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Defending Civic Space in a time of COVID-19 pandemic
with a focus on SDG16+

Pakistan National Report

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By

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Awaz Foundation Pakistan

Awaz CDS

Centre for Development Services

pda
for Governance and Accountability

Working together
on Sustainable
Development
Goals (SDGs)

List of Acronym

AwazCDS	Awaz-Centre for Development Services
ADN	Asia Democracy Network
ADA	Asian Development Alliance
CBOs	Community Based Organizations
CSOs	Civil Society Organizations
CEDAW	Committee on the Elimination of Discrimination against Women
CRC	Convention on the Rights of Child
CINCs	Computerized National Identity Card
CII	Council of Islamic Ideology
FATF	Financial Action Task Force
ICCPR	International Covenant on Civil and Political Rights
IFIs	International Financial Institutions
JANIC	Japan NGOs Centre for International Cooperation
MOUs	Memorandum of Understanding
NCSW	National Commission on Status of Women
NCRC	National Commission for the Rights of Children
NCHR	National Commission for Human Rights
NCRM	National Commission for Rights of Minorities
NOCs	No Objection Certificates
NGOs	Non-Governmental Organization
OIC	Organization of Islamic Cooperation
OPG	Open Government Partnership
PDA	Pakistan Development Alliance
PLWDs	People Living with Disabilities
Rtl	Right to Information
SDGs	Sustainable Development Goals
SAARC	South Asian Association for Regional Cooperation
TDF	Tokyo Democracy Forum
UN	United Nations
UDHR	Universal Declaration of Human Rights
UPR	Universal Periodic Review
VNR	Voluntary National Review
WEF	World Economic Forum
WASH	Water, Sanitation and Hygiene

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Executive Summary:

Pakistan Development Alliance conducted a country wide survey in December 2021 to ascertain the status of civic spaces, democratic culture and human rights in Pakistan. The survey was developed in collaboration with Japan NGOs Centre for International Cooperation (JANIC). The findings of the survey were shared with national and global CSOs, INGOs, governments and other stakeholders during Tokyo Democracy Forum held in February 2022. The online survey was circulated among CSOs and human rights actors through their alliances and networks and it was responded by 162 human rights organizations and civil society actors.

More than 50% of the respondents agree that they feel free to speak in public and with media, whereas less 45% respondents agree that they enjoy freedom of assembly and association. More than 50% respondents did not agree that government restrict freedom of speech and assembly due to COVID-19 outbreak. More than 72% respondents felt free to join civil society groups in the country however the same percentage also highlighted that laws and policies governing the CSOs in the country are tightened. Around 50% respondents felt that legal status of marginalized communities and socially excluded group, religious minorities is fragile in the country. In addition to this more than 62% respondents agreed that human rights are not secured in the country. 60% of the respondents agreed that threats to human rights defenders, journalists and trade unions have increased. More than 50% respondents agreed that media is not independent from authorities to publish information freely. Around 60% respondents agreed that violence among people have increased since COVID-19 outbreak whereas 57% respondents highlighted the increased violence against women. Furthermore, 66% respondents felt that violence and abuse against children has been increased since COVID-19 outbreak has started. The respondents shared their disappointments towards rule of law and justice in the country and 52% respondents felt that discriminatory laws are in place in the country and existing laws are not effective in protecting human rights and prevent discriminations. The respondents also shared their dismay upon rising trends of corruption and illicit flow of funds to and from the country. 47% respondents agreed on illicit flow of funds in the country whereas 62% respondents were of the view that corruption has increased among the public sector in Pakistan. On the other hand more than 50% respondents did not agree that allocated budgets and finances in public sector are being used in appropriate manner. The respondents were also concerned about the governance, accountability and meaningful participation of people in public sector. More than 55% respondents did not agree that government provides sufficient information to people regarding its policies. More than 52% respondents did not agree that minorities, PLWDs and women are meaningfully appointed in the public institutions whereas more than 55% respondents highlighted the huge gender gap exists even in the Parliament of Pakistan. More than 46% respondents were not happy with the representation of Pakistan in the global governance institutions whereas more than 72% of the respondents were of the view that global governance institutions are dominated by the developed world.

The respondents of the survey also recommended certain measures to improve civic and human rights situation in the country and creating rightful spaces and choices of life to all. The suggestions and recommendations include, strengthening rights based local CSOs, empowerment of rights commissions, re-instatement local government bodies, announcement of provincial finance commissions, abolishment of Council of Islamic Ideology, revisiting the regulatory frameworks and policies towards the CSOs and INGOs in the country and building alliances with global institutions.

Section 1: Civic Space Survey in Pakistan

1.1. Basic information of the survey and the contributors

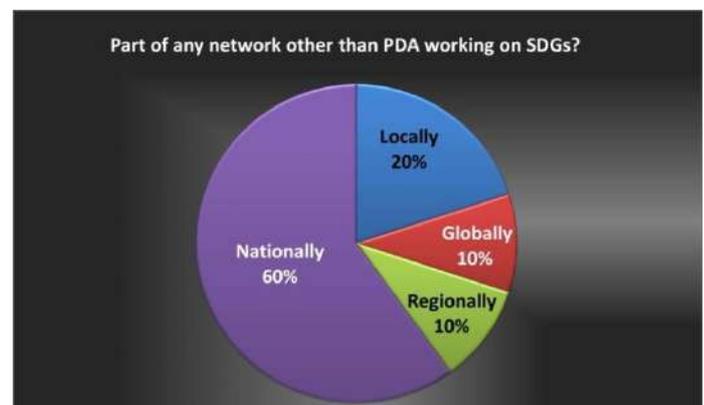
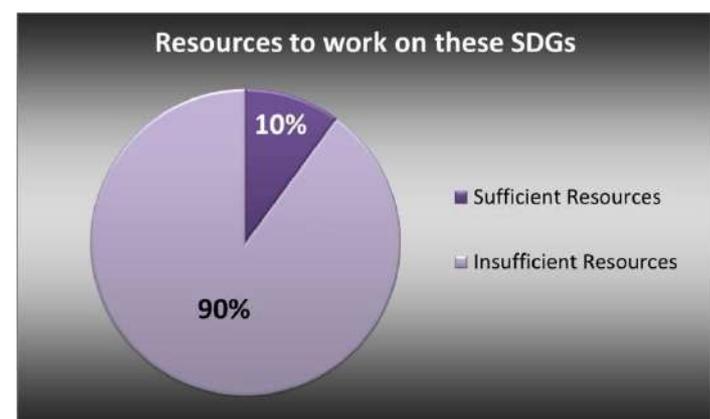
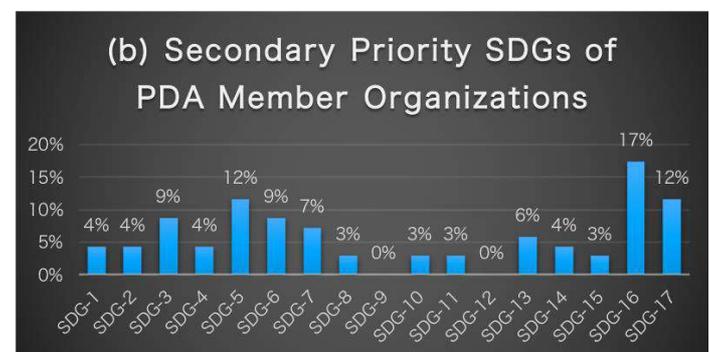
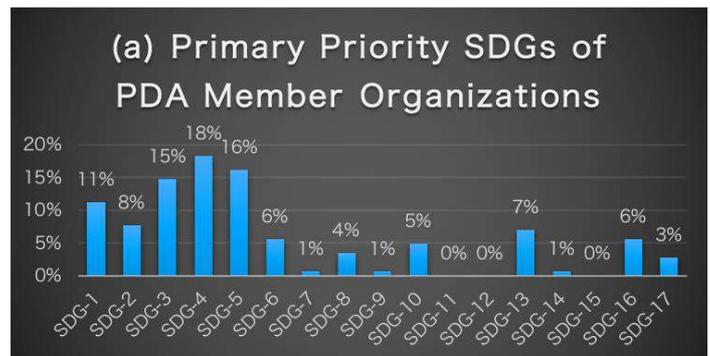
-Brief explanation of your network including the number of membership organizations

Pakistan Development Alliance -PDA- is a national platform of CSOs/ NGO and CBOs working together for better governance and accountability mechanisms in the country through human rights based approaches with a focus on the timely delivery of national, regional and global commitments made by the governments, private sector and UN agencies specially SDGs and Agenda 2030. PDA was established in 2014 and currently it has 114 member organizations from all across the country including the special regions of Azad Jammu & Kashmir and Gilgit Baltistan. PDA's National Secretariat is based at AwazCDS-Pakistan located in the capital of country, Islamabad. Since its inception PDA has carried out highly credible initiatives at national, regional and global levels with the support of its members and partners across the world. Details are available at its website www.pda.net.pk . Furthermore its first ever SDGs Online Dashboard also shares the status of SDGs progress measured through SDGs Citizens Scorecard. PDA also produced Citizens Voices Report on VNR and Status of SDGs in Pakistan in 2019. PDA also contributed in Peoples' Scorecard in 2021 initiated by Action for Sustainable Development (A4SD)

PDA member organizations mapping results as depicted in the graph (a) and (b) show that the member organizations focus on almost all the SDGs as their primary and secondary priority goals. However SDG1,2,3, 4,5, 6, 13, 16 and 17 are the top most priorities of the members whereas the remaining goals are of least priority. There may be reasons of organizational capacity and lack of other technical and financial opportunities to set other goals as priority at primary or secondary levels. 90% of the member organization face challenges in resource mobilization and lack financial support for their efforts towards achievement of SDGs at local level. 20% of the member organizations are connected at regional and global level through various forums including A4SD and GCAP etc. whereas only 20% of the members are part of various local/ district level networks and alliances. A large majority of PDA members i.e. 60% are also part of various networks and alliances other than PDA as depicted in the below pie chart.

This shows the capacity and active role of the member organizations of Pakistan Development Alliance.

Japan NGOs Network for International Cooperation (JANIC) facilitated in developing the online survey form having several questions related to civic space, human rights, democratic rights, governance, rule of law, justice

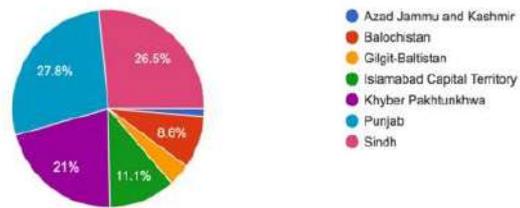


and accountability etc. The questionnaire was shared with the Central Executive Committee of Pakistan Development Alliance and with their approval certain improvements were suggested. However it was decided to launch the survey in English instead local language Urdu. The civic space, democracy and human rights survey was carried out across the country in December 2021 by engaging PDA member organizations and other networks and alliances including Ujala Network and PakNGOs Forum. The google form survey-attached as **annexure A** was shared with almost **19000** plus NGOs / CBOs and CSOs through aforementioned networks however only **162** responses were received in the stipulated time of 10 days. Several follow ups were also carried out through Whats App messages and direct communications.

1.2. Narrative reports for the results of the survey

The pie chart shows the province wise geographic locations of 162 respondents. A large majority 27.8% respondents were from Province of Punjab followed by 26.5% from Sindh and 21% from Khyber Pakhtunkhwa. More than 11% respondent organizations were from Islamabad, the capital of the country however the number of respondents from Balochistan, Azad Jammu & Kashmir and Gilgit Baltistan were around 10% of the total respondents. This shows that the 90% of the survey respondents were informed CSOs /community from urban centers and only 10% were from rural and remote regions.

Which province your office is located?

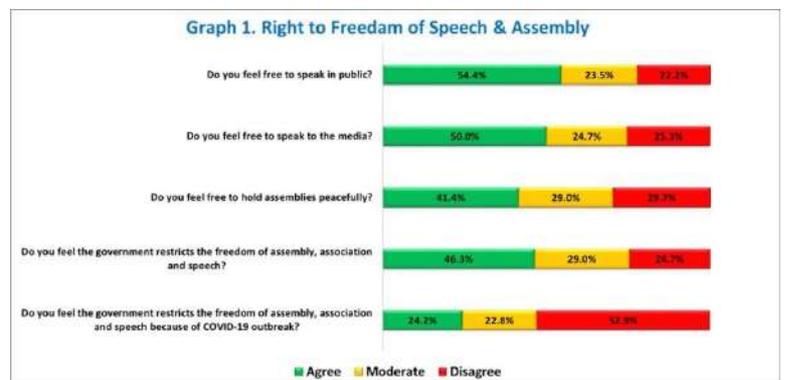


Gender, age, religion and profession, education and income status of the respondents were not asked however based on the names, titles & organizations of respondents this has been ascertained that the survey was responded by women (22%), men(75%) and transgender (3%). None of respondent was anonymous. The question wise detailed responses of the survey are attached as **annexure B** for reference however the key findings / results of the survey are clubbed in to three types of responses i.e. agreed, moderate and disagree. For the ease of understating and analysis the percentage points are also depicted through traffic light method. 44 different questions and their responses are also clubbed in to seven different areas i.e. a)right to freedom of speech and assembly, b)civic space and human rights, c) freedom of information and dissemination, d)violence against women and children, e)rule of law and justice, f) corruption and illicit flow of funds, g) governance, accountability and meaningful public participation.

The detailed key findings of the survey are as follows

a) Right to Freedom of Speech and Assembly:

Freedom of expression/ speech and assembly is a constitutional right in Pakistan under article 19 that states “ *Every citizen shall have the right to freedom of speech and expression, and there shall be freedom of the press, subject to any reasonable restrictions imposed by law in the interest of the glory of Islam or the integrity, security or defence of Pakistan or any part thereof, friendly relations with foreign States, public order, decency or morality, or in relation to contempt of court, ³³[commission of] ³³ or incitement to an offence¹.*” However, the definitions of decency and morality as well as glory of Islam and integrity / security or defence of Pakistan are unclear and open. People may have different thoughts, understating



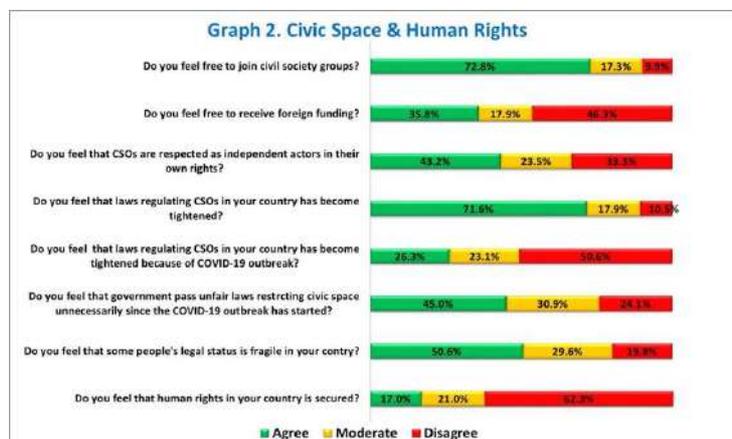
¹ <http://www.pakistani.org/pakistan/constitution/part2.ch1.html>

and acceptance level for any matter related to decency, morality, glory of Islam, and integrity of Pakistan therefore the State authorities act and behave harshly with those who speak and express their thoughts openly, freely and without any prejudice towards any religion, sect, gender etc. but for humanity. The survey results show the similar challenge in our society at large where averagely 45% respondents agreed to have right to expression/ speech and freedom of assembly whereas around 55% are strongly and moderately disagreeing to speak freely at public and media. A qualitative study conducted on freedom of expression in 2015² also shares the similar findings where a human rights activist says “ *people are not allowed to talk openly about certain issues such as religion, seeking information from across the geographical boundaries and issues of national security, as it is abided by law*”

In response of a question asked during citizens’ scorecard on goal 16 carried out by Pakistan Development Alliance in 2020, 34% strongly and 34.14% moderately denied that they can express their feeling and thought freely³. Global Freedom House Report 2021⁴ also rated Pakistan as **partly free** for civil and political rights including freedom of speech/ expression and assembly. This is interesting to learn that same situation prevails for the last several years and that is why only 24% respondents of the survey think that the restrictions on freedom of speech/ expression and assembly is because COVID-19 whereas almost 75% are of the view that the COVID-19 has no impact on governments policies towards freedom of expression and assembly.

b) Civic Space and Human Rights:

Pakistan has never ever witnessed as human rights friendly country in the whole of its history because of several chaotic policies and anti-human rights laws. According to the Law Commission of Pakistan⁵ almost 120 laws in the country are discriminatory towards civic and human rights. Although Pakistan is signatory of various global commitments like UDHR and ICCPR, CEDAW and CRC and SDGs yet the national and provincial laws of the state are not completely compatible to these global commitments. This is why? 62.3% respondents expressed that their human rights are



not secured in Pakistan whereas 21% respondents have moderately expressed that their human rights are not secured. Only 17% respondents are fairly happy with the civic and human rights situations in Pakistan. More than 70% of the respondents are comfortable joining civil society groups however they have also felt that laws regulating CSOs in Pakistan have been tightened. Majority of the respondents do not think that stringent policies of the government towards NGOs are due to COVID-19 outbreak. Whereas more than 65% of the respondents representing CSOs felt restrictions in receiving foreign funding. More than 50% respondents consider that status of religious minorities is fragile in the country. On the other hand around 56% of the respondents do not consider themselves as independent actors. The most recent CIVICUS Monitor⁶ has also ranked Pakistan in **repressed** countries whereas Civil Society Index 2021⁷ ranked Pakistan in **EVOLVING** category. Generally CSOs working for civic and human rights, sexual and reproductive health & rights, women rights, transgender rights, democratic rights are more repressed than those who are working for services delivery. The regulatory envi-

² <https://think-asia.org/bitstream/handle/11540/6749/Freedom-of-Expression-in-Pakistan-a-myth-or-a-reality-W-159.pdf?sequence=1>

³ <http://sdgscitizenscorecard.pda.net.pk/sdg-16-citizens-scorecard-national/>

⁴ <https://freedomhouse.org/country/pakistan/freedom-world/2021>

⁵ <http://ljcp.gov.pk/nljcp/#1>

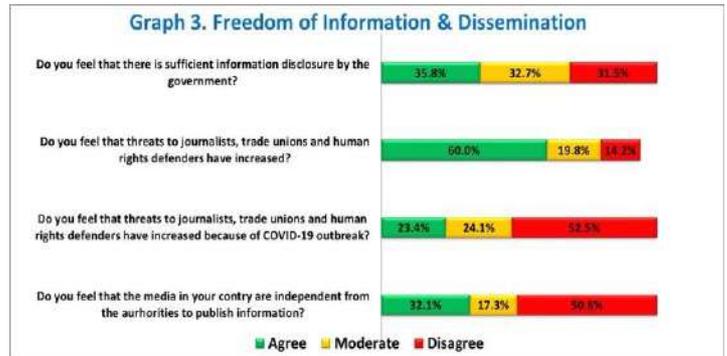
⁶ <https://monitor.civicus.org/country/pakistan/>

⁷ <https://www.fhi360.org/sites/default/files/media/documents/resource-csosi-2018-report-asia.pdf>

ronment towards rights based NGOs, INGOs and CSOs is stringent as they have to obtain “ No Objection Certificates (NOCs) and MOUs with concerned departments and district/ provincial governments where-ever they intend to intervene. Every organization receiving foreign funding or intend to work with foreign donors require clearance from security agencies as well as must sign an MOU with Economic Affairs Division. Usually it takes more than one to get such permissions and in some cases the permission is withdrawn early. Moreover in some cases the permission is not granted even after a long process of more than two years. Very recently a local NGO (Marie Stopes) filled a case against such regulations and the high court set aside the regulations by declaring that such regulations have no legal effect⁸. The high court also allowed the NGOs to work freely by complying with registration laws only. On the other hand the illegal regulatory bodies are still asking NGOs and CSOs for compliance of regulations and require NOCs and MOUs. The international NGOs have to pass through rigorous process to obtain permissions from ministry of interior to operate in the country.

c) Freedom of Information & Dissemination:

The Constitution of Pakistan under Article 19A guarantees right to information as *“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”*. Right to Information Commissions are active at federal and provincial levels in the country since 2017, however there are several restriction being faced by the citizens to have access to information in true sense. Many media houses and journalists as well as CSOs and social media activists usually complaint against



the performance of Rtl Commissions and disclosure policies of the government. As depicted in the graph3 60% of the responded agreed that threats to journalists, trade unionists, and human rights defenders have been increased and around 76% agreed that this is not because of the COVID19 outbreak as the situation persists from last five years. More than 63% responded denied sufficient information disclosure by the government whereas 68% responded agreed that media is not independent from the authorities to publish information freely.

Very recently on January 25, 2021, an amendment was moved in right to information Act 2017, by some treasury members of the Senate of Pakistan to exclude upper and lower house of the Parliament for the provision of any type of information if asked by any citizen of Pakistan. The statement of object of the amendment says “ The secretariats of the Senate and the National Assembly of Pakistan are constitutional bodies. Work of the Parliament is not only extremely significant but also highly sensitive. In view of the constitutional sanctity provided to the secretariats of the Parliament, Senate and the National Assembly do not fall under the definition of public bodies, similar to the Supreme Court of Pakistan, which is not included in the definition of the public bodies in the said Act. The sanctity granted to the Parliament and its procedures in Article 69 of the Constitution of Pakistan also needs to be taken in account in the matter. Moreover decision on information related to Senate and National Assembly is strictly the prerogative of the Chairman and Speaker respectively. This amendment in the Act is proposed to ensure observance of above said sanctity and privacy of the institution to perform its Constitutional and fiduciary duty to the State and its people”. Under such circumstances where upper and lower houses of the Parliament are not being considered as public bodies and prohibiting the information and data under the umbrella of laws and Constitution, this will be really difficult to get appropriate and valid data and information regarding the efforts of various stakeholders including Parliamentarians towards the achievement of SDGs especially 16.10 that demands public access to information at all levels. Since no **Data Protection Law** exists in the country therefore validity and efficacy of the data may also be questioned.

The Citizens Scorecard results on SDG 16.10⁹ compiled by Pakistan Development Alliance in March 2020 also share the similar results as around 74% respondents of the scorecard declare that we do not have access to information from any department however only 10.49% respondents were satisfied by the response of Rtl's on access to information. Interestingly less 15% people have admitted that they have once exercised their right to

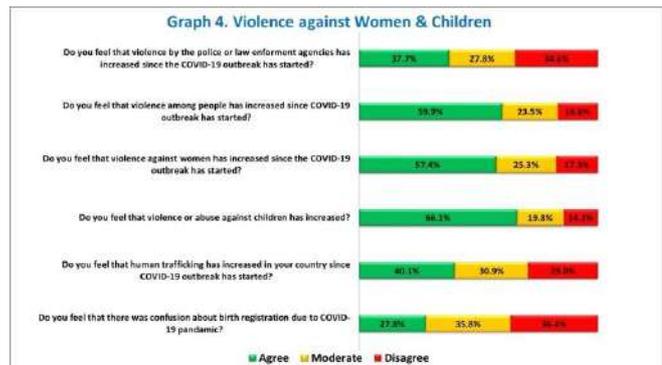
⁸ <https://www.thenews.com.pk/print/929754-shc-sets-aside-ecc-s-policy-on-ngos-receiving-foreign-contributions>

⁹ <http://sdgscitizenscorecard.pda.net.pk/sdg-16-citizens-scorecard-national/>

access information from the government departments. Whereas majority of the people i.e. 65% do not have information about Rtl act and if they can reach out to any government or semi-public department to seek information of interest. If we try to co-relate the above mentioned citizens and CSOs responses with the global reports on open governance the situation is of no difference as Pakistan has been excluded by the Open Government Partnership (OPG) due to the non-compliance of the commitment since 2018¹⁰.

d) Violence against Women & Children:

Almost 57% of the respondents feel that violence against women have increased since the COVID-19 has started and the result exactly resonates with the finding of an earlier survey conducted by AwazCDS-Pakistan and Ujala Network in 48 districts of Pakistan on Trends and Dynamics of GBV during COVID19¹¹ 58.2% had agreed that violence against women have increased in their communities since the COVID-19 outbreak. This shows that even after two years the trend is same. More than 66% respondents have agreed that violence against children has increased since the COVID-19 outbreak. Around 60% of the respondents agreed that violence among communities has increased since COVID-19 outbreak. On the other hand, only 38% of the total respondents agreed that violence by police and other law enforcement agencies have increased since the COVID-19 outbreak. Whereas above 40% agreed that human trafficking has increased since COVID-19 outbreak. Interestingly the Citizens Scorecard carried out in March 2020 also reveals the similar results as 75% of the respondents had agreed that violence related incidents have not decreased during the last four years. Violence against women and children as well as gender based violence on other sexual minorities is rampant in Pakistan. Almost 97% women face violence of their intimate partners and family members due to several socio-economic, religious and cultural reasons. Pakistan is placed at 153rd out of 156 countries as per the World Economic Forum’s Gender Parity Index 2021¹².



Graph 4 also shows that 40% respondents agreed that human trafficking in Pakistan has increased since the COVID-19 outbreak. Whereas the earlier Citizens Scorecard also revealed as 41.7% respondents think crime rate in community regarding, kidnapping, human trafficking, homicide and other violent incidents have increased. Furthermore graph 4 also depicts 27.8% respondents think that there are confusions about birth registrations due to COVID-19 outbreak while the SDG16.9 Citizens Scorecard reveals that only 48.93% people know where to get their child birth registered? Information and access to get the legal identity including child birth registration and computerized national identity cards (CNICs) is still a cumbersome process and expensive for people at large. Majority of the women in rural areas of Pakistan do not have their CINCs. Therefore they are unable to use their right to vote. Most of the women and children are deprived of government led poverty reduction programs in the country due to unavailability of their birth registrations and CNICs. The issue become more complicated when they grow up and seek public and private sector jobs where submission of domicile (residence certificate) and CNIC basic requirements. Most of the people cannot get their domicile and CNICs because they do not have their birth registration. Birth registration is mandatory but avoidance by the parents due to negligence is not considered as criminal offence by law.

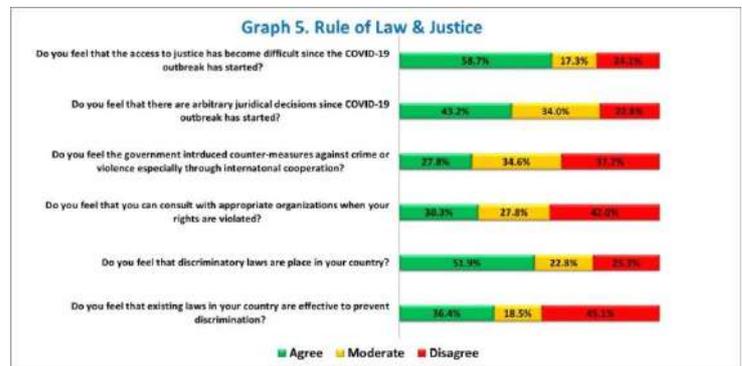
¹⁰ <https://www.opengovpartnership.org/members/pakistan/>

¹¹ <https://awazcds.org.pk/wp-content/uploads/2020/11/Trends-of-GBV-in-times-of-COVID-19.pdf>

¹² https://www3.weforum.org/docs/WEF_GGGR_2021.pdf

e) Rule of Law & Justice:

Rule of Law and Justice has been one of the major challenges being faced by the people of this country. The survey has rightly highlighted as majority of the respondents 45.1% strongly disagree and 18.5% are moderately disagreeing with the statement that existing laws in the country are effective to prevent discriminations. This has already mentioned above that almost 120 laws in the country are discriminatory towards the principle of human rights. Furthermore, most of the laws are coming through the funnel of religion. Parliament of Pakistan is sub-servient to Council of Islamic Ideology (CII)¹³. The Council of Islamic Ideology is a constitutional body that advises the legislature whether or not a certain law is repugnant to Islam, namely to the Qur'an and Sunna. Most of the legislation related to blasphemy, honor killing, customary practices, women and transgender rights, early, child and forced marriages, forced conversions, freedom of expression and other fundamental human rights issues are either delayed or totally dismantled by the members of the Council of Islamic Ideology. Most of the human rights organizations and activists usually call for the abolishing CII as it over rules the elected Parliament in the name of religion and their religious interpretations are usually concocted and baseless and against the spirits of Islamic teachings. That was why we have been witnessing this result that around 52% respondents are strongly and 23% moderately agreeing with the fact that discriminatory laws are in place in Pakistan. Majority of the respondents 42% have denied their access to appropriate organizations in case their rights are violated in the country. Around 59% of the respondents felt that access to justice was difficult because of COVID-19 outbreak however, around 43% also agreed that arbitrary juridical decisions were made to facilitate general public during pandemic times. Majority of the respondents (38%) do not agree that government has taken counter measure against crimes and violence especially through international cooperation whereas (35%) remained moderate however only 28% agreed strongly on government efforts towards countering violence and crimes. The progress on the commitments made under Universal Periodic Review (UPR) 2017¹⁴ regarding discriminatory laws, customary practices, mob lynching, rising extremism, violence and intolerance in the society at large are still far to achieve. Pakistan has established National Commission for Human Rights, National Commission on Status of Women, National Commission for the Rights of Children, National Commission for Rights of Minorities and Right to Information Commissions however most of them remained nonfunctional because the chairperson and members of the aforementioned Commissions were not nominated however very recently in 2021-22 all the Commissions are made functional by ensuring the due appointments but the powers and autonomy of almost all the Commissions are curtailed immensely. Now the Commissions are unable to do legislative scrutinization to address human rights violations to ensure rule of law and justice in the country. The results of Citizens Scorecard on target 16.3 SDG¹⁵ carried out two years before in January 2020 are alarming and also align with our current results where almost 43.46% people disagreed strongly and 40.68% people disagreed moderately that rule of law is improved in their respective areas during the last four years. Similarly 45.71% denied strongly and 40.71% denied moderately on the improvements in the justice for all.



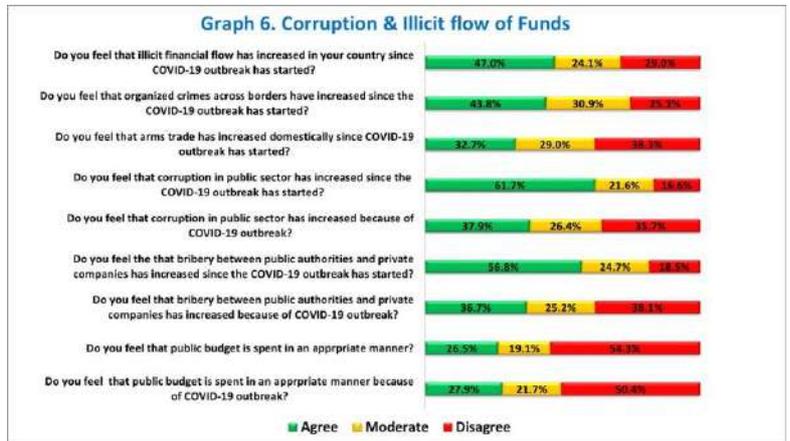
¹³ <http://cii.gov.pk/>

¹⁴ <https://www.hrw.org/news/2017/03/30/submission-universal-periodic-review-pakistan>

¹⁵ <http://sdgscitizenscorecard.pda.net.pk/sdg-16-citizens-scorecard-national/>

f) Corruption & Illicit Flow of Funds:

The survey results shown by graph 6 regarding questions on corruption and illicit flow of funds demands immediate attentions of policy makers and state authorities as the trends are continuing with the same pace in other similar national and global surveys. For example 47% respondents strongly and 24% respondents moderately agreeing that illicit financial flows has increased in the country since the COVID-19 outbreak. Pakistan is in the grey list of Financial Action Task Force (FATF) since June 2018¹⁶ for deficiencies in its counter terror-financing and anti-money



laundering. Interestingly around 44% of the respondents have strongly agreed that organized crime across borders have increased in Pakistan whereas around 33% of the respondents have agreed that arms trade has increased domestically since COVID-19 outbreak has started. More than 61% respondents felt that corruption has increased domestically since the COVID-19 outbreak has started whereas 56.8% respondents have the similar opinion regarding increased bribery in public and private institutions. The results of SDGs Citizens Scorecard on target 16.5 and 16.6 also share the similar findings where 85.86% people disagreed and questioned the transparency of the public institutions in Pakistan¹⁷. For the last several years, Transparency International also identifies downward trends in Pakistan and Corruption Perception Index 2021¹⁸ places Pakistan at 140th Rank out of 180 countries with 28/100 score. Today the corruption has accepted by public at large and people usually do not expect and believe if any public institution act appropriately and serve without any bribery or corrupt means. More than 54% respondents disagreed that public budgets are spent in appropriate manner in Pakistan whereas almost 50% respondents were of the view that the public budget spending was not appropriate even in the times of COVID-19 outbreak. Due to 18th Constitutional Amendment¹⁹ in 2010 most of the public sector development funds are transferred at sub-national levels to the provinces through 7th National Finance Commission Award²⁰ whereas the provinces are also expected to announce Provincial Finance Commissions and devolve fiscal powers and finances to local / district levels. However, none of the province in Pakistan has yet announced Provincial Finance Commission Award except the Province of Khyber Pakhtunkhwa²¹. Local governments are also nonfunctional in most of the provinces therefore, the demand for PFC award is not having political support. Most of the funds are centralized at provincial and federal levels therefore the corruption in the institutions is very high. The capacity of provincial and district level governments for the appropriate and transparent consumption of public funds is very low therefore the rate of underspending is very high. 86% of the federal budget and more than 10% of provincial budget are dependent on borrowed money from IFIs therefore the release and disbursement of budgets are delayed despite allocations in the federal and provincial budgets.

¹⁶ <https://www.dawn.com/news/1653195>

¹⁷ <http://sdgscitizenscorecard.pda.net.pk/sdg-16-citizens-scorecard-national/>

¹⁸ <https://www.transparency.org/en/cpi/2021/index/pak>

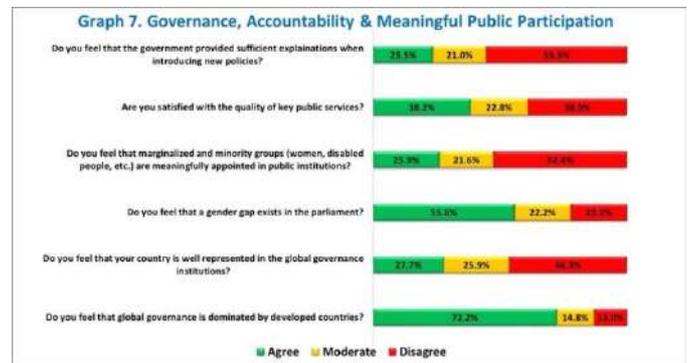
¹⁹ <http://www.pakistani.org/pakistan/constitution/amendments/18amendment.html>

²⁰ <https://www.pide.org.pk/pdfpideresearch/wp-0073-fiscal-federalism-in-Pakistan-the-7th-national-finance-commission-award-and-its-implications.pdf>

²¹ <https://www.lgkp.gov.pk/provincial-finance-commission/>

g) Governance, Accountability & Meaningful Public Participation

The graph 7 shows that more than 55% of the respondents disagree that the government provides sufficient explanations when introduce new policies whereas 23.5 agree whereas 21% agree up to some extent. Public participation and debate on public policies are restricted due to several policy, structural and practice level challenges. Political fraternity and ruling elite (bureaucrats) are usually biased towards the public opinions and capacities. They even do not like to engage with civil society and most of them consider civil and human rights organizations as agents of western world. However, it also depends upon the relational capacity of CSOs to maneuver their engagement with them for policy reforms and influence. Local governments are nonfunctional therefore engagement of grassroots level public representatives is also minimal. Civic Space Monitoring Survey²² Conducted by Pakistan Development Alliance in 2018 revealed that 85% marginalized communities have no voice and participation in policy making or reforms.



Less than 40% respondents are satisfied with the quality of public services in Pakistan. Most of the basic civic amenities are related to food, health, education, water and sanitation etc. People usually do not trust public sector education, health, food and WASH facilities. In the Pakistan Civic Survey conducted by PDA in 2018 62.5% respondents were of the view that access to basic social amenities including food, health, shelter and education are primary forms of marginalization in Pakistan²³.

52.4% respondents in the current civic space survey have felt that marginalized communities including PLWDs, women, transgender and minorities are not meaningfully appointed in the public institutions. Federal government law says 2% public jobs quotas are for minorities and PLWDs whereas provincial job quotas reach up to 5% however none of the government ever implemented the quota provisions in letter and spirit.

Women participation in work force at public and private sector is very lower than 10% and women engaged at management level are less than 5%²⁴. The spectra of gender inequality is large. World Economic Forum's, Gender Inequality Index²⁵ ranks Pakistan at 153rd out of 156 countries (2021). 32 per cent of ever married women aged 15-49 have experienced physical violence; 29 % of women were married before 18 years of age. 17% of the total 432 seats in the national Parliament of Pakistan are allocated to women and their election is based on proportional representation of political parties whereas only on 5% seats are allocated to women for general elections as per the election rules 2017. The **graph 7** shows that 55.6% respondents agree that gender gap exists in the Parliament of Pakistan. In SDGs Citizens Scorecard conducted by PDA on SDGs 5.5²⁶, 59.71% respondents were of the view that women in Pakistan do not have effective participation and equal opportunities for leadership at all levels of decision making in political economic and public life.

Interesting results have been witnessed in the current civic survey regarding representation of Pakistan as well as dominance of developed world in the global governance. Less than 30% of the respondents agree that Pakistan is well represented in the global governance bodies whereas more than 72% respondents agree that global governance is dominated by the developed world. There is no doubt in this as Pakistan government have zero influence at G7, G20 processes. Somehow civil society from Pakistan try to attend and influence parallel processes through C7 and C20 engagements. On the other hand Pakistani government effectively engage with other global forums like World Economic Forum, OIC and United Nations' General Assembly etc. Furthermore the regional forum like South Asian Association for Regional Cooperation (SAARC) is dysfunctional due to the political reasons between Pakistan and India.

²² <https://www.pda.net.pk/pda-servey/>

²³ *ibid*

²⁴ <https://blogs.worldbank.org/endpovertyinsouthasia/pakistan-womens-representation-workforce-remains-low>

²⁵ https://www3.weforum.org/docs/WEF_GGGR_2021.pdf

²⁶ <http://sdgscitizenscorecard.pda.net.pk/sdg-5-citizens-scorecard-national/>

1.3. SDG 16+ Implementation in Pakistan

Goal 16 + is considered as catalyst for sustainable development and empowerment of citizens. It comprises of 8 goals out of 17 SDGs. Apart from goal 16, goal 1, 4, 5, 8, 10, 11 and 17 are part of Goal 16 + integrated framework for the realization of 2030 Agenda for sustainable development. Other than 12 targets of goal 16, 24 targets of 7 SDGs (mentioned earlier) are part of Goal 16+, therefore all together these 36 targets and their aligned 53 indicators will be directly measuring the progress on various aspects of peace, inclusion and access to justice etc.

In the context of Pakistan goal 16+ is not in governmental debate at all, however it can fairly be defined while examining the national priority framework of SDGs²⁷. National priority framework divides 17 SDGs in to three priority categories and also selects some priority targets and indicators against each goal as mentioned in the picture (a). Goal 4 (quality education), goal 8 (decent work & economic growth) goal 16 (peace, justice & strong institutions) and goal 17 (partnerships for the goals) are placed in the category-I, that requires immediate policy intervention as desirable outcomes can be achieved in the short term. However time span for the short term is not defined in the national priority framework.

Goal 1 (no poverty), goal 5 (gender equality), goal 10 (reduced inequalities), goal 11 (sustainable cities and communities) are placed under category-II, that requires relatively longer timeframes and consistent policy support. Whereas no goal 16+ SDG is placed under category-III, that requires even longer gestation period and major institutional reforms to achieve desired outcomes.

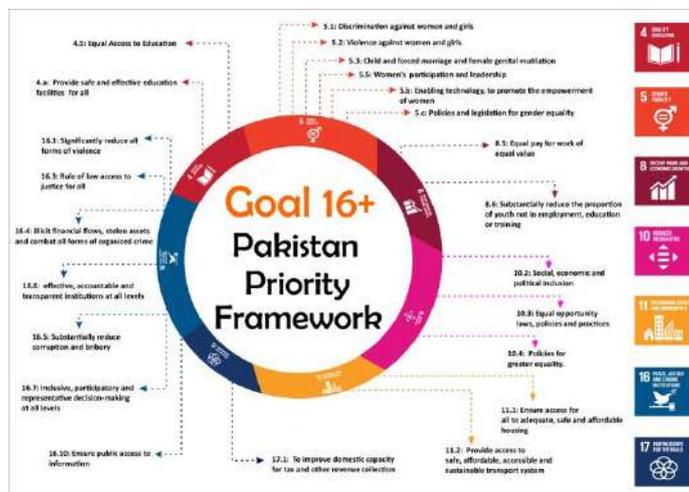
Out of total 36 global targets under Goal 16+, Pakistan has chosen only 23 targets as national priority targets. Resultantly out of 53 global indicators of goal 16+, Pakistan has chosen only 32 indicators as national priority. Interestingly the baseline data is available against 13 indicators only as mentioned in the national priority framework diagram above.

A detailed report was prepared by author on Goal 16+ implementation in Pakistan for JANIC, ADN, ADA and Forus International last year in March 2021 and is available at <https://www.pda.net.pk/wp-content/uploads/2021/08/Pakistan-Goal16-Monitoring-Report-2021-ADAForus.pdf>

Section 2: Policy Recommendations

2.1 Recommendations for governments, international organizations

- Multi-stakeholders engagement processes need to be initiated under the umbrella of UN for regional peace, trade & development, enhanced civic spaces and freedom of expression and association
- Regularize the annual sessions of South Asian Association for Regional Cooperation (SAARC) to combat poverty, inequality, climate changes, terrorism and violent extremism
- Global funding agencies and bilateral donors should invest on local civil society organizations for more sustainable, inclusive and participatory solutions for addressing chronic issues related to freedom of expression and association, civic spaces and liberalization of conservative societies
- Human rights based eco-centric human development agenda is need of the hour to address current



²⁷ http://pc.gov.pk/uploads/report/National_SDGs_Framework_-_NEC_2018.pdf

challenges to humanity and planet

- Representation of minorities required to be increased in local governments (currently minorities are allowed to have their seats in the constituencies where there is at least 5% minority population)
- Forced conversion -restriction laws need to be introduced in Pakistan
- Government should public the Commission of Inquiry Report on enforced disappearances and initiate legislation for the criminalization of enforced disappearance and put an end to the practice of enforced disappearance and secret detention.
- Government should review the coercive policies and regulatory frameworks towards NGOs and create rightful spaces for them to ensure freedom of expression and association
- Council of Islamic Ideology need to be immediately abolished as there should not be any body or institution above Parliament / house of public representatives.
- Rights Commissions including Rtl, NCSW, NCRC, NCHR, NCRM need to be made autonomous both in terms of administration and finances as per the spirit of Constitution of Pakistan and global commitments.
- Provincial Finance Commission should be constituted as desired by the 18th Constitutional Amendment and PFC Awards need to be announced and implemented for equitable distribution of resources at local level
- Local government elections should be announced sooner than later and local bodies should be given administrative and financial powers as per local government system 2002.

2.2 Recommendations for CSOs

- CSOs should build their capacities to deal with the contemporary challenges like rising inequalities, digital divide, drastic impacts of climate change, rising extremism, countering violence and intolerance, gender inequalities etc.
- CSOs should enhance their capabilities to hold States, private sector and IFIs accountable
- CSOs should initiate processes for dynamic accountability
- CSOs should focus on human rights based approaches to empower rights holders
- CSOs should connect dots and leverage upon each other's capabilities instead duplication of efforts
- CSOs should have this capacity to document their learning and initiate community led development and empowerment programs instead implementing RFPs based interventions
- CSOs should focus on strengthening their alliances to bargain and influence for people's rights like Bar Councils, Chambers of Commerce & Industries etc.

Section 3: Conclusion

This report in hand shares the updated issues and challenges related to shrinking civic spaces, deteriorating human and democratic culture and values in Pakistan. The report also highlights the voices of civil society activists, human rights defenders and concerned citizens of Pakistan regarding status of civil and political liberties in Pakistan. The report also connects and co-relates local survey findings with those of global research reports and surveys to further strengthen the case. The report also suggests solutions to CSOs to regain their spaces by taking appropriate measures and building capabilities. The report also highlight demands from governments and global institutions / forums on behalf of CSOs in Pakistan on how to strengthen civil society role by building trust and reducing disconnect. The report also sets the strategic direction for the consideration of national and global CSOs, networks, alliances, national and global funding agencies in their future interventions towards the achievement of more sustainable and human rights friendly world.

Section 4: Annex

Annex. A. Survey Template

Civic Space Survey in Pakistan

Thank you for your cooperation to answer the Civic Space Survey in Asia, conducted by Japan NGO Center for International Cooperation (JANIC), in cooperation with XXX [partner organization's name]

A representative of your organization is expected to submit (one person from one organization).

Please submit your answer by 30 November 2021.

The results will be summarized collectively, and your personal information will not be disclosed.

For any questions, please contact: Aoi, Senior Advocacy Officer of JANIC <janic-advocacy@janic.org>

[Sign in to Google](#) to save your progress. [Learn more](#)

***Required**

A: Please tell us about you and your organization

Your name (*If you wish to be anonymous, write "Anonymous") *

Your answer

Your organization (*If you wish to be anonymous, write "Anonymous") *

Your answer

Please provide your e-mail (*If you wish not to be contacted for further clarification, leave it blank)

Your answer

Which province your office is located? *

Choose

B: Please provide your answers to questions about Civic Space in your residence / locality that most matches to the followings. (1 = Strongly Disagree / 2 = Disagree / 3 = Moderate / 4 = Agree / 5 = Strongly Agree)

Q1. Do you feel free to speak in public? *

Strongly Disagree 1 2 3 4 5 Strongly Agree

Q2. Do you feel free to speak to the media? *

Strongly Disagree 1 2 3 4 5 Strongly Agree

Q3. Do you feel free to hold assemblies peacefully? *

Strongly Disagree 1 2 3 4 5 Strongly Agree

Q4. Do you feel free to join civil society groups? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q5. Do you feel free to receive foreign funding? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q6. Do you feel that CSOs are respected as independent actors in their own rights? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q7. Do you feel that the laws regulating CSOs in your country have become tightened? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q8. If you answer 5 (Strongly Agree) or 4 (Agree) for Q7, do you feel this is because of COVID-19 outbreak?

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q8-b. If you answer 5 (Strongly Agree) or 4 (Agree) for Q8, please write specific reasons or examples.

Your answer

Q9. Do you feel that there is sufficient information disclosure by the government? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q10. Do you feel the government restricts the freedom of assembly, association and speech? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q11. If you answer 5 (Strongly Agree) or 4 (Agree) for Q10, do you feel this is because of COVID-19 outbreak?

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				



Q11-b. If you answer 5 (Strongly Agree) or 4 (Agree) for Q10, please write specific reasons or examples.

Your answer

Q12. Do you feel that violence by the police or the army has increased since the COVID-19 outbreak has started? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q13. Do you feel that violence among people has increased since the COVID-19 outbreak has started? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q14. Do you feel that violence against women has increased since the COVID-19 outbreak has started? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q15. Do you feel that violence or abuse against children, abuse has increased? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				



Q16. Do you feel that human trafficking has increased in your country since the COVID-19 outbreak has started?? *

1 2 3 4 5

Strongly Disagree Strongly Agree

Q17. Do you feel that the government pass unfair laws as restricting civic space unnecessarily since the COVID-19 outbreak has started? *

1 2 3 4 5

Strongly Disagree Strongly Agree

Q18. Do you feel that the access to justice has become difficult since the COVID-19 outbreak has started?? *

1 2 3 4 5

Strongly Disagree Strongly Agree

Q19. Do you feel that there are arbitral juridical decisions since the COVID-19 outbreak has started? *

1 2 3 4 5

Strongly Disagree Strongly Agree

Q20. Do you feel that illicit financial flows has increased in your country since the COVID-19 outbreak has started? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q21. Do you feel that organized crimes across borders have increased since the COVID-19 outbreak has started? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q22. Do you feel that arms trade has increased domestically since the COVID-19 outbreak has started? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q23. Do you feel that corruption in public sector has increased since the COVID-19 outbreak has started? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q24. If you answer 5 (Strongly Agree) or 4 (Agree) for Q23, do you feel this is because of COVID-19 outbreak?

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q24-b. If you answer 5 (Strongly Agree) or 4 (Agree) for Q23, please write specific reasons or examples.

Your answer

Q25. Do you feel that bribery between public authorities and private companies has increased since the COVID-19 outbreak has started? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q26. If you answer 5 (Strongly Agree) or 4 (Agree) for Q25, do you feel this is because of COVID-19 outbreak?

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q26-b. If you answer 5 (Strongly Agree) or 4 (Agree) for Q25, please write specific reasons or examples.

Your answer

Q27. Do you feel that public budget is spent in an appropriate manner? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q28. If you answer 5 (Strongly Agree) or 4 (Agree) for Q27, do you feel this is because of COVID-19 outbreak?

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q28-b. If you answer 5 (Strongly Agree) or 4 (Agree) for Q27, please write specific reasons or examples.

Your answer

Q29. Do you feel that the government provided sufficient explanations when introducing new policies? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q30. Are you satisfied with the quality of key public services? *

	1	2	3	4	5	
Yes, very satisfied.	<input type="radio"/>	No, not at all				

Q31. Do you feel that marginalized and minority groups (women, disabled people, etc.) are meaningfully appointed in public institutions? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q32. Do you feel that a gender gap exist in the parliament? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q33. Do you feel that your country is well represented in the global governance institutions? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q34. Do you feel that global governance is dominated by developed countries? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q35. Do you feel that there was confusion about birth registration due to COVID-19 pandemic? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q36. Do you feel that some people's legal status is fragile in your country? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q37. Do you feel that threats to journalists, trade unions and human rights defenders have increased? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q38. If you answer 5 (Strongly Agree) or 4 (Agree) for Q37, do you feel this is because of COVID-19 outbreak?

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q38-b. If you answer 5 (Strongly Agree) or 4 (Agree) for Q37, please write specific reasons or examples.

Your answer

Q39. Do you feel that the media in your country are independent from the authorities to publish information? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q40. Do you feel that human rights in your country is secured? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q41. Do you feel the government introduced counter-measures against crimes or violence, especially through international cooperation? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q42. Do you feel that you can consult with appropriate organizations when your rights are violated? *

	1	2	3	4	5	
Strongly Disagree	<input type="radio"/>	Strongly Agree				

Q43, Do you feel that discriminatory laws are in place in your country? *

1 2 3 4 5

Strongly Disagree Strongly Agree

Q44, Do you feel that existing laws in your country are effective to prevent discrimination? *

1 2 3 4 5

Strongly Disagree Strongly Agree

Q45, If you know specific examples of shrinking civic space in your country, please provide details, or tell us the website that can be reached.

Your answer

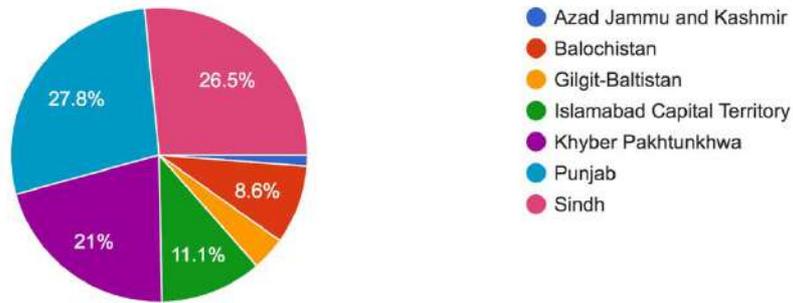
Q46, What do you think Civil Society Organizations can do to secure and improve civic space in your country?

Your answer

Annex. B. Detailed Survey Results

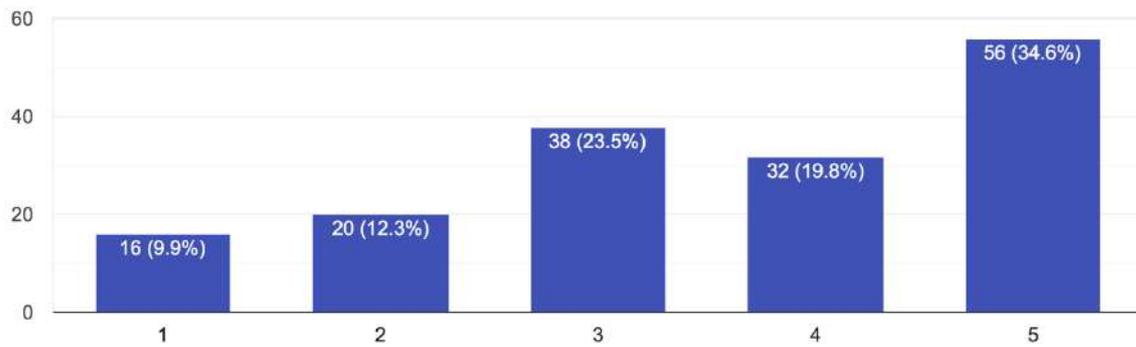
Which province your office is located?

162 responses



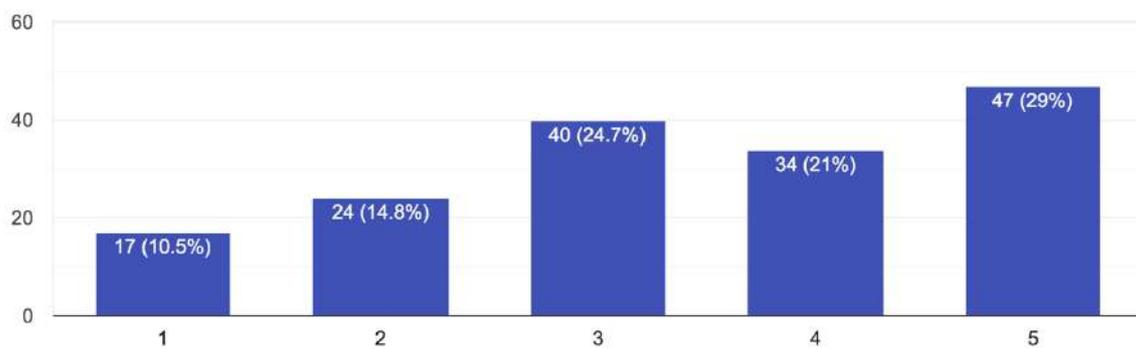
Q1. Do you feel free to speak in public?

162 responses



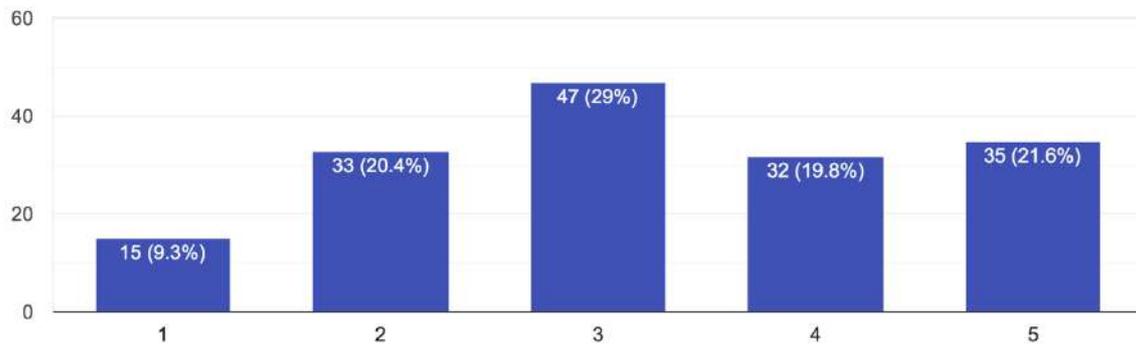
Q2. Do you feel free to speak to the media?

162 responses



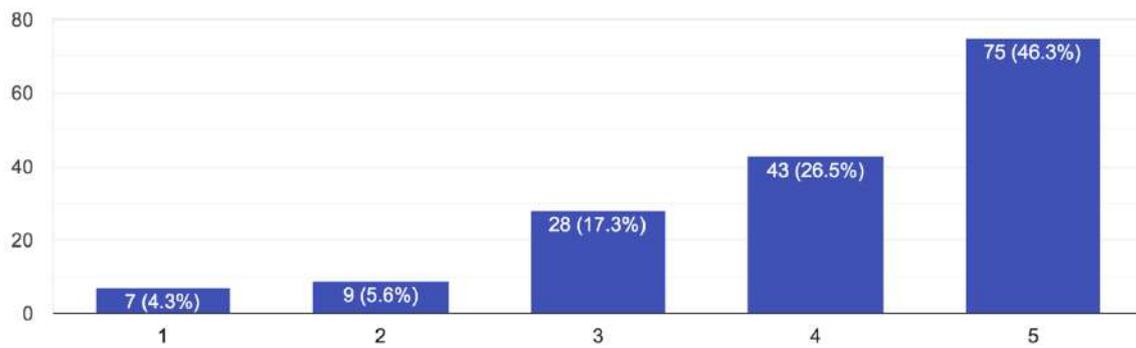
Q3. Do you feel free to hold assemblies peacefully?

162 responses



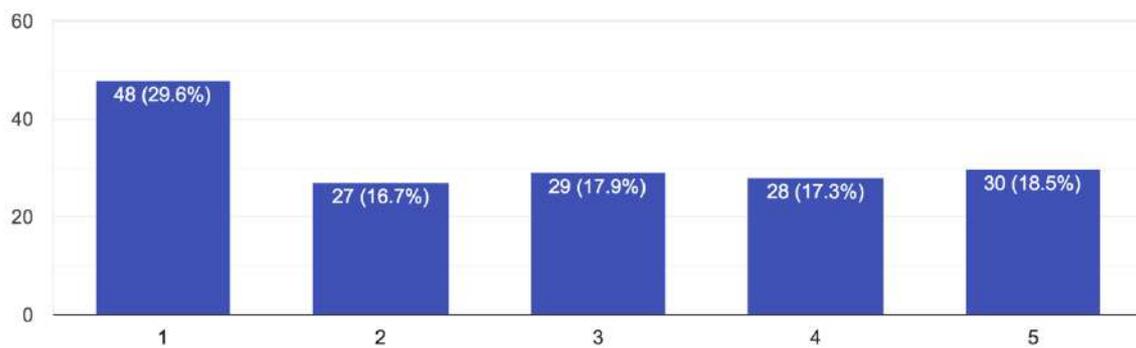
Q4. Do you feel free to join civil society groups?

162 responses



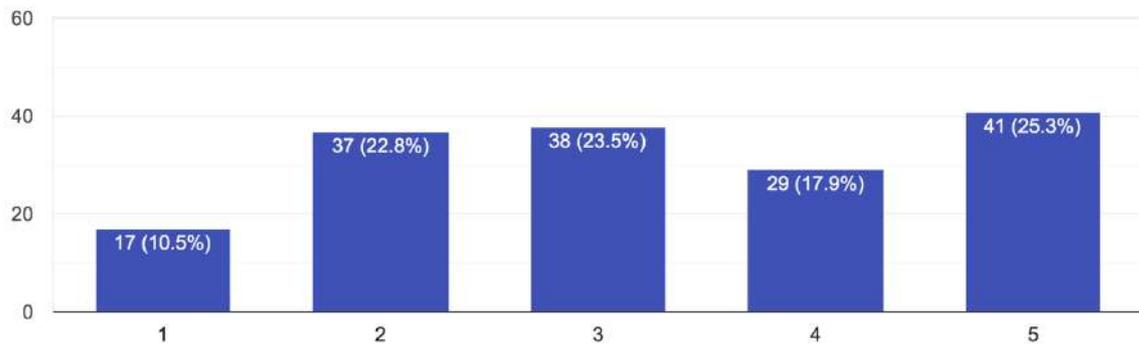
Q5. Do you feel free to receive foreign funding?

162 responses



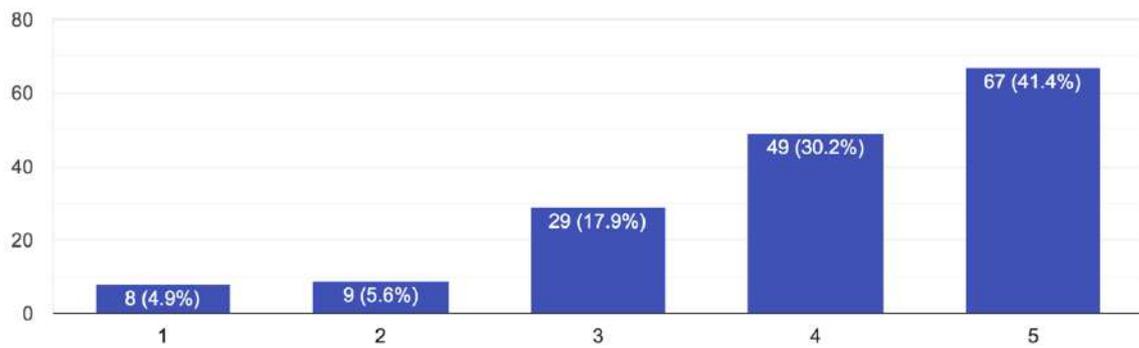
Q6. Do you feel that CSOs are respected as independent actors in their own rights?

162 responses



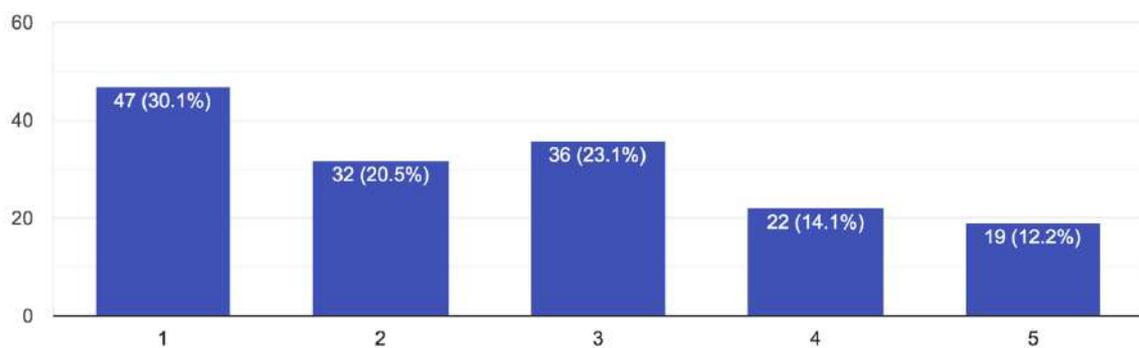
Q7. Do you feel that the laws regulating CSOs in your country have become tightened?

162 responses



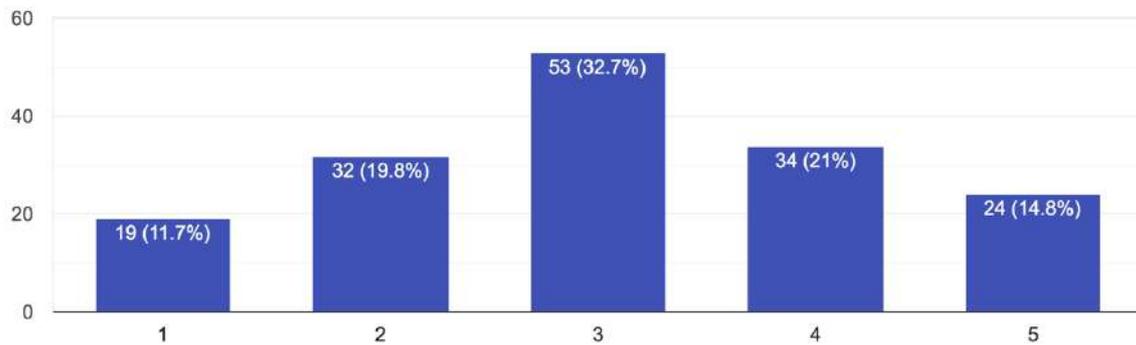
Q8. If you answer 5 (Strongly Agree) or 4 (Agree) for Q7, do you feel this is because of COVID-19 outbreak?

156 responses



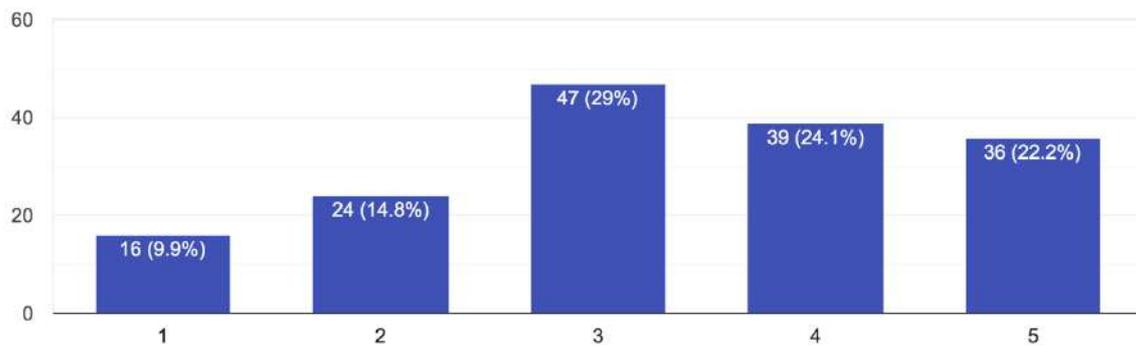
Q9. Do you feel that there is sufficient information disclosure by the government?

162 responses



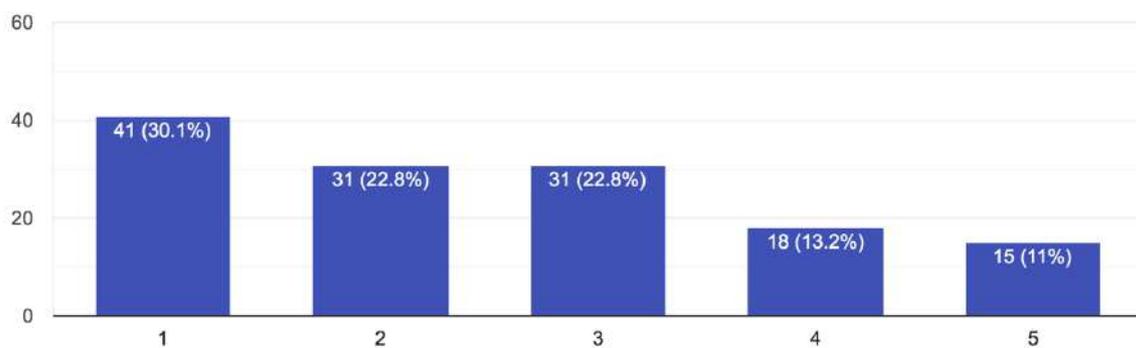
Q10. Do you feel the government restricts the freedom of assembly, association and speech?

162 responses



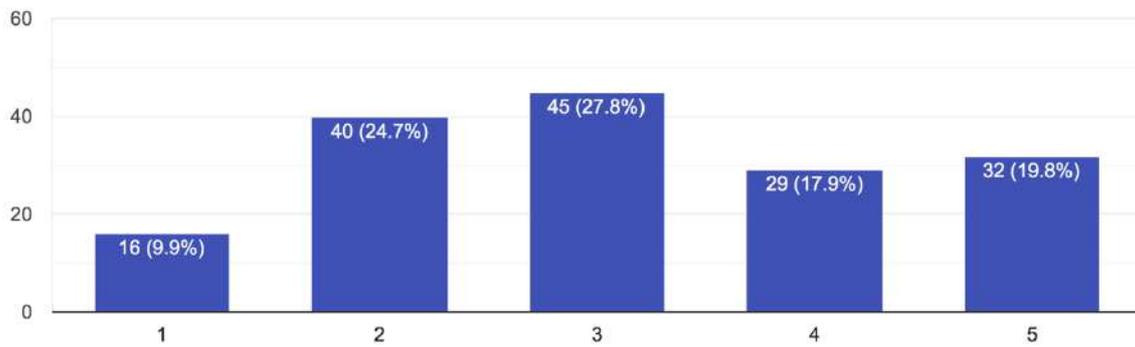
Q11. If you answer 5 (Strongly Agree) or 4 (Agree) for Q10, do you feel this is because of COVID-19 outbreak?

136 responses



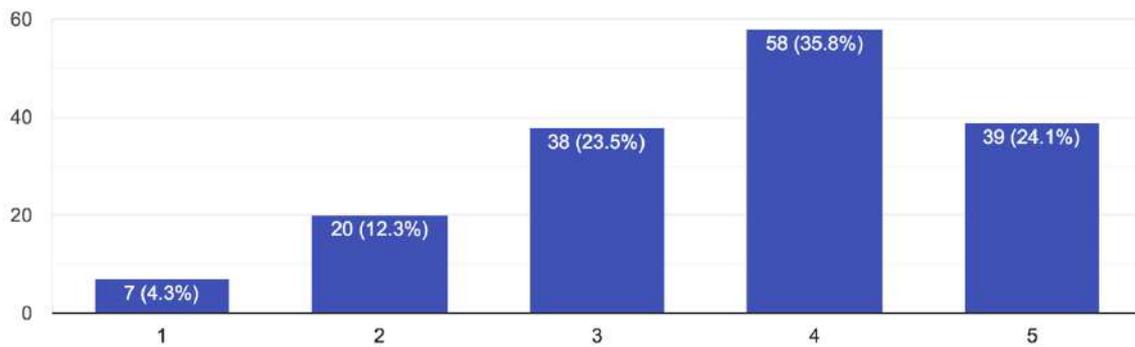
Q12. Do you feel that violence by the police or law enforcement agencies has increased since the COVID-19 outbreak has started?

162 responses



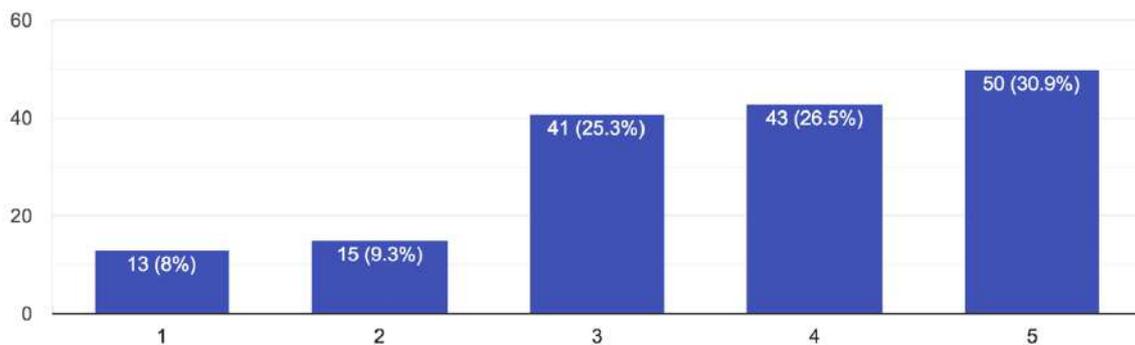
Q13. Do you feel that violence among people has increased since the COVID-19 outbreak has started?

162 responses



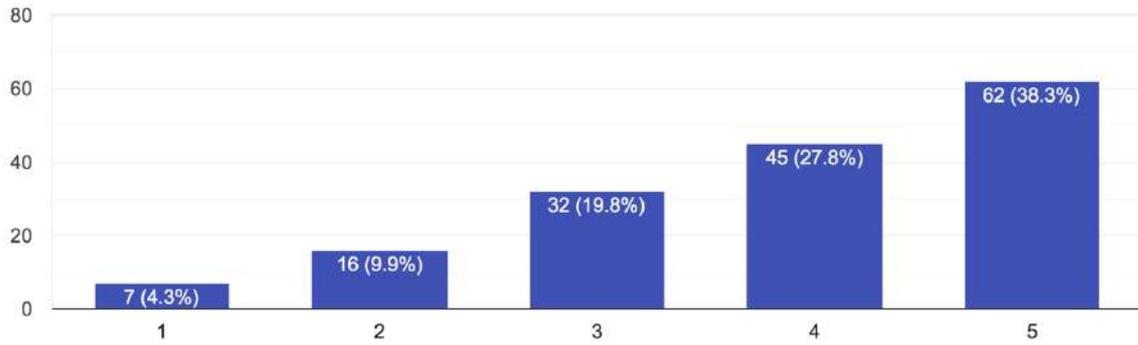
Q14. Do you feel that violence against women has increased since the COVID-19 outbreak has started?

162 responses



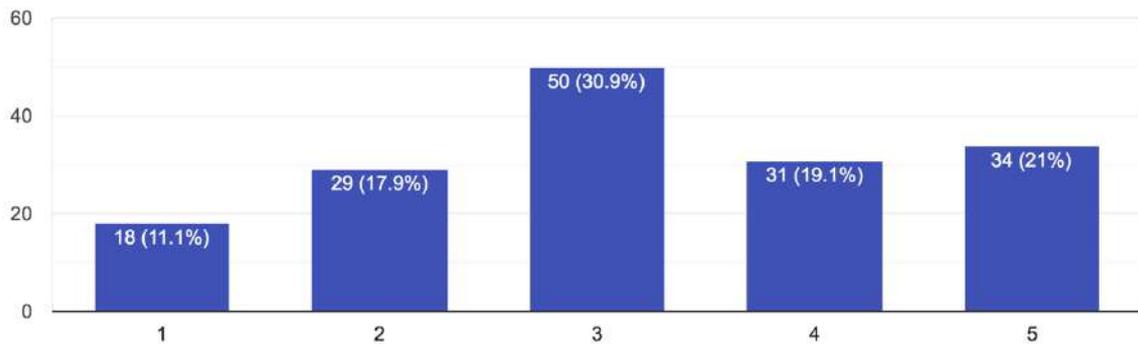
Q15. Do you feel that violence or abuse against children, abuse has increased?

162 responses



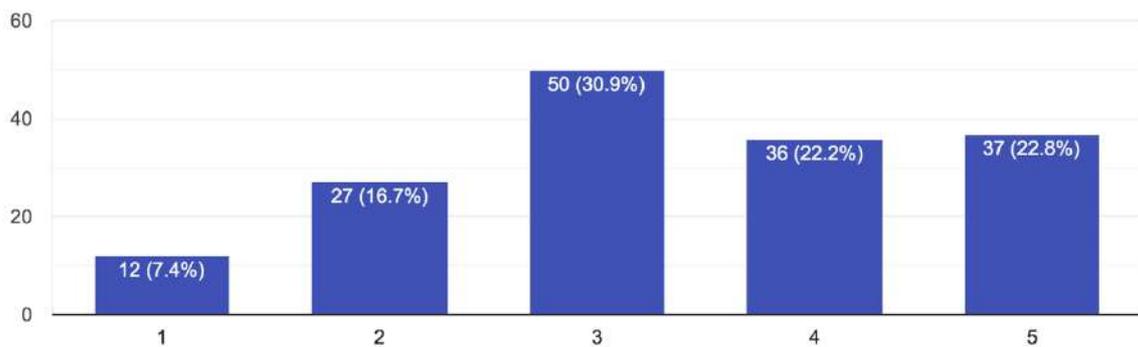
Q16. Do you feel that human trafficking has increased in your country since the COVID-19 outbreak has started??

162 responses



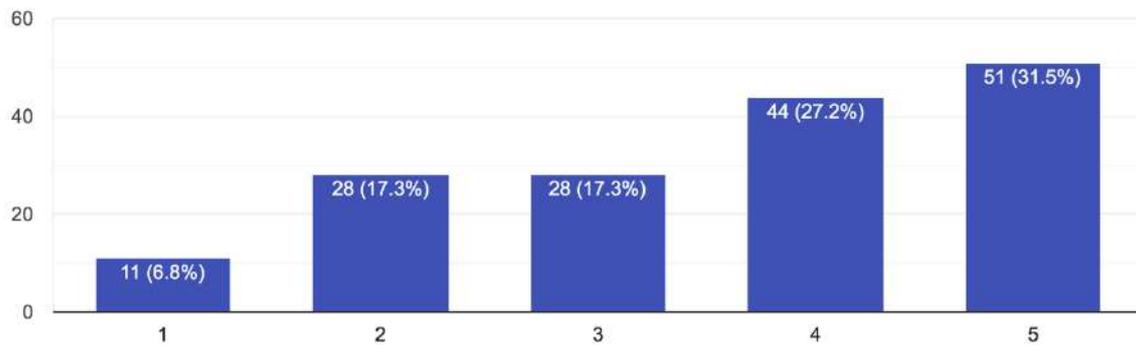
Q17. Do you feel that the government pass unfair laws as restricting civic space unnecessarily since the COVID-19 outbreak has started?

162 responses



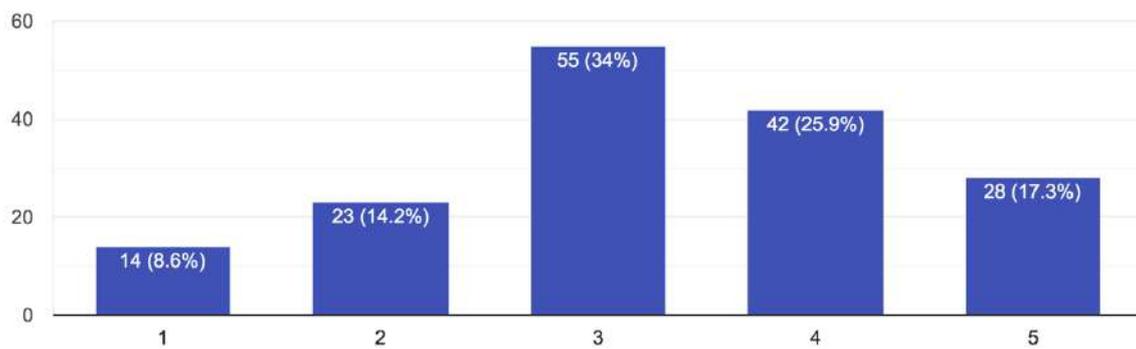
Q18. Do you feel that the access to justice has become difficult since the COVID-19 outbreak has started??

162 responses



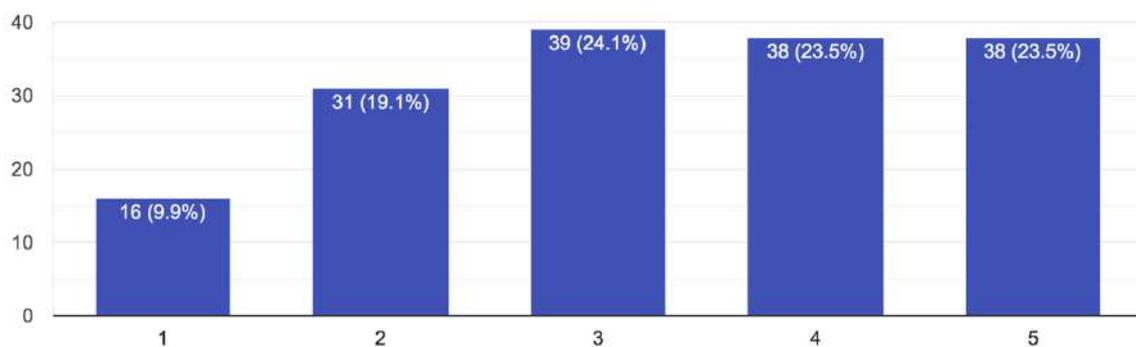
Q19. Do you feel that there are arbitrary juridical decisions since the COVID-19 outbreak has started?

162 responses



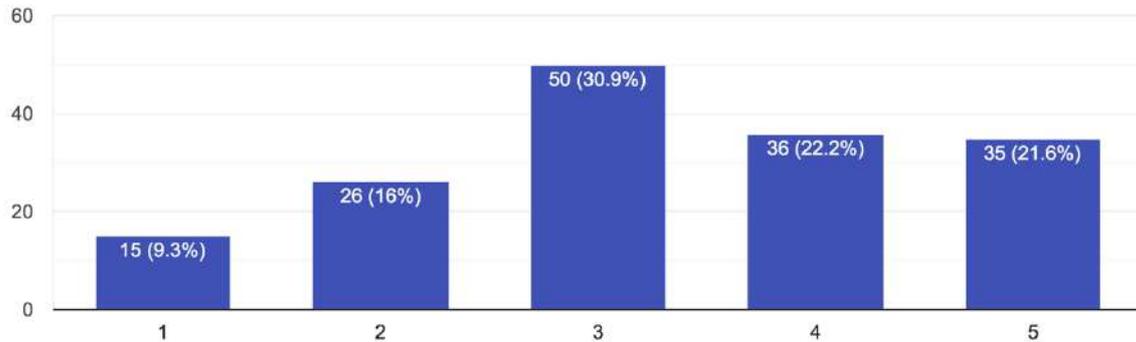
Q20. Do you feel that illicit financial flows has increased in your country since the COVID-19 outbreak has started?

162 responses



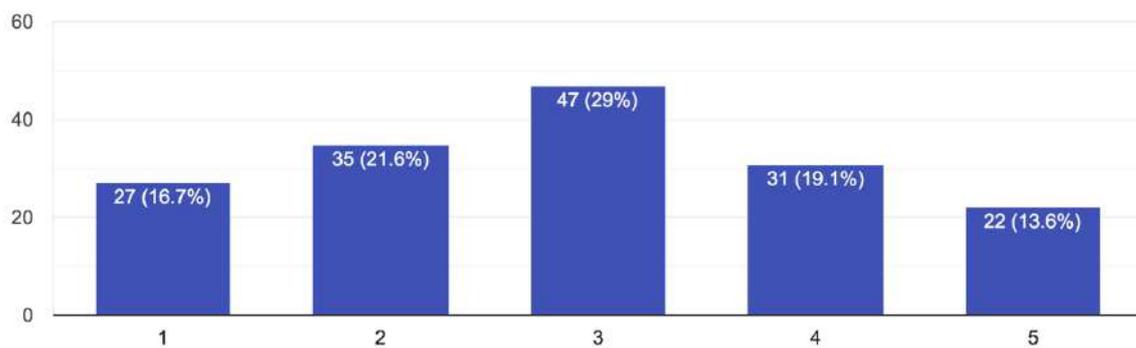
Q21. Do you feel that organized crimes across borders have increased since the COVID-19 outbreak has started?

162 responses



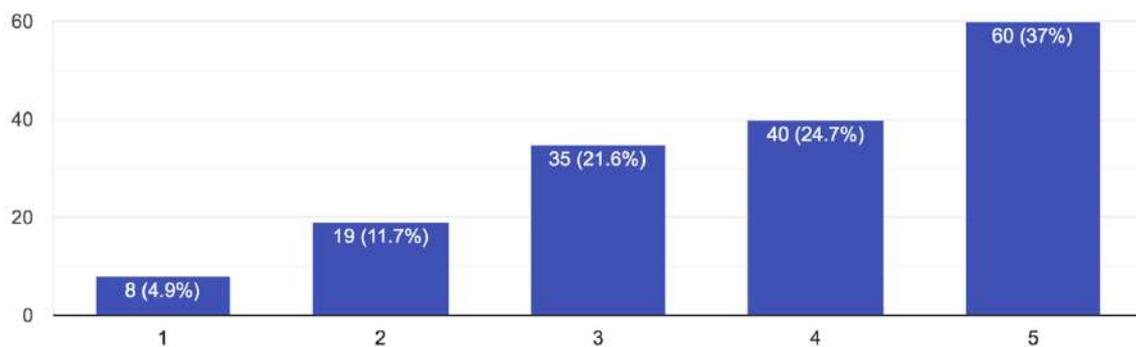
Q22. Do you feel that arms trade has increased domestically since the COVID-19 outbreak has started?

162 responses



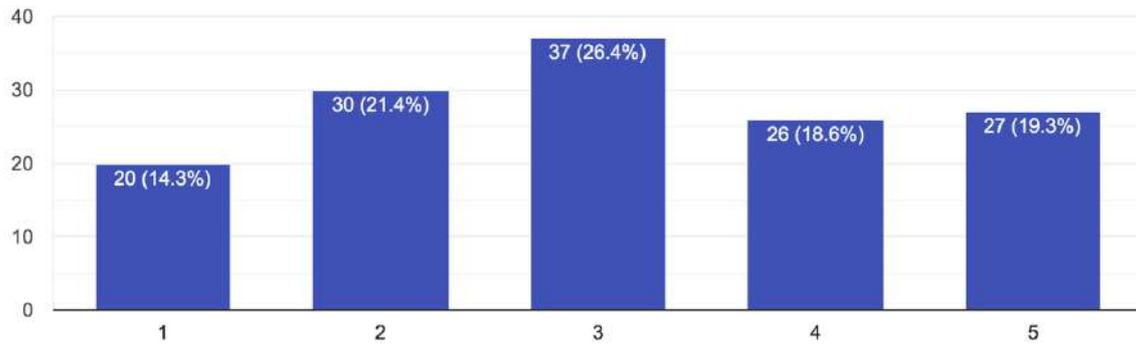
Q23. Do you feel that corruption in public sector has increased since the COVID-19 outbreak has started?

162 responses



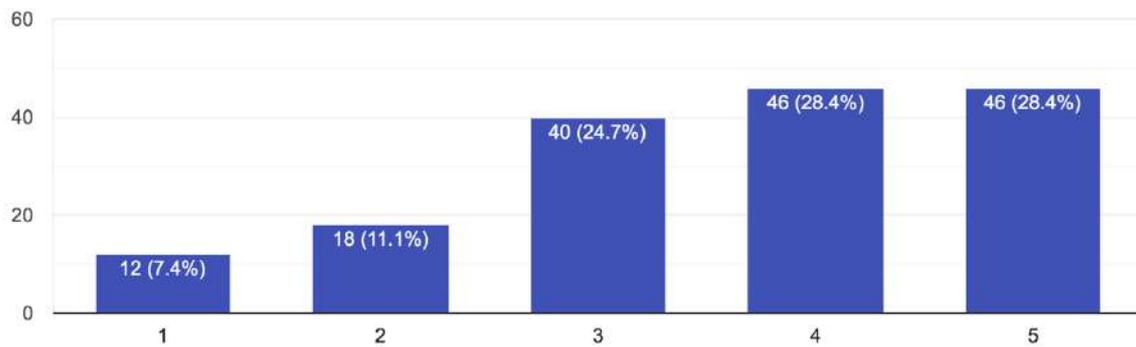
Q24. If you answer 5 (Strongly Agree) or 4 (Agree) for Q23, do you feel this is because of COVID-19 outbreak?

140 responses



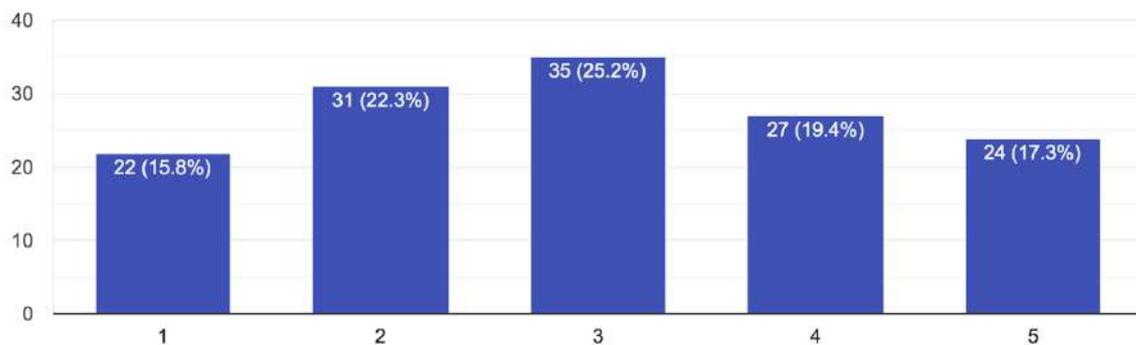
Q25. Do you feel that bribery between public authorities and private companies has increased since the COVID-19 outbreak has started?

162 responses



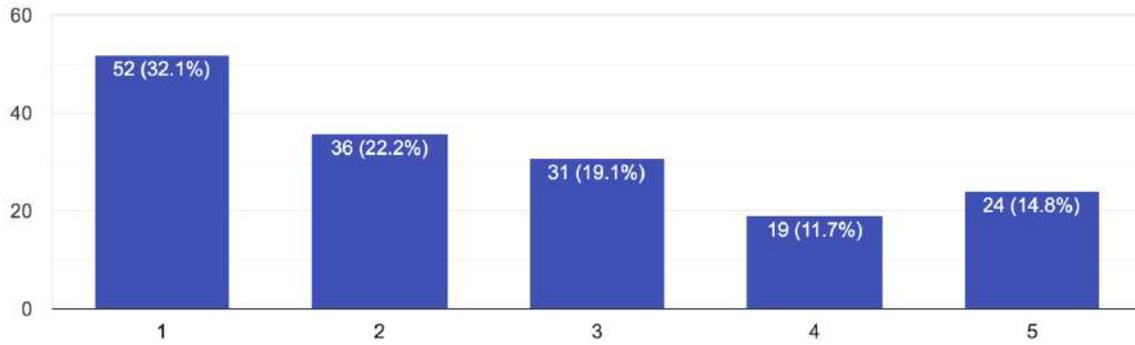
Q26. If you answer 5 (Strongly Agree) or 4 (Agree) for Q25, do you feel this is because of COVID-19 outbreak?

139 responses



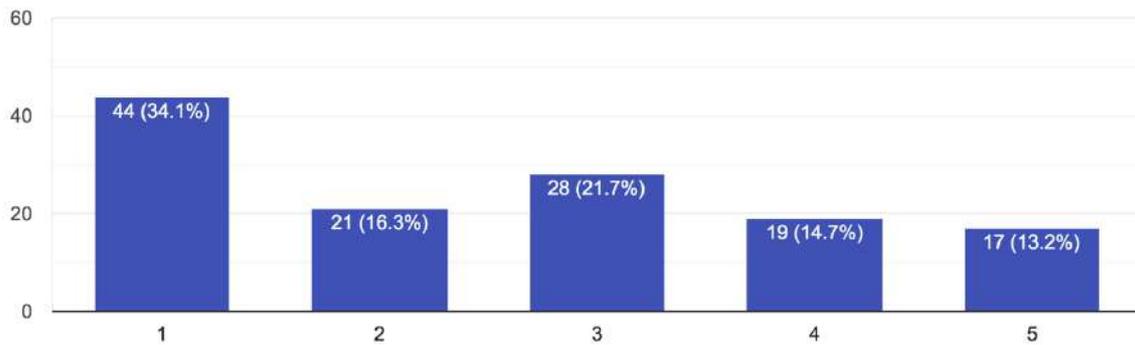
Q27. Do you feel that public budget is spent in an appropriate manner?

162 responses



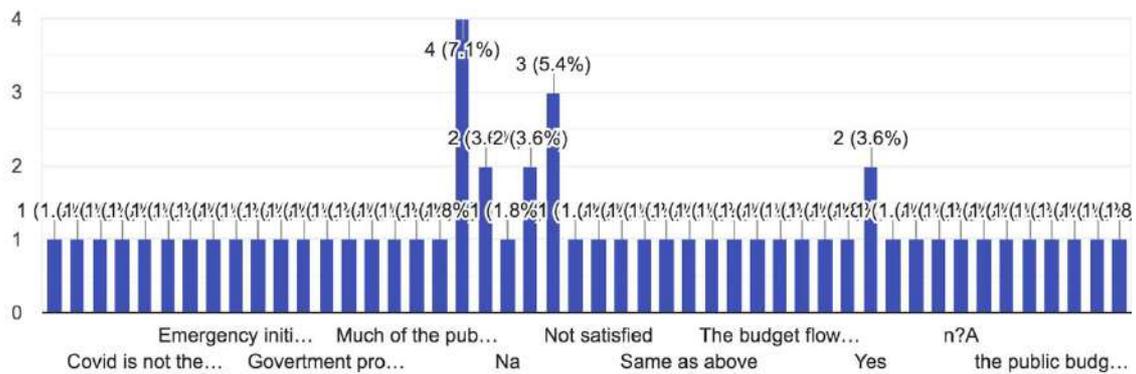
Q28. If you answer 5 (Strongly Agree) or 4 (Agree) for Q27, do you feel this is because of COVID-19 outbreak?

129 responses



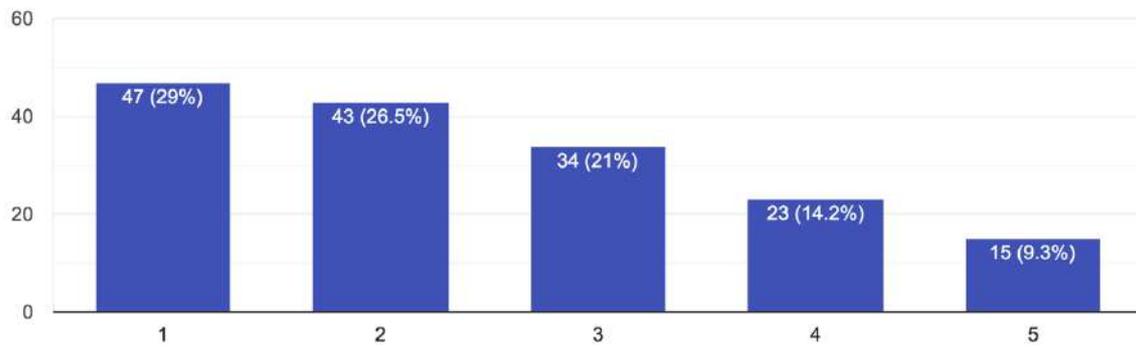
Q28-b. If you answer 5 (Strongly Agree) or 4 (Agree) for Q27, please write specific reasons or examples.

56 responses



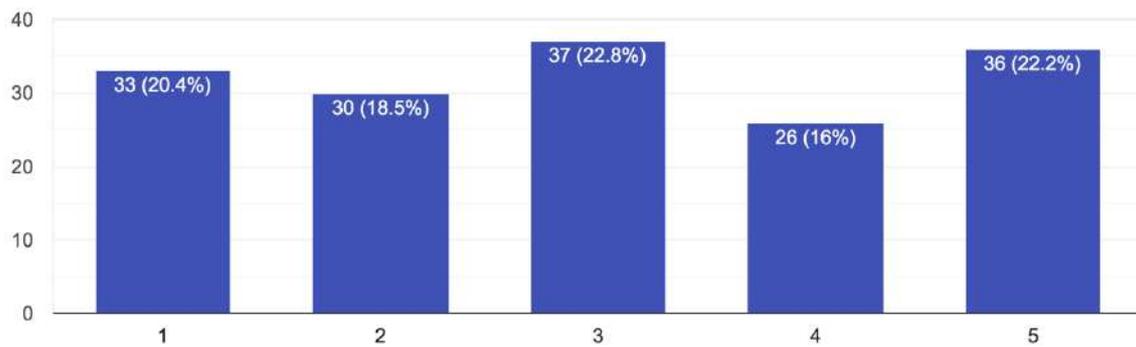
Q29. Do you feel that the government provided sufficient explanations when introducing new policies?

162 responses



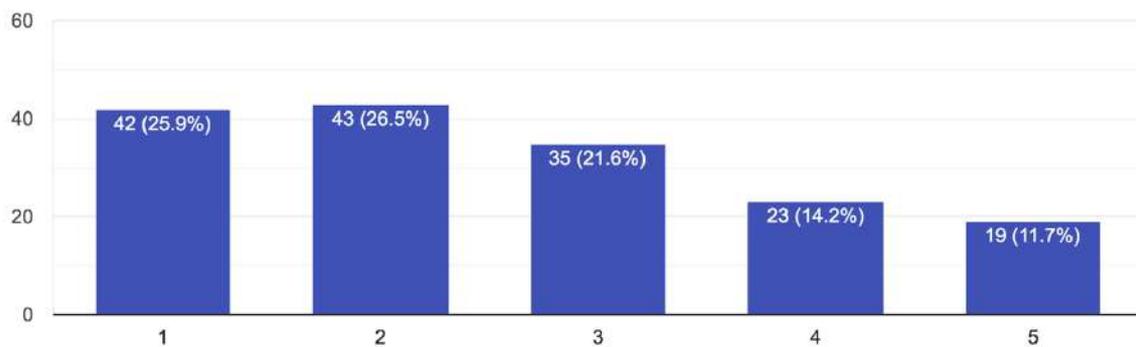
Q30. Are you satisfied with the quality of key public services?

162 responses



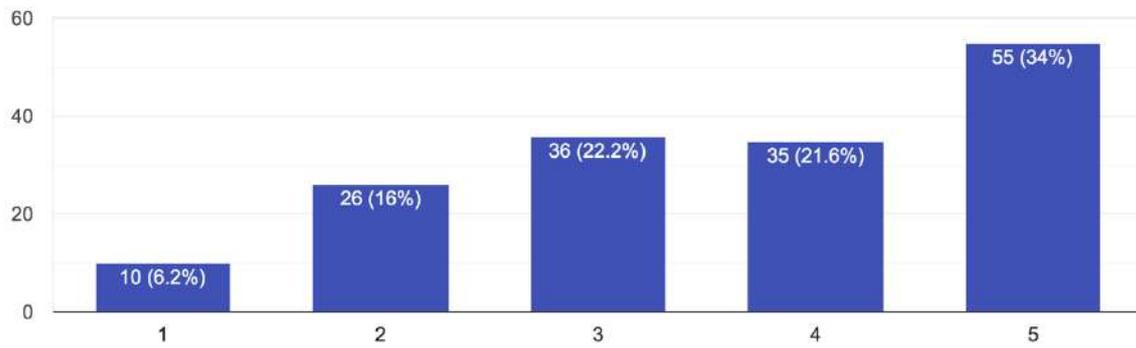
Q31. Do you feel that marginalized and minority groups (women, disabled people, etc.) are meaningfully appointed in public institutions?

162 responses



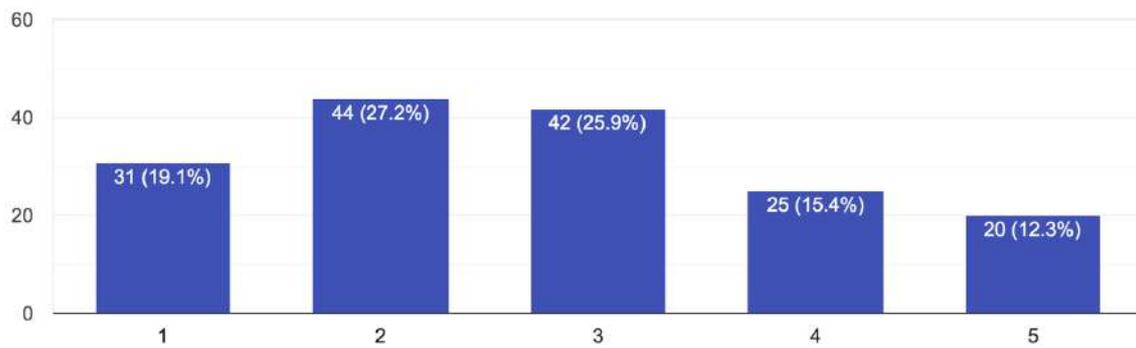
Q32. Do you feel that a gender gap exist in the parliament?

162 responses



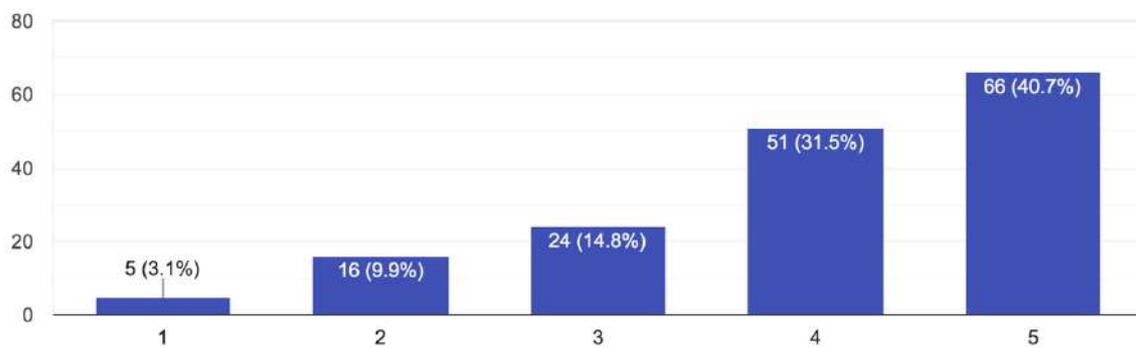
Q33. Do you feel that your country is well represented in the global governance institutions?

162 responses



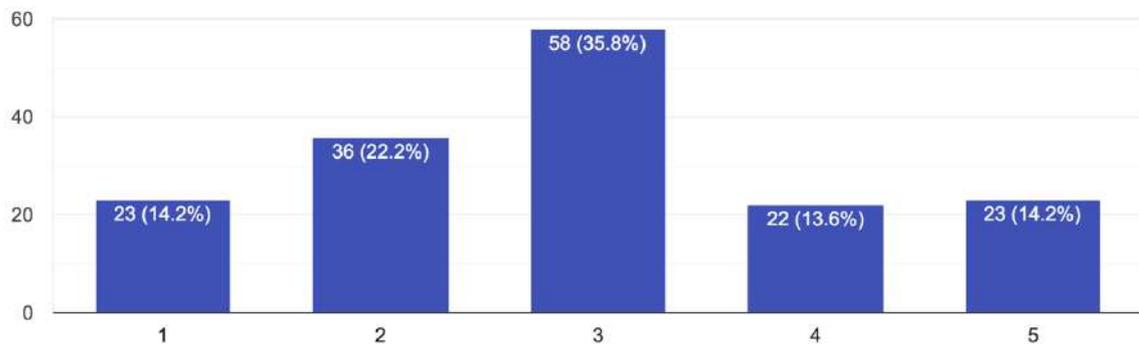
Q34. Do you feel that global governance is dominated by developed countries?

162 responses



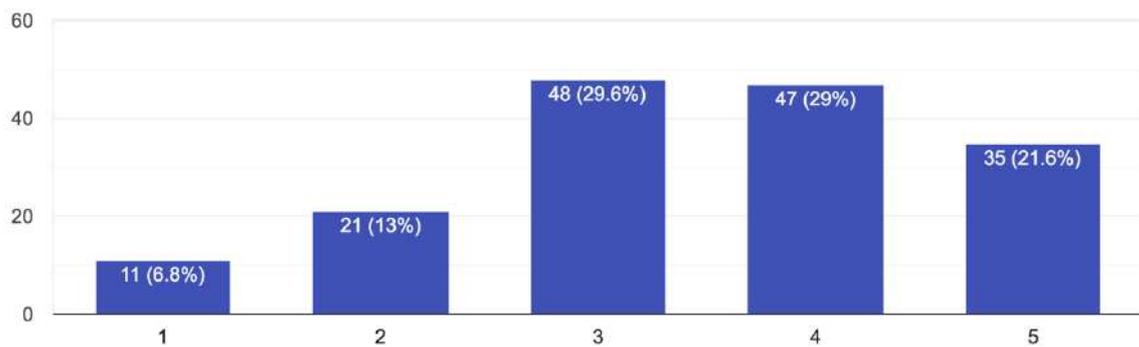
Q35. Do you feel that there was confusion about birth registration due to COVID-19 pandemic?

162 responses



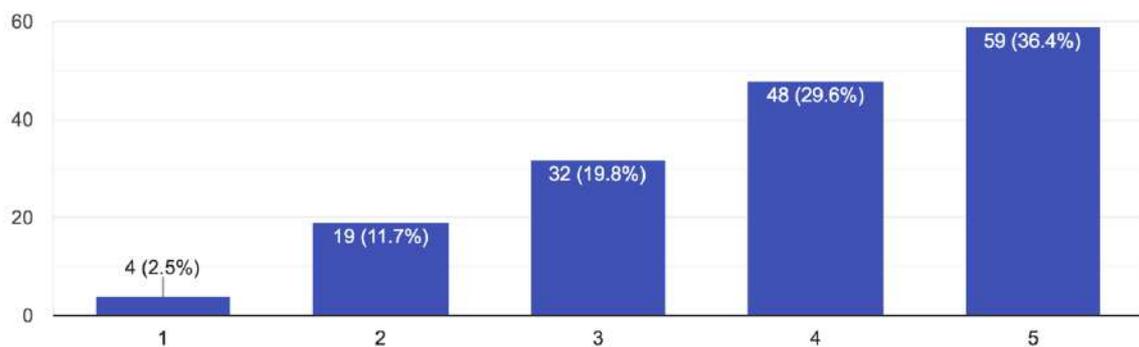
Q36. Do you feel that some people's legal status is fragile in your country?

162 responses



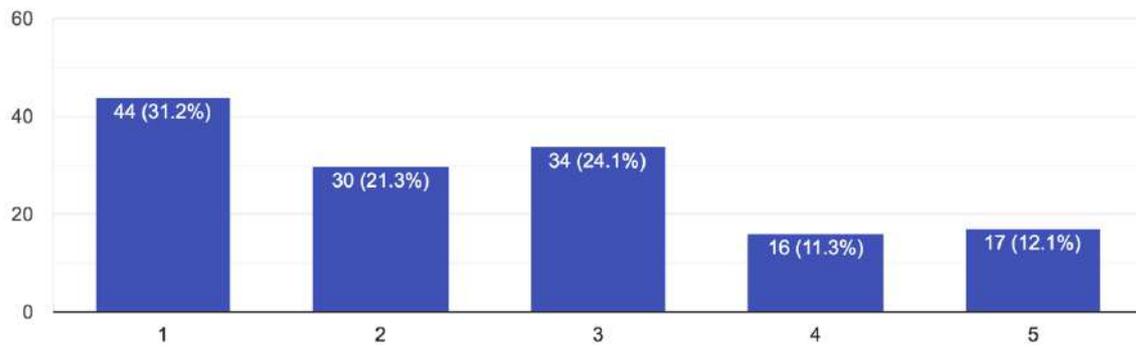
Q37. Do you feel that threats to journalists, trade unions and human rights defenders have increased?

162 responses



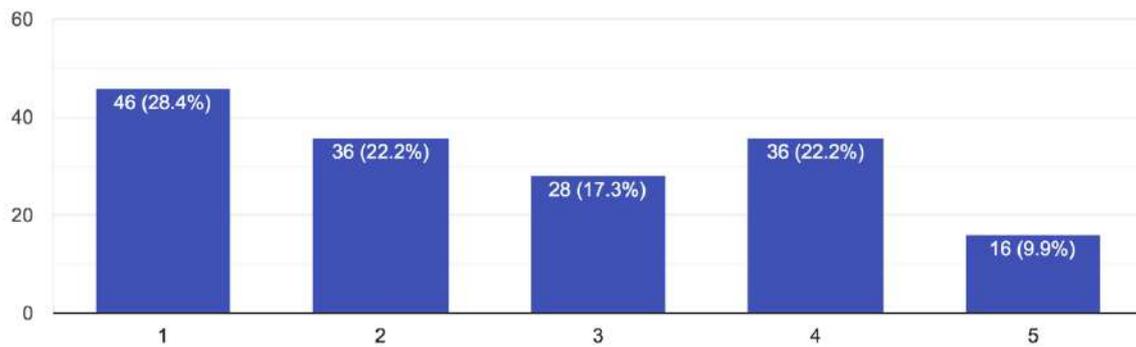
Q38. If you answer 5 (Strongly Agree) or 4 (Agree) for Q37, do you feel this is because of COVID-19 outbreak?

141 responses



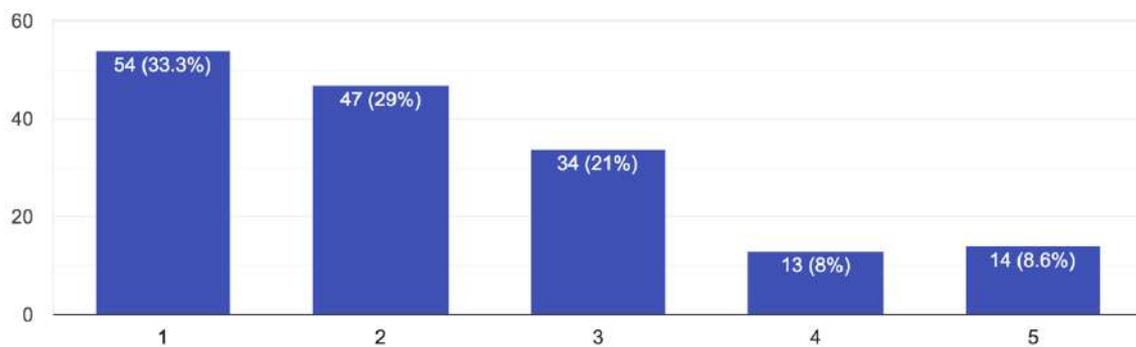
Q39. Do you feel that the media in your country are independent from the authorities to publish information?

162 responses



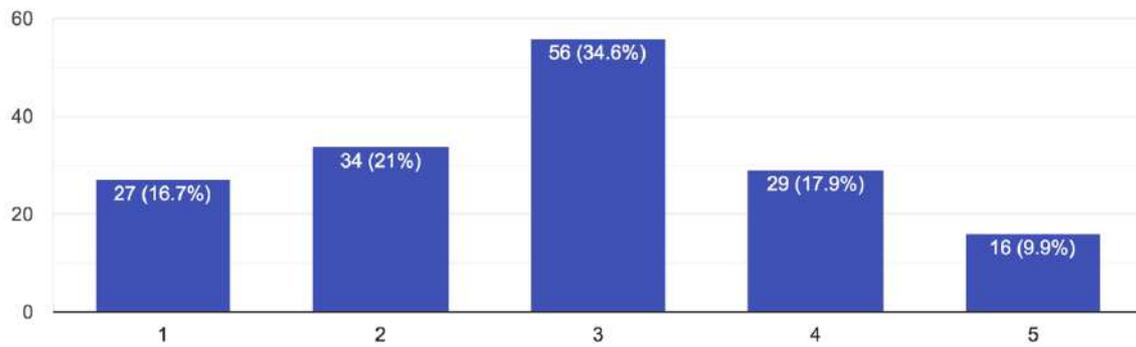
Q40. Do you feel that human rights in your country is secured?

162 responses



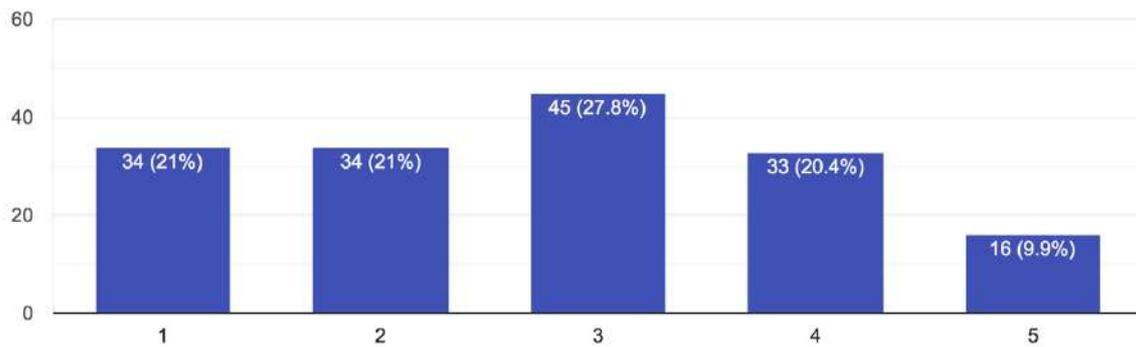
Q41. Do you feel the government introduced counter-measures against crimes or violence, especially through international cooperation?

162 responses



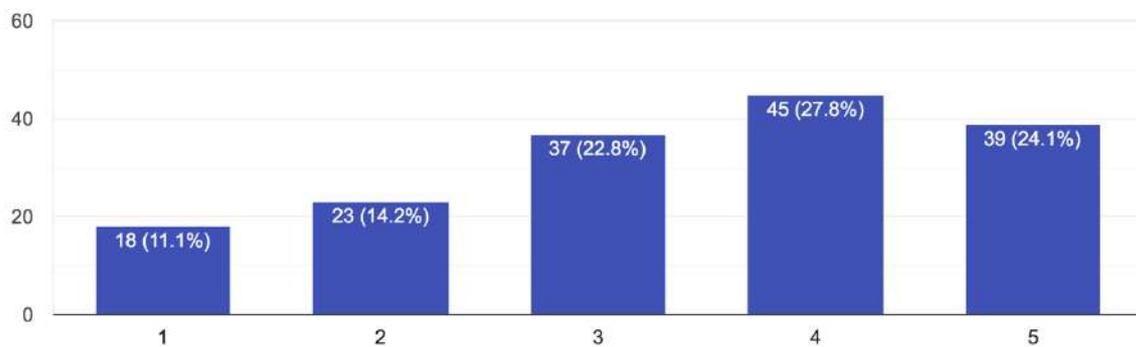
Q42. Do you feel that you can consult with appropriate organizations when your rights are violated?

162 responses



Q43. Do you feel that discriminatory laws are in place in your country?

162 responses



Annex. C. List of Participants in the Survey

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