

6 INVITE COMMENTS AND FEEDBACK FROM CIVIL SOCIETY ORGANIZATIONS:

There exist a large number of civil society groups working across sectors, especially on issues related to education, health, women rights, minority rights, environment, police, peace, climate change, poverty, agriculture and trade. All these groups have either direct stakes or have huge experience of working on related issues, which can be of tremendous value in terms of informing the policy making processes. It is, therefore, extremely important that parliamentary committees maintain a database of such organizations, remain in regular contact with them, and regularly invite comments and feedback from them on all the issues under consideration. This could, on the one hand, improve the quality of parliamentary proceedings and initiatives and, on the other hand, would contribute to building confidence of civil society organizations about democratic process and institutions. Many civil society organizations have email addresses, so it is not very difficult to invite their comments and feedback. All that the parliamentary committees need to do is to maintain their updated addresses, share with them the information, and establish a system of analyzing and benefiting from the feedback received.

Civil society organizations should also proactively engage parliamentary committees in the context of their advocacy work. So far, the civil society linkages have been mostly with individual members but it would be useful if institutional collaborations with relevant committees are explored and established.

Currently, National Assembly and Senate take a lot of time in publishing their detailed parliamentary proceedings, which makes it difficult for members of the Parliament and other interested individuals to track parliamentary debates. This must be made efficient. All the parliamentary debates must be published on the website within 48 hours, besides ensuring live broadcasts.

7 DISCLOSE CONFLICT OF INTEREST:

It can happen that a matter taken up by a parliamentary committee involves direct personal, family or business interests of one or more members of that particular committee. This would potentially create a conflict of interest situation. For instance, if a matter under consideration relates to recommending incentives for private universities, it would be appropriate that those members of the parliamentary

committee, who have stakes in private universities, make their conflict of interest known. Similarly, if one or more members sitting on a committee own businesses that seek contracts from the relevant government departments, these members should make it known that they have a conflict of interest regarding specific matters under consideration. In special circumstances, they must voluntarily exclude themselves from the process of making recommendations. While the members of committees can voluntarily start doing this at once, it would be better if Parliament develops and adopts a code of conduct, which is made public and then strictly implemented. This would hugely contribute to making the parliamentary procedures transparent and credible.

"If a nation expects to be ignorant and free...it expects what never was and never will be".
Thomas Jefferson

8 GIVE ACCESS TO MAXIMUM INFORMATION:

Access to information is a fundamental human right, and a 'touchstone' of all other rights and freedoms. It has been characterized as 'oxygen for democracy', because citizens cannot make informed choices until and unless they have easy and timely access to maximum and authentic information. It is, however, unfortunate that even parliamentary institutions sometimes operate in closed doors and deny easy and timely access to information. This attitude needs to be corrected at the earliest. Secrecy is widely considered as responsible for exclusive governance and lack of public accountability.

"Right to Information. Every citizen shall have the right to have access to information in all matters of public importance subject to regulation and reasonable restrictions imposed by law."

Article 19-A of the Constitution of Pakistan

Information and records that must be made accessible by the Parliament or parliamentary committees include:

- List of members and their contact details
- All the rules, procedures, standing orders and standard operating procedures
- List of staff in the parliamentary secretariats along with their responsibilities and contact details
- Calendar of meetings of the House and well as parliamentary committees
- Agenda for the upcoming meeting
- Proceedings of the House

- Minutes of previous meetings of parliamentary committees
- Recommendations made by parliamentary committees on specific issues, and the status of their implementation
- Reports of consultations by parliamentary committees with stakeholders, if any
- Bills, motions and resolutions adopted
- Reports prepared by parliamentary committees for submission to the respective House
- Full copies of bills, motions, resolutions or call attention notices under consideration
- List of assurances given by ministers, along with specific dates
- Details about when a bill was received, action taken and the latest status
- List of business forwarded to various committees by the House and related updates
- Attendance records of members
- Statements on conflict of interest, if any
- Funds used by the committees in the course of performing their official responsibilities
- Details of foreign visits by members of the Parliament paid through tax-payers' money
- Annual performance reports
- Annual budget and quarterly budget expenditure reports
- Expenditures on parliamentary lodges and information about outstanding dues
- Any other information.

Parliament must proactively oversee and ensure efficient implementation of Right to Information guaranteed under Article 19-A of the Constitution. In this context, the Parliament must first implement it itself by making its Secretariat the most transparent organization among the government departments. If parliamentarians want to be leaders, they should lead by their own example. Then, they must demand all other public bodies to become transparent and ensure maximum access to information.



Centre for Peace and
Development Initiatives

t: +92 51 210 82 87, 211 23 15, 431 94 30
f: +92 51 210 15 94 e: info@cpdi-pakistan.org

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www.cpdi-pakistan.org

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OPENNESS AND TRANSPARENCY:

What Parliament and Parliamentary Committees should do



WHAT PARLIAMENT AND PARLIAMENTARY COMMITTEES SHOULD DO

Parliament and parliamentary committees have an extremely important role to play in terms of legislation, debating and influencing public policies, and exercising executive oversight to ensure that laws and policies approved by the Parliament are efficiently implemented. Such a role can be best performed when parliamentary processes are transparent, open to public participation and provide opportunities for public accountability. However, in Pakistan parliamentary processes remain fragile and less democratic due to the adverse impact of successive military interventions, which have weakened almost all state institutions. Had the democratic institutions been allowed to work without interruptions, the institutions like Parliament and parliamentary committees would have matured and evolved mechanisms for improved interaction with civil society and public at large. While the situation has improved since the general elections in 2008, the opportunities for effective public or civil society participation in the parliamentary processes remain limited. So far, only a few parliamentary committees have taken initiatives towards greater transparency and openness.

In this context, it is important that civil society groups and parliamentary institutions work together for reforms and executive oversight; whereby parliamentary performance could be strengthened with the active participation of citizens and civil society organizations. Such a partnership is especially needed with parliamentary committees, as these committees can play a significant role in initiating, strengthening and sustaining the reform process in various sectors. In view of this, the following suggestions may be considered for enabling public and civil society participation in the parliamentary initiatives:

“Liberty cannot be preserved without general knowledge among the people”.
John Adams

1 HOLD OPEN MEETINGS:

Meetings of parliamentary committees should ordinarily be open to media and public. In particular, the media should have maximum access to observe the committee meetings, so that it could inform the citizens in whose name and behalf the Parliament and parliamentary committees function.

"Let the people know the facts, and the country will be safe."
Abraham Lincoln

It is, sometimes, argued that parliamentary committee meetings need to be held in closed door so that, instead of playing to the gallery, members could discuss the parliamentary business in a serious manner and in a more congenial environment. This argument carries weight but only in relation to a certain part of a meeting or those meetings, wherein members sit to debate and finalize recommendations. All other meetings should be held in open, especially the ones involving (a) briefings by the ministries or related departments and institutions; (b) questioning of ministries and related departments on specific issues, performance gaps or allegations; and (c) presentations by experts or various stakeholders on specific matters. The committees, which still hold their meetings behind closed doors, perpetuate the endemic culture of secrecy in government and demonstrate an attitude, which is not democratic.

2 PROACTIVELY DISPLAY AND DISSEMINATE BILLS FOR PUBLIC COMMENTS:

The parliamentary committees must follow a clearly laid-down procedure to consider the legislative bills that are forwarded by the related House for consideration and recommendations. One of the first steps in this regard should be to ensure that all the stakeholders become aware of the contents of the bill that is under consideration. While a large-scale publication of bills may be expensive, the committees can ensure maximum dissemination by:

- Display of bills on the website of the National Assembly and/or Senate;
- Proactive sharing of copies of bills and their summaries with media; and
- Sharing of bills with civil society organizations for comments as well as onward dissemination.

Parliament must ensure that people can easily enter in the Parliament House and observe the parliamentary proceedings from the visitors’ gallery. Currently, the procedure of obtaining passes is highly flawed and inappropriate, as it makes it difficult for common people to observe parliamentary proceedings. You have to know a member of the Parliament or someone in the Secretariat to get a pass. The security barriers on the Constitution Avenue have made the situation even more difficult. This must change!

Parliament must be an open and accessible place for everyone without any discrimination. People should be allowed to enter the visitors’ gallery on the basis on ‘first come first serve’ basis, subject only to the seating capacity and security protocols. Recommendation by a member of the Parliament for obtaining an entry pass should not be the requirement.

POWERS OF PARLIAMENTARY COMMITTEES

Powers and functions of parliamentary committees include the following:

- Parliamentary committees consider legislative bills, issues and matters, which are forwarded to them by the respective House or its chair (i.e. Chairman Senate or Speaker National Assembly), and make appropriate recommendations on them;
- Parliamentary committees can propose amendments in legislative bills;
- Parliamentary committees, on their own initiatives, can examine the expenditures, administration, delegated legislative functions, public petitions and policies in relation to the related ministries or their affiliated institutions; and then submit recommendations to the respective House;
- Parliamentary committees have the power to require the attendance of persons or the production of papers or records, or examine such persons on oath or solemn affirmation, if such course is considered necessary for the discharge of duties;
- Parliamentary committees can summon a witness, who shall appear before the committee and produce, if so required, the required documents;
- Parliamentary committees can summon or allow to appear before it and hear expert evidence or any member or any other person having a special interest in relation to any matter under their consideration.

3 MAKE THE TIME AND AGENDA OF COMMITTEE MEETINGS PUBLIC:

Parliamentary committees should announce sufficiently in advance the time and agenda of their meetings. Such announcements can be made through websites, press releases and email notices to civil society groups working in relevant sectors. Timely sharing of such information would allow the stakeholders to give suggestions and feedback on the agenda items, which may be extremely useful for effective committee proceedings. This practice would not only contribute to transparency of parliamentary committees but would also build their credibility in the eyes of civil society and public at large.

4 HOLD STAKEHOLDER CONSULTATIONS:

In general, the parliamentary committees should make recommendations on matters referred by the House or taken up on their own initiative only after having consulted the stakeholders. Whenever a particular matter is taken up, the related committee should find an appropriate way of consulting stakeholders. Related methods may include, among others, the following:

- Share information about the matter on agenda with stakeholders
- Invite the stakeholders to give their feedback
- Invite representatives from different stakeholders to present their point of view before the committee; and
- Share the draft recommendations with all stakeholders for their feedback.

Women Parliamentary Caucus (WPC) has set a very good example of sharing minutes of most of its meetings through its website. This example should be copied by all standing, functional and special committees of the Parliament. WPC website can be accessed at <http://www.wpcp.org.pk/wpcp/Home.aspx>

5 ORGANIZE PUBLIC HEARINGS:

Civil society organizations or members of the public have a lot to share or suggest but they often fail to find appropriate platforms where their grievances related to laws, policies or performance of government departments are heard, followed up and effectively addressed. Such problems or suggestions are sometimes brought to the notice of individual parliamentarians, who also extend help to resolve the specific complaints, but the related procedural and systemic problems remain un-addressed. It is very rare for people to approach the parliamentary committees to seek their intervention for improved performance or quality of services in the public sector. Nor do the parliamentary committees provide proper opportunities whereby they could listen to various stakeholders in an organized manner on specific issues, and then take up the identified problems through various parliamentary initiatives. In this context, it would be appropriate for parliamentary committees to start holding public hearings to listen to complaints and problems of civil society, stakeholders and general public. The public hearings can be held on specific and pre-determined issues, or on general complaints related to the public services. It would particularly be useful if the public hearings could be held in different cities across the country. This practice would not only give people an opportunity to raise issues before the parliamentary committees and inform their initiatives, but would also enhance the credibility of parliamentary institutions.