidate to be void; or
(ii) declaring the election or the returned candidate to be void any other contesting candidate to have been duly elected.
(2) If on examining the material or information referred to in sub-section (1), a Tribunal finds that there appear reasonable grounds for believing that a returned candidate is a defaulter or has submitted false or incorrect declaration referred to in sub-section (1), it may, pending decision of the motion under sub-section(1), direct that the result of the returned candidate shall not be published in the official Gazette.
(3) No order under sub-section (1) or sub-section (2) shall be made unless the returned candidate has been provided an opportunity or being heard.
13. Amendment of section 58, Act LI of 1975. In the said Act, in section 58, after clause (a) the following new clause shall be inserted, namely:-
(aa) files a false or incorrect declaration or statement under sub-section (2) of section 11;
14. Amendment of section 62, Act LI of 1975.- In the said Act, in section 62.
(i) for the words 'two years' the words 'five years' shall be substituted; and
(ii) for the words 'five thousand rupees' the words 'one hundred thousand rupees' shall be substituted.

15. Amendment of section 63, Act LI of 1975. In the said Act, in section 63, in sub-section (2), for the words 'fine which may extend to two thousand rupees' the words 'imprisonment for a term which may extend to six months and fine which may extend to five thousand rupees' shall be substituted.

16. Amendment of section 74, Act LI of 1975. In the said Act, section 74 shall be re-numbered as sub-section (1) of that section and after sub-section (1) re-numbered as aforesaid, the following new sub-sections shall be added, namely:-

(2) Notwithstanding anything contained in this Act or any other law for the time being in force, the offences of corrupt practice shall be tried by the Sessions Judge and appeal against his order shall lie before a Division Bench of the High Court.

(3) Where a proceeding against a person for being involved in corrupt practice is initiated on a complaint made by a private individual, and such person is convicted by the court and his conviction is maintained in final appeal, the complainant may be entitled to such reward payable out of the amount of fine as may be imposed by the court:

Provided that where such complaint proves to be false, malafide or is made for any ulterior motive to provide benefit to another person, the complainant shall be punishable with imprisonment for a term which may extend to three years, or with fine, or with both.

17. Insertion of new section 75 A, Act LI of 1976. In the said Act, after section 75, the following new section shall be inserted, namely:-

75A. Court proceeding relating to election expenses. The Commissioner shall direct the Returning Officer to initiate proceeding in the appropriate court against the person who contravene the provisions of section 28 or fails to comply with the provisions of section 29.

18. Amendment of section 78, Act LI of 1976. In the said Act, in section 78, for clauses (a) to (f) the following shall be substituted, namely:-

(a) he is of unsound mind and has been so declared by a competent court; or

(b) he is an undischarged insolvent; or

(c) he ceases to be a citizen of Pakistan, or acquires the citizenship of a foreign State; or

(d) he holds an office of profit in the service of Pakistan other than an office declared by law not to disqualify its holder; or

(e) he is in the service of any statutory body or anybody which is owned or controlled by the Government or in which the Government has a controlling share or interests; or

(f) he being a citizen of Pakistan by virtue of section 14B of the Pakistan Citizenship Act, 1951 (II of 1951), he is for the time being disqualified under any law in force in Azad Jammu and Kashmir from being elected as a member of the Legislative Assembly of Azad Jammu and Kashmir; or

(g) he is propagating any opinion, or acting in any manner, prejudicial to the Ideology of Pakistan, or the sovereignty, integrity or security of Pakistan, or morality, or the maintenance of public order, or the integrity or independence of the Judiciary or Pakistan, or which defames or brings into ridicule the judiciary or the Armed Forces of Pakistan; or

(h) he has been convicted by a court of competent jurisdiction on a charge of corrupt practice, moral turpitude or misuse of power or authority under any law for the time being in force; or

- (i) he has been dismissed from the service of Pakistan or service of a corporation or office set up or controlled by the Federal Government, Provincial Government or a local government on the grounds of misconduct involving moral turpitude; or
- (j) he has been removed or compulsorily retired from the service of Pakistan or service of a corporation or office set up or controlled by the Federal Government, Provincial Government or a local government on the grounds of misconduct involving moral turpitude; or
- (k) he has been in the service of Pakistan or of any statutory body or any body which is owned or controlled by the Government or in which the Government has a controlling share of interest, unless a period of two years has elapsed since he ceased to be in such service; or
- (l) he, whether by himself, or by any person or body of persons in trust for him or for his benefit or on his account or as a member of a Hindu undivided family, has any share or interest in a contract, not being a contract between a cooperative society and Government, for the supply of goods to, or for the execution of any contract or for the performance of any service undertaken by, Government:

Provided that the disqualification under this paragraph shall not apply to a person:-

- (i) where the share or interest in the contract devolves on him by inheritance or succession or as a legatee, executor or administrator, until the expiration of six months after it has so devolved on him;
 - (ii) where the contract has been entered into by or on behalf of a public company as defined in the Companies Ordinance, 1984 (XLVII of 1984), of which he is a shareholder but is not a director holding an office of profit under the company; or
 - (iii) where he is a member of a Hindu undivided family and the contract has been entered into by any other member of that family in the course of carrying on a separate business in which he has no share or interests; or
- Explanation. In this Article, 'goods' does not include agricultural produce or commodity grown or produced by him or such goods as he is, under any directive of Government or any law for the time being in force, under a duty or obligation to supply.
- (m) he holds any office of profit in the service of Pakistan other than the following offices namely:-
 - (i) an office which is not whole time office remunerated either by salary or by fee;
 - (ii) the office of Lumbardar, whether called by this or any other title;
 - (iii) the Qaumi Razakars;
 - (iv) any office the holder whereof, by virtue of such office, is liable to be called up for military training or military service under any law providing for the constitution or raising of a Force; or
 - (n) he has been convicted and sentenced to imprisonment for having absconded by a competent court under any law for the time being in force; or
 - (o) he has obtained a loan for an amount of two million rupees or more, from any bank, financial institution, cooperative society or cooperative

body in his own name or in the name of his spouse or any of his dependents, which stands unpaid for more than one year from the due date, or has had such loan written off; or

(p) he or his spouse or any of his dependents has defaulted in payment of government dues and utility charges, including telephone electricity, gas and water charges of an amount in excess of ten thousand rupees, for over six months; or

(q) he is for the time being disqualified from being elected or chosen as a member of the *Majlis-e-Shoora* (Parliament) or of a Provincial Assembly under the Constitution or any law for the time being in force. ■

http://www.pak.gov.pk/elec2002/senate_election_act.htm

Documents No. 17

Election Commission's Directive No. II of 2002

Whereas the Supreme Court of Pakistan, in the validation case in 2000, allowed a period of three years to the Chief Executive of the Islamic Republic of Pakistan for holding free, fair and impartial elections by the Chief Election Commissioner to the National Assembly, the Provincial Assemblies and the Senate of Pakistan to enable him to restore the democratic institutions to the rightful holders/the representatives of the people under the Constitution.

And Whereas in pursuance of the above judgment and in exercise of all other powers enabling him in that behalf, the Chief Executive and the President of the Islamic Republic of Pakistan was pleased to announce that the general elections to the National Assembly, the Provincial Assemblies and the Senate of Pakistan shall be held on 10th October, 2002;

And Whereas the Chief Executive and the President of the Islamic Republic of Pakistan assured the nation that the forthcoming general elections would be held in a free, fair and transparent manner.

And Whereas under Article 218(3) of the Constitution of the Islamic Republic of Pakistan, 1973 read with the Election Commission Order, 2002, as amended, it is the duty of the Election Commission to organize and conduct the election and to make such arrangements as are necessary to ensure that the election is conducted honestly, justly, fairly and in accordance with law, and that corrupt practices are guarded against;

And Whereas Article 6 of the Election Commission Order, 2002 empowers the Election Commission to issue such directions or orders as may be necessary for the performance of its functions and duties including an order doing complete justice in any matter pending before it and an order for the purpose of securing the attendance of any person or the discovery or production of any document and that any such direction or order shall be enforceable throughout Pakistan and shall be executed as if it had been issued by the High Court;

And Whereas under Article 220 of the Constitution of the Islamic Republic of Pakistan, 1973 read with the Election Commission Order, 2002, it is the duty of all the executive authorities in the Federation and in the Provinces to

assist the Chief Election Commissioner and the Election Commission of Pakistan in the discharge of his or their functions;

Now therefore, in pursuance of the provisions contained in Part VII of the Constitution of the Islamic Republic of Pakistan, 1973 read with the Election Commission Order, 2002 as amended, the Conduct of General Elections Order, 2002 as amended and in exercise of all powers enabling it in that behalf, the Election Commission of Pakistan has been pleased to direct as follows:

1. To enhance the capability of the Election Commission for ensuring free and fair elections, the executive authorities in the Federation and in the Provinces, shall not use the State resources anywhere in Pakistan for unfair advantage.
2. The executive authorities in the Federation and in the Provinces shall not exercise undue influence, affecting the interest of any person intending to contest election, a contesting candidate or a political party for participating in the forthcoming elections, 2002 in accordance with law;
3. The Cabinet and Establishment Secretaries in the Federation and Chief Secretaries in the Provinces shall ensure that the executive authorities in the Federation and in the Provinces shall act with neutrality and impartiality throughout the election process and shall not use official influence or governmental patronage in favour of a person intending to contest election or a contesting candidate or a political party in the forthcoming elections, in accordance with law. ■

<http://www.pak.gov.pk/elec2002/elec-comm.htm>

Document No. 18

EU Election Observers' Interim Report

The Legal Side of the Election Process

Analysis of the Legal Framework Order 2002. At present, the main document laying down the legal order in Pakistan is the Provisional Constitution Order of October 1999, whereas the 1973 Constitution of the country is in abeyance till October 2002 elections, according to the judgment of the Supreme Court of May 2000. Post-election Pakistan will be governed under the 1973 Constitution as amended by the Legal Framework Order 2002 presented by General Musharraf himself on 21 August 2002. The package of proposed constitutional amendments was first published in June 2002 and was subjected to a public debate for some six weeks. The majority of the political parties expressed objections either to specific proposals or to the entirety of the package on the premise that amending the Constitution should be undertaken by Parliament and not by General Musharraf. The initial package of proposals included more than 70 amendments, out of which nearly one-third were retained in the final announcement as made by General Musharraf himself on 21 August 2002. The most contentious amendments would be:

- a. The restoration of Art. 58, 2(b), allowing the President to dismiss the Prime Minister and his cabinet as well as to dissolve the entire Parliament at his personal discretion. Another amendment empowers the Governors to dismiss the Chief Ministers of the Provinces as well as to dissolve the Provincial Assemblies. The latter amendment renders the Chief Ministers

‘employees’ of the Governors and the Provincial Assemblies vulnerable to pressure.

- b. The creation of a National Security Council (NSC) as a constitutional body is seen as yet another tool in the hands of the President, which, furthermore, institutionalises the presence of the military in the government of Pakistan. Given that four of the members of the NSC will be the Chiefs of Staff and that President Musharraf remains the Chairman of Joint Chiefs of Staff, the apprehensions are not unreasonable.
- c. The insertion of a number of qualification and disqualification requirements for candidates for Parliament (Art. 62 and 63, respectively) effectively pre-empting the electoral legislation prior to the adoption of the constitutional amendments by Parliament. There are serious concerns regarding a number of issues namely:
 - (1) About the practice of extra-constitutional incorporation of provisions in the electoral legislation (in the form of constitutional amendments), prior to their validation from the would-be National Assembly to emerge from the October elections.
 - (2) About certain qualification/disqualification requirements for candidates which do not seem to match international standards. For instance, the required university degree contradicts the low literacy level of Pakistan and may seriously affect the representative nature of Parliament.
- d. The practice of disqualification of candidates for unpaid utility bills by candidates or members of their families:
 - (1) Can easily be misused by political opponents, and
 - (2) Should not replace other available legal remedies (e.g. economic sanctions).
- e. As for the disqualification of absconders from the political process, this provision appears to pre-empt decisions of the appropriate courts and to interfere with the independence of the judiciary.
- f. The disqualification of former Prime Minister Nawaz Sharif and the new PML(N) leader Shahbaz Sharif seems to have no legal basis at all, neither in the domestic legislation nor in the internationally accepted practice.

Analysis of the Legislation of the Election Administration. Overall, the electoral process is governed by the following laws:

- a. The Election Commission Order (Chief Executive’s Order No. 1/2002);
- b. The Conduct of General Elections Order (Chief Executive’s Order No. 7/2002);
- c. The Political Parties Order (Chief Executive’s Order No. 18/2002);
- d. The Political Parties Rules, 2002.
- e. The Representation of the People Act, 1976;
- f. The Representation of the People (Conduct of Election) Rules, 1977;
- g. The Allocation of Symbols Order;
- h. The main document laying down the structure and powers of the election administration is the Election Commission Order (Chief Executive’s Order No. 1/2002), which gives the Election Commission of Pakistan (ECP), headed by a Chief Election Commissioner, practically unlimited powers to administer the entire process, including the right to overrule anything challenging its decisions (Art. 7C). These election provisions are in line with international standards or internationally accepted standards for

democratic election. However, nearly all the parties have expressed their doubts as to the credibility of the Chief Election Commissioner due to his personal role in the acceptance of the results of the highly controversial 30 April 2002 referendum.

- i. Analysis of the Legislation concerning Registration of Parties and Allocation of Symbols Under the provisions of the Political Parties Order(Chief Executive's Order No. 18/2002), all the political parties had to hold intra-party elections for their office-holders as well as to submit to the Election Commission of Pakistan their manifestos and financial audits. These requirements did not cause any tension between the political parties and the Election Commission, nor did they necessarily enhance internal party democracy. As a result, most parties were registered within the time limit envisaged even though additional evidence was requested from some of them (the PPP-Parliamentarians being the only mainstream one) and 12 September 2002 has been set as a deadline for that. As for the allotment of symbols, the electoral law can be assessed as reasonable.

Analysis of the Legislation Regarding the Nomination/Registration of Candidates. The legislation laying down the procedure of nomination/registration of candidates envisages the submission of a rather lengthy application, including a number of qualification/disqualification requirements. It should be stressed at this point that various provisions in the Chief Executive's Orders relating to qualification/disqualification requirements derive from the recently presented constitutional amendments and, therefore, lack the legitimacy they would have had if they had been validated by the National Assembly. Three of the most contentious requirements envisaging the disqualification of candidates during the nomination process are the following:

- a. Default on bank loans or even for unpaid utility bills (either by them or by relatives of theirs) up to a rather small amount (roughly, 155 Euro);
- b. Request of having a university degree or an equivalent Madrassah's degree (which in practice disqualifies the vast majority of Pakistani citizens due to the high level of illiteracy in the country);
- c. Failing of the candidate to appear in court in case of a pending charge, under Art. 63(p) of the amended 1973 Constitution, which is widely seen as a person-specific provision targeting former Prime Minister Benazir Bhutto. In strictly legal terms, the provision in question does not respect the fundamental principle of "innocent until proven guilty". A particular attention has been paid by the EU EOM to the issue whether the above qualification and disqualification requirements meet international standards. While in at least seven countries worldwide (e.g. the UK, India and Ireland) outstanding debts can be regarded as a legitimate ground for the disqualification of candidates in elections, Pakistan appears to be the only country in the world where candidates can be disqualified for unpaid utility bills. Several of the financial eligibility criteria are not only applicable to the potential candidates themselves, but also their spouses, dependents and business associates. Introducing eligibility criteria that expand beyond the prospective individual is quite unusual, especially when these could prevent a citizen to exercise one of the most fundamental democratic rights of running for office. As regards the university degree requirement, only Chile's electoral legislation sets a minimal level of education as a pre-requisite for candidates to contest

elections, and in very few countries (e.g. Botswana, Chile and Lesotho) candidates are required to prove a minimal level of literacy. It should be noted at this point that even in Pakistan a large number of parties have expressed their objections to the introduction of the graduation requirement. In practice the provision prevents an estimated 98 per cent or less of the electorate from running for office. This is especially tangible for female candidates.

Legislation on Polling/Aggregation. As regards polling and the aggregation of results, at this stage all the necessary legislation appear to have been envisaged to enable free, fair and transparent elections. Whether that will be achieved on Election Day and immediately afterwards remains to be seen and duly assessed.

Implementation of the Election Processes to be Seen So Far

Independence of the Election Commission. The Election Commission is currently facing a confidence problem due to its actions during the presidential referendum earlier this year, but also because the Chief Election Commissioner legitimized Musharraf's coup when he was Chief justice at the Supreme Court in May 2000. Both these actions have negatively affected the general perception of the ECP as an independent body. In terms of its actions relating to the forthcoming elections, the ECP currently presents a slightly more diverse picture. The issuing of directives regarding impartial media reporting during the elections, informing the returning officers not to accept nomination papers from sitting federal and provincial ministers as they might use state resources to further their re-election, as well as its allocation of election symbols to the seventy-eight parties and alliances in a fair and efficient manner could all be regarded as confidence building activities. However, we are yet to see that the Election Commission is willing and able to enforce its directives in an impartial and efficient manner on the ground.

Impartiality of the Public Administration. There exist a concern among opposition parties that federal and provincial authorities will use their resources to support pro-government parties and candidates. This has, indeed, happened, but the instances are at relative low level and not always beneficiary to pro-government parties.

Delimitation of Constituencies. All opposition parties have raised concerns regarding the factual delimitation of the constituencies accusing the Election Commission of gerrymandering. In some instances, the courts have ruled that the ECP must redistrict, while in many cases no changes were made. More cases are still pending in the courts and these could potentially alter the polling day in the affected constituencies should a redistricting activity be necessary.

Voter Registration. The number of voters on this year's voters register has increased significantly since 1997 (from 56 million to 72 million). However, serious concerns have been raised regarding the quality of the register since it is to a large extent based on last year's much criticized local election roll. Even though extensive cleaning exercises have been conducted by NADRA, doubts still remain regarding the quality of the voters register. NADRA has been forced to amalgamate three different sources of information under immense time pressure, which is a significant challenge for any institution in-charge of such a massive and complex operation.

ID Cards. Another essential problem that shouldn't be ignored is the fact that voters must present their new computerized National Identity Cards in order to cast their ballot, even if their name is on the voters register. So far NADRA has only been able to issue just over 10 million new ID cards. In order to overcome this

deficit, NADRA intends to issue voters with manual, less secure, ID Cards. This could potentially open up the elections to multiple voting and impersonation. Especially worrisome is it that less than 52 per cent of the registered female voters have an acceptable ID Card recorded on the voters register. Even though a large number of those individuals are expected to have either an old or a new ID Card, many women will not be able to take part in the elections.

Transfers of Civil Servants. Although the “bulk transfers” of civil servants is forbidden during the pre-election period, highly needed individual transfers as an exception are not precluded by the electoral legislations. There have been a few indications of deliberate transfers of civil servants allegedly meant to facilitate pre-poll rigging, but evidence substantiating these allegations has not been provided to the EU EOM.

Party Registration and Allocation of Election Symbols. The registration of parties and alliances were conducted in a transparent manner by the ECP. And so was also their allocation of election symbols, as all the major parties retained the election symbol used in previous elections.

Registration of Candidates. Only a couple of hours before the deadline for nomination of candidates expired, the ECP announced an extension of an additional two days. The extension was a direct result of the difficulties candidates experienced when filling out their application forms, due to the new rigid qualifications introduced. A clear picture of the extent of disqualification will emerge after the 13 September 2002, after the consideration of all the appeals by the competent Election Tribunals. Yet, it is a fact that a number of politicians have abandoned the race mostly due to the lack of university degrees. It is reasonable to assume that, had these candidates filed their papers, the share of rejections would have been higher. At this stage, the number of rejected nominations accounts for nearly 10 per cent of the total. In certain areas of the country, notably in the Federally Administered Tribal Areas (FATAs) and the Province of Balochistan, the rate of rejected nominations in the FATAs is rather high - 20 per cent and 12 per cent, respectively. Apart from the disqualification of Ms. Benazir Bhutto, another prominent case is that of former Prime Minister Nawaz Sharif and his entire family, including the new leader of the PML(N) Shahbaz Sharif. Their disqualification from contesting the elections is reported to be based on a political agreement, according to which the Sharif family has pledged to stay out of the country for a period of ten years. The existence of such an agreement was announced by General Musharraf himself during the press conference on 21 August 2002. In legal terms, such an agreement is highly questionable, as it does neither seem to be based on any domestic law nor does it match any international standards for keeping citizens out of their home countries. In certain cases, there is ground to believe that the ROs showed excessive zeal or a somewhat personal interpretation in exercising their duties. Indicative is the case of Imran Khan, leader of the Pakistan Tehrik-e-Insaf party, who saw his nomination papers rejected in two constituencies, whereas the same application was accepted in three more. Last but not least, the disqualification of the party leaders Benazir Bhutto (Pakistan People’s Party), and Nawaz Sharif and Shahbaz Sharif (Pakistan Muslim League-N) was not unexpected. All the three were disqualified on the above-mentioned controversial legal grounds.

Pressure on Candidates to Contest or Abandon. There have been quite a few allegations about pressure exerted on candidates either to join the pro-government Pakistan Muslim League (Quaid-e-Azam) or to leave the race. EU EOM has evidence indicating that at least in one cases the allegations might be well founded

that a retired prominent politician has been pressed to run as a candidate for the king's parties.

Election Campaign. The ECP's code of conduct for political parties allows them to organize processions (walking demonstrations). However, when the military regime announced that public activities by political parties would be allowed starting 1 September, it also made known that a number of restrictions would be enforced. The more salient ones were that political meetings could only be held at specifically designated place decided by district and provincial authorities, that parties must seek permission from the authorities prior to holding a rally and that processions are completely banned. These restrictions will constitute impediments to parties' electioneering activities. It also lends itself abuse as district officials are tasked to issue to permissions to hold political rallies, as well as decide where rallies can be held. Given the fact that parties have been banned from publicly interacting with the electorate for almost three years, and many new parties and candidates have emerged since, it's absolutely essential that parties have maximum ability to communicate with the voters during the election campaign. Though demonstrations have been allowed since the 1st September, recent events have shown that not all parties are able to enjoy such freedom of gatherings. Reports of candidates being pulled off banned train journeys by police is inciting violent reactions from supporters. There have also been a number of election related deaths, either direct assassination of candidates or family members.

ECP's Training of Polling Station Staff and Voter Education Activities. There exists grave concern regarding the ECPs' ability to properly train the 300,000 polling station staff in time for elections. The primary reason being that the Commission has not yet awarded the printing job and therefore all major components of the training exercise is on hold. A poorly trained polling station staff could prove detrimental to the legitimacy of the electoral process should Election Day become chaotic. Several new procedures have also been introduced in the electoral process affecting the electorate's ability to make an informed decision on polling day. In order to overcome this information deficit, the ECP should engage in an encompassing voter education campaign. Election is only four weeks away and the ECP is yet to embark upon such an information campaign.

Media

Media Monitoring. State TV and radio as well as private printed media are being monitored by six media monitors; three in Islamabad and three in the regions. The following are the EUEOMs initial impressions:

- a. State news broadcasts, while clearly heavily controlled, have been covering activities of both pro and anti-government political parties. Current affairs TV programmes often have a balanced range of guests.
- b. The overall tendency is to play down controversial news and promote the efforts of the authorities, including the work of the Election Commission.
- c. A clear anti-BB bias has emerged in several unbalanced news reports on Pakistan television in recent weeks.

Media Environment. On August 31st, the cabinet approved three laws with the following main points:

- a. Both slander and libel are actionable as civil wrongs.
- b. A minimum penalty of Rs 50,000 (approx. 850 Euro) and three months imprisonment in case of non-payment.
- c. The establishment of a 19-member self-regulatory body with four government appointees on it and a new Ethical Code of Practice for the

print and electronic media. The Ministry of Information had consulted the All Pakistan Newspapers Society (APNS) and the Council of Pakistan Newspaper Editors (CPNE) – both representing the interests of newspaper owners – on the drafts of the three laws. It said the ordinances were drafted with their full support. However, the APNS rejected this and said it had not approved the laws, parts of which it claimed would violate the constitution and negate the freedom of the press. It called on the government to revise them. Reporters Sans Frontiers, in a public statement on 9th September said it had endorsed these objections in a letter to Information Minister Aziz Memon. The details of these laws are not yet available and it remains unclear whether they have the potential to curb the media in advance of the election. The APNS and NGOs criticized the fact that the long-awaited Freedom of Information Act was not issued at the same time as the other three laws, saying it been agreed with the government that all four laws would be released simultaneously. A Ministry of Information official told the EUEOM this law would be enacted before the election. The printed press is relatively free, although there have been unspecific reports of editors and journalists being asked by the authorities to tone-down or hold stories. In one recent incident, a journalist said his by-line was withdrawn due to pressure from the authorities over a relatively trivial report noting an inaccuracy on an official website in which the word “formation” of political parties was misprinted as “deformation”. There are ongoing and as yet unsubstantiated reports that some journalists either take “bribes” for stories from political parties or the authorities or blackmail people.

Cooperation with Pakistani Authorities, Political Parties and Media

From the very beginning the mission received a very cool reception. At various occasion the MFA, the MoI and the Chief Election Commissioner stated that the mission would not receive a formal invitation and no MoU would be signed. Five weeks after the mission has started its observation work no visible progress has been made on these issues. With regard to provision of security for mission members the MFA, the MoI and the Election Commissioner stated that no support would be given by the Pakistan police. However, when consulting the Governors on provincial level the mission got full cooperation in the Punjab province, the NWFP and Baluchistan (Sindh’s answer is pending) offering police protection whenever required. Unlike in other countries the EUEOM to Pakistan did not yet get an accreditation with the Election Commission of Pakistan (ECP). The mission has been told that such an accreditation would be issued shortly before Election Day. Presently the only means of identification is a card containing the EU logo countersigned and stamped by the MoI on the backside. During the first five weeks the mission met 43 political parties (out of 78 parties and alliances running for election). All parties welcomed the presence of the EU EOM and are regularly interacting with the mission. There has been extensive coverage of the EU EOM’s activities in the print and broadcast media. The CO has issued four press releases and done dozens of interviews. There have been supportive editorials in the English and Urdu press and some negative editorials mainly in the Urdu press. On August 12th several government ministers issued statements accusing the mission of interfering in the country’s internal politics. The CO firmly rebutted this.

Security

At the time of writing, security concerns still remain high. Tensions with India are at their lowest ebb, whilst militia and religious fundamentalists are actively operating along the Pak-Afghan border, within the Federal Administered Tribal Areas (FATA) in NWFP, and with the movement of groups from northern Sindh (Southern Province) to central Punjab Province (North of Sindh). To the latter area we have deployed two teams of LTO's, one to Multan and Faisalabad respectively. Though the cities are relatively safe, the activities and further movement of these terrorist groups in the surrounding areas is unknown. Karachi is a political hot potato due to the popularity of Ms. Benazir Bhutto, leader of the PPP. Discontent towards the Government due to disqualification of Ms. Bhutto, has seen recent clashes, some turning violent, between supporters and the Security Forces. The potential that this can escalate at anytime into larger civil unrest cannot be ruled out. 11th September, is being respected the same way in Pakistan as it is elsewhere in the World. Due to Western interests and Presidents Musharraf's commitment to eradicating terrorist / religious fundamentalists within Pakistan, security forces have been placed on high alert. International Organisations and all Western Embassies/Consulates are either closing down completely or reducing manning to essential staff on the 10, 11 and 12th September. Regardless of an incident occurring, the aim of disrupting the country will have been accomplished. An additional concern is one of petty crime. Due in country over the forthcoming weeks will be approximately 2400 Internationals related in one way or another to the Elections. Reports suggest that this will be a time of 'Prize Pickings' for those criminally inclined. This last week in Islamabad, an international IOM female staff member was apprehended at gunpoint by a would-be thief. Thankfully, she managed to deter the assailant and get away unhurt. Even in Islamabad, seen as the securest location in Pakistan, these incidents can and do occur. The Government has not changed their stance on security for the Mission, reiterating that they are not going to provide specific cover and once again suggesting that we should provide our own private security. They also offered liaison contact for discussion of technical issues. There has however been movement at the provincial level on the issue. The request for a Police Liaison Officer to facilitate the role of ensuring all movements and security issues for each LTO team is addressed and implemented accordingly has been adopted. However, it is far too early to determine whether this coordination is working. To add to confusion on the Governments commitment to our security, reports in the media say that 23 cities have been declared highly sensitive. The Government has ordered law-enforcement agencies to tighten security arrangements during pre election and polling day. Of these 23, eight are LTO base locations, whilst the remainder are locations LTO's are to visit. Is the National Government indirectly providing security-cover for the Mission? As deployment of the LTO's is only two days old, it is unreasonable to make a quality assessment of future deployments, additionally, we have not 'tested' the National or Provincial Governments commitment to ensure our safety. Long term international security officers have painfully pointed out that though the Police are extremely willing to assist in escort duties, the lack of human and vehicular Police resources have let them down on more than one occasion. The use of private security companies could be an option, but their lack of discipline and training may be more dangerous than with nothing at all. Where many embassies have employed such companies to cover security, this has taken many years of directional training to accomplish credible security cover, this regrettably is one luxury the Mission

does not have. The future deployment of LTO's or STO's from a security view cannot yet be determined. The protection promised by the government has not been tested, and if failures are to occur within the system, these first days would highlight them. From this present date, a minimal of seven working days would be required to carry out the first assessment based on LTO reports and the Security Advisor assessment, this will leave 22 days until the elections. The timeframe to adequately prepare the Logistics to ensure all areas are covered, may result in cutting corners, these corners may be basic security arrangements.

Deployment of Additional LTOs - Logistic Aspects

As of Sept. 09th the first group of 22 LTO has been deployed in 9 locations throughout the country. All of them have been provided with appropriate accommodation, vehicle and interpreters. All teams have excellent communication facilities consisting of internet access and fax machine from their room, mobile phone (including SMS system) and satellite phone. Logistical constraints for the deployment of an additional group of LTOs would depend on the new location chosen for deployment. Should 8 or 9 new locations will be selected, and taking into consideration the experiences of the first group of LTOs, one would consider that 7-10 days would be appropriate for the mission to set up adequate logistical arrangements, taking into consideration the need to undertake logistics assessment field trips. Should new LTOs be deployed in the existing LTO locations, one would consider that 3-5 days would be sufficient to organise the arrival of the new group. Should LTOs be roaming LTOs (based in Islamabad and travelling to provinces for some days on an ad-hoc basis), then logistical constraint would be limited, allowing to welcome them in country with only 3 or 4 days notice (recruitment of interpreters, identification of accommodation in Islamabad, rental of additional vehicle for the teams). However, the last option would have budgetary implications (additional travel costs) that must be taken into consideration. There are three possible solutions: one would be to deploy roaming teams; the second, to augment existing teams; the third: to open new locations. Roaming teams would be based in Islamabad, presently phase II under the UN security phases, where the teams would deploy for two or three days to specific locations, and be under the direction of Core Staff. One would be confident to say that security cover would be available for such short durations from the Police. If they were not able to, then the team does not deploy. The second option to augment existing teams is very feasible, though this may fall flat if the Police were unable to cover those teams presently deployed. Regarding the third option the mission is presently assessing the feasibility of opening new locations. Eventually future additional deployment could be a combination of all three types. ■

http://www.dailytimes.com.pk/default.asp?page=story_1-10-2002_pg7_15

Document No. 19

The Conduct of General Elections Order - 2002 (Chief Executive's Order No. 7 of 2002)

Whereas pursuant to the announcement for restoration of democracy by the President on the fourteenth day of August, 2001, it is expedient to provide for the holding of general elections in the country for the election of the members of

the National Assembly and the Provincial Assemblies and the matters connected therewith and ancillary thereto;

And whereas updated electoral rolls are to be prepared and delimitation of constituencies is to be carried out in view of the increase in the number of seats in the Assemblies;

Now, therefore, in pursuance of the Proclamation of Emergency of the fourteenth day of October, 1999, and the Provisional Constitution Order No. 1 of 1999, and in exercise of all other powers enabling him in that behalf, the Chief Executive of the Islamic Republic of Pakistan is pleased to make and promulgate the following Order:-

1. Short title, extent and commencement.

- (1) This Order may be called the Conduct of General Elections Order, 2002.
- (2) It extends to the whole of Pakistan.
- (3) It shall come into force at once.

2. Definitions. In this Order, unless there is anything repugnant in the subject or context:-

- (a) ‘**Chief Election Commissioner**’ means the Chief Election Commissioner appointed under the Election Commission Order, 2002 (Chief Executive’s Order 1 of 2002);
- (b) ‘**Constitution**’ means the Constitution of the Islamic Republic of Pakistan, 1973, which is in abeyance by virtue of the Proclamation of Emergency of the fourteenth day of October, 1999;
- (c) ‘**Prescribed**’ means prescribed by rules made under this Order [; and]
- [(d) ‘**technocrat**’ means a person who is the holder of a degree requiring conclusion of at least sixteen years of education,
1 Omitted, *vide* C.E.O. No. 21 of 2002, dt. 31-7-2002.
2 Added *ibid*.

recognized by the University Grants Commission or a recognized statutory body, as well as at least twenty years of experience,
including a record of achievement at the national or international level.]

3. Order to Override Other Laws. The provisions of this Order shall have effect notwithstanding anything contained in the Constitution or in any other law for the time being in force relating to the forthcoming elections to the [Senate] National Assembly and the Provincial Assemblies.

4. Conduct of General Elections. Subject to the Election Commission Order, 2002 (C.E.’s Order No. 1 of 2002) and notwithstanding anything to the contrary contained in the Constitution, the Electoral Rolls Act, 1974 (XXI of 1974), the Delimitation of Constituencies Act, 1974 (XXXIV of 1974), ¹[the Senate (Election) Act, 1975 (LI of 1975)], the Representation of the People Act, 1976 (LXXXV of 1976) and the Houses of Parliament and Provincial Assemblies (Elections) Order, 1977 (PPO No. 5 of 1977), or any other law for the time being in force, the Chief Election Commissioner or, as the case may be, the Election Commission shall take such steps and measures, including preparation of electoral rolls and delimitation of the constituencies, and adopt such procedure, do such acts, pass such orders, issue such directions and take all such ancillary, incidental and consequential steps as may be deemed necessary for effectively carrying out the elections for the members of the [Senate] National Assembly and Provincial Assemblies in October, 2002.

[5. Number of Seats in the National Assembly:

- (1) There shall be three hundred and forty-two seats of the members in the National Assembly, including seats reserved for women and non-Muslims.

(2) The seats in the National Assembly referred to in clause (1), except as provided in clause (3), are allocated to each Province, the Federally Administered Tribal Areas and the Federal Capital as under:—

General Seats Women Total

Baluchistan 14 3 17

Federally Administered

Tribal Areas 12 — 12

Federal Capital 2 — 2

The North-West

Frontier Province 35 8 43

Punjab 148 35 183

Sindh 61 14 75

Total : 272 60 332

1 Added *vide* CEO No. 21 of 2002, dt. 31-7-2002.

2 Substituted *ibid.*

(3) In addition to the number of seats referred to in clause (2), there shall be in the National Assembly ten seats reserved for non-Muslims as defined in Article 260 of the Constitution.

(4) For the purpose of election to the National Assembly,—

- (a) the constituencies for the election on general seats shall be single member territorial constituencies;
- (b) the members to fill the general seats in the National Assembly shall be elected by direct and free vote;
- (c) each Province shall be a single constituency for all seats reserved for women which are allocated to the respective Provinces under clause (2);
- (d) the constituency for all seats reserved for non-Muslims shall be the whole country;
- (e) the members to fill seats reserved for women which are allocated to a Province under clause (2) shall be elected through proportional representation system of political parties' lists of candidates specified in Article 8F on the basis of total number of general seats won by each political party in the National Assembly;
- (f) the members to fill seats reserved for non-Muslims under clause (3) shall be elected through proportional representation system of political parties' lists of candidates specified in Article 8F on the basis of total number of general seats won by each political party in the National Assembly; and
- (g) a political party securing less than five per centum of the total number of general seats in the National Assembly shall not be entitled to any seat reserved for women or non-Muslims.]

[6. Number of seats in the Provincial Assemblies:-

(1) Each Provincial Assembly shall consist of general seats and seats reserved for women and non-Muslims as herein below specified:-

General seats Women Non-Muslims Total

Baluchistan 51 11 3 65

North-West 99 22 3 124 Frontier Province

The Punjab 297 66 8 371

Sind 130 29 9 168

Total : 577 128 23 728

1 Substituted *vide* CEO No. 21 of 2002, dt. 31-7-2002.

- (2) For the purpose of election to a Provincial Assembly,
- (a) the constituencies for the general seats shall be single member territorial constituencies;
 - (b) members to fill the general seats shall be elected by direct and free vote;
 - (c) each Province shall be a single constituency for all seats reserved for women and non-Muslims which are allocated to the respective Provinces under clause (1);
 - (d) the members to fill seats reserved for women and non-Muslims allocated to a Province under clause (1) shall be elected through proportional representation system of political parties' lists of candidates specified in Article 8F on the basis of total number of general seats won by each political party in the Provincial Assembly; and
 - (e) a political party securing less than five per centum of the total number of general seats in the Provincial Assembly shall not be entitled to any seat reserved for women or non-Muslims.]

7. **System of Elections:**-The elections for the members of the National Assembly and the Provincial Assemblies shall be held on the basis of joint electorate.

[7A. **Age of Voters.** Notwithstanding anything contained in the Constitution or any other law for the time being in force including the Electoral Rolls Act, 1974 (XXI of 1974), for the election of members of the [Senate,] National Assembly and Provincial Assemblies, a citizen who has attained the age of eighteen years on the first day of January, 2002, shall be eligible to vote and the Chief Election Commissioner shall cause the electoral rolls to be prepared accordingly under the provisions of the Electoral Rolls Act, 1974:

Provided that any claim for inclusion of any name or objection against any entry in the electoral roll shall be made to the Revising Authority within 15 days of the publication of the draft electoral roll.]

[7B. **Status of Ahmadis etc.** to remain unchanged.—Notwithstanding anything contained in the Electoral Rolls Act, 1974 (XXI of 1974), the Electoral Rolls, Rules, 1974, or any other law for the time being in force, including the Forms

1 Inserted *vide* CEO No. 14 of 2002, dt. 14-5-2002.

2 Inserted *vide* CEO No. 21 of 2002, dt. 31-7-2002.

3 Inserted *vide* CEO No. 15 of 2002, dt. 17-6-2002.

Prescribed for preparation of electoral rolls on joint electorate basis in pursuance of Article 7 of the Conduct of General Elections Order, 2002 (Chief Executive's Order No. 7 of 2002), the status of Quadiani Group or the Lahori Group (who call themselves 'Ahmadis' or by any other name) or a person who does not believe in the absolute and unqualified finality of the Prophethood of Muhammad (peace be upon him), the last of the prophets or claimed or claims to be a Prophet, in any sense of the word or of any description whatsoever, after Muhammad (peace be upon him) or recognizes such a claimant as a Prophet or religious reformer shall remain the same as provided in the Constitution of the Islamic Republic of Pakistan, 1973.

7C. If a person has got himself enrolled as voter and objection is filed before the Revising Authority notified under the Electoral Rolls Act, 1974, within ten days from issuance of the Conduct of General Elections (Second Amendment) Order, 2002, that such a voter is not a Muslim, the Revising Authority shall issue a notice

to him to appear before it within fifteen days and require him to sign a declaration regarding his belief about the absolute and unqualified finality of the Prophethood of Muhamamd (peace be upon him) in Form-IV prescribed under the Electoral Rolls Rules, 1974. In case he refuses to sign the declaration as aforesaid, he shall be deemed to be a non-Muslim and his name shall be deleted from the joint electoral rolls and added to a supplementary list of voters in the same electoral area as non-Muslim. In case the voter does not turn up in spite of service of notice, an *ex-parte* order may be passed against him.]

8. **Laws Relating to Election etc.** to apply.—Notwithstanding anything contained in the Constitution, the Electoral Rolls Act, 1974 (XXI of 1974), the Delimitation of Constituencies Act, 1974 (XXXIV of 1974) [the Senate (Election) Act, 1975 (LI of 1975),] and the Representation of the People Act, 1976 (LXXXV

1 Inserted *vide* CEO No. 21 of 2002, dt. 31-7-2002. of 1976) and any rules made thereunder, for the time being in force, shall, in so far as they are not inconsistent with any provision of this Order, apply to the preparation and revision of electoral rolls, the delimitation of constituencies, the choosing of a member from the Federal Capital, the appointment of election tribunals and the conduct of elections to the National Assembly and the Provincial Assemblies.

[8A. Educational qualification for a member of Majlis-e-Shoora (Parliament) and a Provincial Assembly. Notwithstanding anything contained in the Constitution of the Islamic Republic of Pakistan, 1973, the Senate (Election) Act, 1975 (LI of 1975), the Representation of the People Act, 1976 (LXXXV of 1976), or any other law for the time being in force, a person shall not be qualified to be elected or chosen as a member of Majlis-e-Shoora (Parliament) or a Provincial Assembly unless he is at least a graduate possessing a bachelor degree in any discipline or any degree recognized as equivalent by the University Grants Commission under the University Grants Commission Act, 1974 (XXIII of 1974)]²[or any other law for the time being in force.]

[8B. Number of Seats in Senate

- (1) The Senate shall consist of one hundred members of whom
 - (a) fourteen shall be elected by the members of each Provincial Assembly;
 - (b) eight shall be elected by direct and free vote from the Federally Administered Tribal Areas as provided in Article 8C;
 - (c) two on general seats, one woman and one technocrat or *aalim* shall be elected from the Federal Capital in the manner specified in the Senate (Election of Members from the Federal Capital) Order, 1988 (P.O. No. 3 of 1988);
 - (d) four women shall be elected by the members of each Provincial Assembly; and
 - (e) four shall be elected by the members of each Provincial Assembly to represent technocrats and *ulema*.
- (2) Election to fill seats in the Senate allocated to each Province shall be held in accordance with the system of proportional representation by means of the

1 Inserted *vide* CEO No. 17 of 2002, dt. 24-6-2002.

2 Inserted *vide* CEO No. 21 of 2002, dt. 31-7-2002.
single transferable vote.

- (3) The Senate shall not be subject to dissolution but the term of its members, who shall retire as follows, shall be six years
- (a) of the members referred to in paragraph (a) of clause (1), seven shall retire after the expiration of the first three years and seven shall retire after the expiration of the next three years;
 - (b) of the members referred to in paragraph (b) of the aforesaid clause, four shall retire after the expiration of the first three years and four shall retire after the expiration of the next three years;
 - (c) of the members referred to in paragraph (c) of the aforesaid clause,
 - (i) one elected on general seat shall retire after the expiration of the first three years and the other one shall retire after the expiration of the next three years, and
 - (ii) one elected on the seat reserved for technocrat or, as the case may be, *aalim* shall retire after first three years and the one elected on the seat reserved for woman shall retire after the expiration of next three years; and
 - (d) of the members referred to in paragraph (d) of the aforesaid clause, two shall retire after the expiration of the first three years and two shall retire after the expiration of the next three years; and
 - (e) of the members referred to in paragraph (e) of the aforesaid clause, two shall retire after the expiration of the first three years and two shall retire after the expiration of the next three years:

Provided that the term of office of a person elected to fill a casual vacancy shall be the unexpired term of the member whose vacancy he has filled.

8C. **Constituencies in the Federally Administered Tribal Area.** The constituencies for seats in the Senate from the Federally Administered Tribal Areas shall be as under;

Constituencies No. of Seats

- (i) South Waziristan Agency 01
- (ii) North Waziristan Agency 01
- (iii) Kurram Agency 01
- (iv) Orakzai Agency 01
- (v) Khyber Agency 01
- (vi) Mohmand Agency 01
- (vii) Bajaur Agency 01
- (viii) Frontier Regions— 01
 - (a) Tank
 - (b) Dera Ismail Khan
 - (c) Lakki
 - (d) Bannu
 - (e) Kohat
 - (f) Peshawar

8D. **Qualifications and Disqualifications of Members of Majlis-e-Shoora (Parliament) and Provincial Assemblies:-**

- (1) In addition to the educational qualification specified in Article 8A, a person shall not be qualified to be elected or chosen as a member of a House of the Majlis-e-Shoora (Parliament) or Provincial Assembly unless—
- (a) he is a citizen of Pakistan;

- (b) he is, in the case of National Assembly, not less than twenty-five years and is enrolled as a voter in
 - (i) any electoral roll for election to a general seat; or a seat reserved for non-Muslims; and
 - (ii) any area in a Province from where he seeks membership for election to a seat reserved for women;
 - (c) he is, in the case of Senate, not less than thirty years of age and is enrolled as a voter in any area in a Province or, as the case may be, the Federal Capital or the Federally Administered Tribal Areas, from where he seeks membership;
 - (d) he is, in the case of a Provincial Assembly, not less than twenty-five years of age and is enrolled as voter in any area in a Province from where he seeks membership for that Assembly;
 - (e) he is of good character and is not commonly known as one who violates Islamic Injunctions;
 - (f) he has adequate knowledge of Islamic teachings and practices obligatory duties prescribed by Islam as well as abstains from major sins;
 - (g) he is sagacious, righteous and non-profligate and honest and *ameen*;
 - (h) he has not been convicted for a crime involving moral turpitude or for giving false evidence;
 - (i) he has not, after the establishment of Pakistan, worked against the integrity of the country or opposed the ideology of Pakistan:
Provided that the disqualifications specified in paragraphs (f) and (g) shall not apply to a person who is a non-Muslim, but such a person shall have good moral reputation; and
 - (j) he possesses such other qualifications as may be prescribed by an Act of Majlis-e-Shoora (Parliament).
- (2) A person shall be disqualified from being elected or chosen as, and from being, a member of Majlis-e-Shoora (Parliament) or a Provincial Assembly, if
- (a) he is of unsound mind and has been so declared by a competent court; or
 - (b) he is an undischarged insolvent; or
 - (c) he ceases to be a citizen of Pakistan, or acquires the citizenship of a foreign State; or
 - (d) he holds an office of profit in the service of Pakistan other than an office declared by law not to disqualify its holder; or
 - (e) he is in the service of any statutory body or anybody which is owned or controlled by the Government or in which the Government has a controlling share or interests; or
 - (f) he being a citizen of Pakistan by virtue of section 14B of the Pakistan Citizenship Act, 1951 (II of 1951), he is for the time being disqualified under any law in force in Azad Jammu and Kashmir from being elected as a member of the Legislative Assembly of Azad Jammu and Kashmir; or
 - (g) he is propagating any opinion, or acting in any manner, prejudicial to the Ideology of Pakistan, or the sovereignty, integrity or security of Pakistan, or morality, or the maintenance of public order, or the integrity or independence of the Judiciary of Pakistan, or which

defames or brings into ridicule the judiciary or the Armed Forces of Pakistan; or

- (h) he has been convicted by a court of competent jurisdiction on a charge of corrupt practice, moral turpitude or misuse of power or authority under any law for the time being in force; or
- (i) he has been dismissed from the service of Pakistan or service of a corporation or office set up or controlled by the Federal Government, Provincial Government or a local government on the grounds of misconduct involving moral turpitude; or
- (j) he has been removed or compulsorily retired from the service of Pakistan or service of a corporation or office set up or controlled by the Federal Government, Provincial Government or a local government on the grounds of misconduct involving moral turpitude; or
- (k) he has been in the service of Pakistan or of any statutory body or any body which is owned or controlled by the Government or in which the Government has a controlling share of interest, unless a period of two years has elapsed since he ceased to be in such service; or
- (l) he, whether by himself, or by any person or body of persons in trust for him or for his benefit or on his account or as a member of a Hindu undivided family, has any share or interest in a contract, not being a contract between a cooperative society and Government, for the supply of goods to, or for the execution of any contract or for the performance of any service undertaken by Government:

Provided that the disqualification under this paragraph shall not apply to a person

- (i) where the share or interest in the contract devolves on him by inheritance or succession or as a legatee, executor or administrator, until the expiration of six months after it has so devolved on him;
 - (ii) where the contract has been entered into by or on behalf of a public company as defined in the Companies Ordinance, 1984 (XLVII of 1984), of which he is a shareholder but is not a director holding an office of profit under the company; or
 - (iii) where he is a member of a Hindu undivided family and the contract has been entered into by any other member of that family in the course of carrying on a separate business in which he has no share or interests; or
- Explanation. In this Article, 'goods' does not include agricultural produce or commodity grown or produced by him or such goods as he is, under any directive of Government or any law for the time being in force; under a duty or obligation to supply.
- (m) he holds any office of profit in the service of Pakistan other than the following offices namely:-
 - (i) an office which is not whole time office remunerated either by salary or by fee;
 - (ii) the office of Lumbaradar, whether called by this or any other title;
 - (iii) the Qaumi Razakars;

- (iv) any office the holder whereof, by virtue of such office, is liable to be called up for military training or military service under any law providing for the constitution or raising of a Force; or
- (n) he has been convicted and sentenced to imprisonment for having absconded by a competent court under any law for the time being in force, or
- (o) he has obtained a loan for an amount of two million rupees or more, from any bank financial institution, cooperative society or cooperative body in his own name or in the name of his spouse or any of his dependents, which stands unpaid for more than one year from the due date, or has had such loan written off, or
- (p) he or his spouse or any of his dependents has defaulted in payment of government dues and utility charges, including telephone electricity, gas and water charges of an amount in excess of ten thousand rupees, for over six months, or
- (q) he is for the time being disqualified from being elected or chosen as a member of the Majlis-e-Shoora (Parliament) or of a Provincial Assembly under any law for the time being in force.

8E. Objection Against Candidature. Notwithstanding anything contained to the contrary in any law for the time being in force, any person or authority may object to the candidature of a person who has submitted nomination papers or whose name has been included in the party list submitted by a political party for election to a seat in the Majlis-e-Shoora (Parliament) or a Provincial Assembly, before the Returning Officer within the period specified by the Election Commission for the scrutiny of nomination papers of candidates contesting elections for membership of Majlis-e-Shoora (Parliament) and Provincial Assemblies.

8F. Party Lists for Reserved Seats, etc.

- (1) For the purpose of election to seats reserved for women and non-Muslims in the National Assembly and Provincial Assemblies, the political parties contesting election for such seats shall within the period fixed by the Election Commission for submission of nomination papers, file separate lists of their candidates in order of priority for seats reserved for women and non-Muslims with the Chief Election Commissioner or, as he may direct, with the Provincial Election Commissioner, who shall forthwith cause such lists to be published for information of the public at large.
- (2) The parties' lists referred to in clause (1) may contain as many names of additional candidates as a political party may deem necessary for contesting seats reserved for women and non-Muslims to provide for any disqualification of candidates during scrutiny of nomination papers or for filling of any vacant seat during the terms of National Assembly and Provincial Assemblies, as the case may be.
- (3) Where a seat reserved for women or non-Muslims in the National Assembly or a Provincial Assembly falls vacant for death, resignation or disqualification of a member, it shall be filled in by the next person in order of precedent from the party's list of the candidate submitted to the Election Commission under clause (1).
- (4) Every candidate contesting election on a seat reserved for women or non-Muslims shall, alongwith the nomination papers and other relevant

documents, submit to the Returning Officer appointed by the Election Commission in this behalf

- (a) a copy of the party list of the candidate's political party for such seats;
- (b) declarations and statements as required by law or rules in support of the nomination; and
- (c) the fee required under any law for the time being in force for filing nomination papers.

8G. Elections Deemed to be Held Under the Constitution. The election held under this Order shall be deemed to have been held under this Constitution and shall have effect accordingly.]

9. Power to Make Rules

- (1) The President may make rules for carrying out the purposes of this Order.
- (2) In particular and without prejudice to the generality of the foregoing powers, such rules may provide for the procedure of election on the seats reserved for women and technocrats.

10. Removal of Difficulties

- (1) If any difficulty arises in giving effect to any of the provisions of this Order, the President may make such provisions for the removal of the difficulty as he may deem fit.
- (2) For the purpose of bringing the provisions of the Constitution and of any of the laws relating to elections to the [Senate,] National Assembly and the Provincial Assemblies into accord with the provisions of this Order, the President may by Order make such adaptations, modifications, additions or omissions as he may deem necessary or expedient.
- (3) Any court, tribunal or authority empowered to enforce any of the laws referred to in clause (2) shall, notwithstanding that no adaptations have been made in such law by an Order made under that clause, construe the law with all such adaptations as are necessary to bring it into accord with the provisions of this Order. ■

http://www.ecp.gov.pk/CEorder7_02.htm

Document 20

President Musharraf's Address to the Nation (Excerpts)

October 9, 2002

President Pervez Musharraf said that people should elect competent and honest representatives to ensure true and sustainable democracy in the country.

He appealed to the people to bring a change by electing new faces so that old politicians and the old system donot return. He pledged to provide security to the voters and hold free, fair and transparent elections.

He declared that he would hand over power to the elected prime minister and abolish the office of the Chief Executive, which he assumed on October 12, 1999, when he seized power. He urged the people to fulfil their responsibility of electing efficient, honest and dedicated representatives, as he has fulfilled the promise he made with the nation of introducing real democracy in the country. He said, "Pakistan is at the crossroads of history and going to start a new democratic era. This is a transitional phase," he said.

President Musharraf stressed winning candidates should be submissive, tolerant and show large heartedness while the losing candidates should show maturity and accept the defeat with dignity, burying the politics of enmity and hatred. "One should look bright future of democracy in Pakistan as the present government has succeeded in developing a culture of honesty and merit," said the president. He expressed the hope that the future government would not change the culture of merit and honesty.

He said the media could play a very important role. "We have given complete independence to press and electronic media, and it should report freely on matters of national importance."

He said the past democratic governments emerged as a result of sham democracy, which put the country on path of disaster. He said the government has now brought the country back from the brink of disaster and created a true democratic culture. "We have to take the country forward on a democratic path, a path of sustainable democracy, and with these elections we are going to start a new era of reconciliation to strengthen the country and its institutions," said the president.

General Musharraf said Allah Almighty has given Pakistan all resources in abundance and "we all shall have complete faith in the prosperous future of Pakistan. He said, "whatever I had in my mind and heart, I spoke." At the same time, he said, he never hesitated to admit mistakes.

The President said he dauntlessly faced the external and internal challenges and, by the grace of Allah Almighty, pulled the country out of woods and placed it back on the road to economic stability. "We earned a respect for our country in the comity of nations," the President said.

During his three-year government, the President said he consulted people from all walks of life and took the nation into confidence over matters of national importance.

"We promoted honesty and merit and collectively guided the country on the road to progress, prosperity and dignity."

The President said he often had complaints from politicians that the army did not give them enough time to work for the progress of the country. But, he reminded, during the last eleven years two political governments had a chance to serve the nation twice each.

The present government, he said, was also given a three-year time by the Supreme Court and "we delivered in these three years which these governments failed to do." President Musharraf said crowning of these restructuring and reforms was only possible by introducing true and sustainable democracy in the country.

The President said, "We have started the process of true democracy by empowering the poorest of the poor at the grassroots level and giving them all administrative, financial and political authority."

He said many international organisations termed the government devolution plan as silent revolution and "I myself feel that it is a true silent revolution." With the passage of time, the President said, this system will take roots and help establish a new political culture which would be beneficial for the common man.

He paid tributes to the National Reconstruction Bureau (NRB) for the hard work it had done to put the new system in place. Talking about the rationale behind the constitutional amendments, the President said its main purpose was to introduce

a system of checks and balances on all ‘power brokers,’ ensure sustainable democracy and continuity of reforms and policies.

All the amendments, he said, had been made in light of the decision of the Supreme Court and “I am happy that in its recent decision, the Supreme Court has reaffirmed that these amendments have been made without disturbing the basic structure of the constitution.”

He said over 300 foreign observers are here to monitor the polls. “They are free to go anywhere and observe themselves the entire process,” he said while adding, the government has provided them the security and other facilities.

The president reassured that all executive authority will be fully transferred to the elected prime minister and he will no more be the chief executive. But, he made it clear that he will ensure good governance and will not compromise, whatsoever, on the solidarity and integrity of the motherland.

The President promised to use his good offices to promote political harmony and an environment of reconciliation. Referring to certain concerns over the ‘lacklustre’ election campaign, he said there might have been no major political rallies but leaders of political parties addressed millions of people through freedom of expression given to the print and electronic media.

“This is the modern way (of electioneering), this is how it is done worldwide. The projection, these leaders received through electronic and print media is unprecedented.” The President did not agree to assertions made by certain quarters about the absence of two leaders from the political scene. “Are there only two leaders left in this country of 140 million people,” the President asked. He said, “we are very talented nation and the need is only to give the talent an opportunity to emerge.”

About another apprehension of old faces returning to assemblies, the President asked not to be so pessimistic about the future. “We have analysed the situation and observed that almost 41 per cent of the traditional faces have vanished due to the graduation condition introduced to bring forth educated, capable and enlightened people,” he added. In the Punjab province alone, he said, of the total candidates, 90 per cent are new faces. Moreover, he said, the allocation of reserved seats for women will also have a positive impact on the composition of the future parliament.

The president said political polarisation, country witnessed in the past, was due to two political leaders who pursued politics of hatred and vengeance throughout. But he hoped, since they were no more there, “the new leadership will not indulge in politics of personal vendetta.” ■

<http://www.jang-group.com/thenews/index.html>