

# DAWN



## *Editorials for the Month of July 2017*

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# Monsoon mayhem

THE pre-monsoon rains that hit southern Sindh on the last two days of June were heavy, but not so unusual as to justify the massive chaos that ensued.

The heaviest downpours were seen in the Badin-Karachi-Thatta belt, though only in Badin did they approach the historic highest rainfall in a 24-hour period.

Karachi saw 58mm — the historic highest in a 24-hour period in the city is 77mm — of rain on Thursday and early Friday morning.

Yet the heavy flooding on the streets and the prolonged outages of power that followed presented an apocalyptic scene.

One can only wonder what will happen when the real downpours threaten to engulf the city in the approaching weeks.

The level of preparedness for the annual rainy season is diminishing in many parts of the country as the focus of those in government is almost exclusively on brick-and-mortar construction projects.

Once again, we are entering the rainy season with a largely obsolete or dysfunctional weather forecasting system. Once again, poor drainage and the absence of credible flood alerts have left the population vulnerable to sudden surges in river flows, or the inundation of urban areas.

The responsibility for tasks such as clearing the storm water drains lies with the — practically non-functioning — local governments and municipal authorities.

This is a classic case of a precious resource, ie local government representatives, not being utilised — in Lahore, Karachi and elsewhere.

Elected councillors have usually been called upon to look after the sewage and drainage system.

But here, it seems that provincial officials obsessed with concentrating powers in their own hands want to deny the LGs even this basic function.

The upper tiers should focus on specific assignments such as ensuring that a proper forecasting system is in place.



No one should be allowed to shirk their duties. Indeed, heavy rains are not a new phenomenon, and it is appalling that even today, after several years of rain-related flooding in different parts of the country, we should be flying blind into the oncoming monsoon season.

The other risk that follows such inundation is the outbreak of water- and vector-borne illnesses.

While Lahore has tackled the problem to a large extent, it was not too many years ago that a dengue epidemic broke out in the city as a result of mosquitoes breeding in stagnant pools of rainwater.

In Karachi, besides the dengue concern, the presence of the deadly 'brain-eating amoeba' has led authorities to issue instructions for chlorination of water especially in light of the approaching monsoons.

Whether in towns, cities or rural areas, the regular drainage of standing water and fumigation should be routine during the rainy season, while the authorities should ensure that power transmission and distribution systems don't collapse at the slightest sign of rain.

The recent rain-related havoc in Karachi has only underscored the need for remedial measures.

## **JIT and PM's daughter**

HER father, the prime minister, has appeared before the JIT as has her paternal uncle, the chief minister of Punjab.

Both her brothers have already appeared multiple times before the investigation team and are required to do so again.

Her sister's father-in-law, the finance minister, may also be summoned.

Each of those individuals has publicly expressed their reservations about the composition and functioning of the JIT, but all of them have pledged to cooperate with it as required by the law.

So why should Maryam Nawaz Sharif be treated differently? The furious reaction of the PML-N to Ms Sharif's summons by the JIT is puzzling.

The PML-N appears to be simultaneously arguing that the daughter of the prime minister is capable enough to succeed her father as the leader of the party, and perhaps the country one day, and needs to be shielded from answering questions by a legally constituted investigation team.

Or perhaps the party believes that because Ms Sharif may one day become leader of the party, and perhaps of the country, she must not suffer the indignity of having to appear before an inquiry team. Neither argument is even remotely convincing.

Perhaps the most insidious argument deployed by the PML-N is that as a woman, the daughter of the prime minister deserves special treatment.

This may appeal to quaint notions of honour and family reputation, but it does nothing to address the PML-N's record on women.

Where, for example, is the PML-N's condemnation of one of its senior-most leaders, Khawaja Asif, and his repeated, wildly misogynistic remarks against political opponents who happen to be women?

If the mere summoning of Ms Sharif by the JIT is an affront to the dignity of women, what does tolerance for misogyny in the PML-N's ranks say about the party's treatment of women?

Going further back in history, when the PML-N was confronted by a towering political opponent in Benazir Bhutto, the party was a pathological offender when it came to attacking the late PPP leader for her gender.

The only thing that appears to have changed is that the PML-N now faces the possibility of its leader nominating his daughter as his successor, a scenario that has suddenly awakened the PML-N to the dignity of women.

Maryam Nawaz Sharif is an ambitious politician; she must be treated fairly and justly, but the law ought to be gender-neutral.

## Journalist's arrest

THE arrest of a journalist in Quetta on Sunday illustrates the extent to which the legislation on electronic crimes can be used to stifle dissent.

Zafarullah Achakzai, a reporter for a Quetta-based daily, was taken into custody by security personnel in plainclothes, a questionable modus operandi in itself, and charges were filed against him by the FIA under the Prevention of Electronic Crimes Act, 2016.

Mr Achakzai's 'crime', according to his family, was to have posted comments against "national security institutions" on social media.

His remarks were critical of the police for having arrested MPA Majeed Achakzai after a traffic policeman in Quetta was run over by a four-wheeler apparently driven by the legislator.

In the process, the reporter also questioned the competence and integrity of the security agencies, in particular the Frontier Corps which is at the forefront of law-enforcement in Balochistan.

One may disagree, even vehemently, with Mr Achakzai's opinions. For him to be arrested for expressing them, however, is taking things too far.

Rights campaigners fought an extended and ultimately futile battle against the more draconian provisions in the electronic crimes bill before it was passed last year.

Civil society's misgivings, particularly over those sections of the law that were vaguely worded and could thus be liberally interpreted to intimidate citizens, were clearly justified.

Many branches of the state apparatus do not always function according to acceptable standards.

Are the people of this country, ostensibly a democracy, not entitled to the democratic freedom to speak their minds?

Speech that incites violence or hatred is one thing, but to clamp down on criticism, valid or otherwise, of institutional shortcomings is quite different.

Moreover, even though he was acting in a personal capacity on this occasion, Mr Achakzai's arrest also raises concerns about the media's watchdog role.

After all, it is often reporting by journalists that results in uncomfortable questions being asked of the authorities, an inconvenience that an increasingly authoritarian state would surely be pleased to do away with.

## PPP's questionable actions

TWO decisions have underlined yet again the utter dysfunction, and perhaps manoeuvring, at the heart of governance in Sindh. As reported in this newspaper yesterday, the Sindh government has taken back the authority it had delegated to the inspector general of police to appoint senior police officers in the province. In addition, the Sindh cabinet has unanimously endorsed a repeal of the National Accountability Ordinance of 1999 to be taken up in the next session of the provincial assembly. Two very different decisions, but a common, wretched theme: the PPP government in Sindh exists to protect itself and advance its own interest at the expense of the public. The decision to strip IGP A.D. Khawaja of his authority to control senior police transfers and postings is a straightforward move to muzzle the independent-minded police chief. Yet, the matter is about more than the struggle between Mr Khawaja and the Sindh government: why should the Sindh government have the authority to determine senior police postings and transfers? If there is a good democratic and institutional reason for a political government to have that power, it has yet to be made known.

The unanimous cabinet decision to repeal the NAB ordinance is also a transparent move at self-preservation. The accountability process is undoubtedly flawed and few would argue that the current system does not need to be fundamentally overhauled. But what the Sindh cabinet has approved is a very different plan: a straightforward repeal of the 1999 ordinance to be followed by what is likely to be a desultory and long-winding road towards replacement. In that lengthy intervening period, will accountability stand effectively suspended in the province? With an election on the horizon, it is possible the PPP is trying to prevent its political plans in Sindh from being disrupted by forces at the centre operating under the guise of accountability. But the right democratic response to that possibility would be to present a meaningful alternative to the existing

accountability structure. In the absence of any alternative, it can be assumed that the PPP in Sindh prefers no accountability to a flawed exercise.

The real victims of both moves will inevitably be the people of Sindh. A police force that is under the control of a political leadership and a political leadership that does not face the possibility of accountability are a recipe for further disaster. The PPP will try and paper over the effects with familiar election-year rhetoric and promises of great change. But Sindh has now been governed by the PPP for nine consecutive years. While miracles were not expected given the scale of the socioeconomic challenges, hardly anyone will say that the province is even on the road to positive change. Once again, the PPP in Sindh is proving that it exists to protect and serve itself.

## Army chief's visit

SOME calm has returned to the Kurram Agency town of Parachinar after more than a week of protests. The local populace, already on edge after multiple deadly terrorist attacks earlier this year, was furious at the security lapse that allowed yet more devastation on June 23 when twin bombings at a marketplace claimed over 70 lives. The fact that not a single senior official visited the area to acknowledge their suffering and condole with them in the first several days only compounded the fury and resentment. That to a certain extent has been assuaged by the visit of the army chief on Friday. Gen Qamar Bajwa met the tribal elders, expressed his grief over the loss of life and lent an ear to concerns expressed by the people. Giving assurances that security measures would be ramped up in the town, the COAS also removed the FC commandant in Parachinar. That had been a key demand of the protesters, who alleged that FC personnel had fired on a group of mourners venting their rage over the repeated attacks,

The visit by a senior state official was the need of the hour to convey a sense of security to a traumatised populace, and assure them they are not fighting this battle alone. That the country's prime minister did not deign to do so is deserving of criticism. At the same time, having endured so much violence, the area residents want to be directly involved in the arrangements for their security. Hence their demand that locals be inducted into the FC, as was the case until the

1980s, is one that merits serious consideration. While a military presence remains necessary for now given that pockets of militancy still remain in Fata, community policing is known to be very effective at the grass-roots level where inimical elements from outside can find vulnerabilities. Moreover, Parachinar, with its majority Shia population living alongside Sunni tribes, has a long history of sectarian violence fuelled by the proliferation of violent extremist groups in Fata and the spillover effect of the Afghan jihad. While there have been a number of peace accords between Sunni and Shia tribes in Parachinar, the town and its surrounding areas remain a powder keg. Unlike major urban centres, where sectarian divides are subsumed in a multidimensional reality, in this part of Pakistan, they are front and centre. Even a spark could light a major conflagration.

## Trump's travel ban

ALTHOUGH it may be a watered-down version of the Trump administration's original plan to prevent people from Muslim-majority countries and refugees from entering the US, the current order still sends a disturbing message that in today's America, those fleeing conflict and persecution are not welcome. The US Supreme Court recently ruled that parts of the ban can be enforced, leaving citizens of Iran, Libya, Somalia, Sudan, Syria and Yemen unable to enter the US, with some limited exceptions. The court's ruling is certainly controversial, but it is the US administration's intent behind the ban that must be questioned here. It is quite apparent that the move is discriminatory and singles out people fleeing some of the world's worst conflicts. While courageous individuals and organisations within the US have challenged and questioned the ban, it appears that for now the Trump administration has achieved a partial victory.

The ban is only the latest sign that the US is not immune to the current global trend of rising xenophobia and intolerance. This state of affairs has become acute ever since President Donald Trump took up residence in the White House. Hate crimes against Muslims have been on the rise in the US; when those in power give the green signal for intolerance, or look the other way when such crimes are committed, the extremists are emboldened further. While every country has the right to protect itself from terrorism and violence, will closing the gates on some of the most vulnerable people in the world achieve this? We'd like

to believe the US already has a strong system in place to police its borders without resorting to such discriminatory bans. It seems refugees in general and those fleeing violence in the Middle East in particular are caught between two extremes: at home they face war, disease and persecution, while in the West, a rising tide of right-wing sentiment has ensured they are offered no shelter.

## Raymond Davis mystery

It was a violent episode, the first of three in the span of less than a year that plunged relations with the US to a fresh low.

And like the raid that killed Osama bin Laden and the Salala incident later in the year, there are few facts that are publicly known about who Raymond Davis was, what he was doing in Pakistan and what were the circumstances in which he was allowed to leave Pakistan.

Now, in a book that has reopened an ugly chapter in this country's recent history, Mr Davis has made a number of claims. The claims are difficult to verify and often appear to be outside the realm of knowledge a self-proclaimed security contractor could have about high-level Pakistan-US discussions.

Moreover, the book cannot be taken as a complete account of what occurred because some details will undoubtedly have been removed by US government censors who authorised the book's publication. But the book itself is a reminder of how opaque Pakistan-US security relations have been and perhaps continue to be.

The Davis incident did not occur in a vacuum. At the time, there had already been a series of accusations traded between the political government and the security establishment about a significant increase in US intelligence operatives inside Pakistan.

President Asif Zardari and the then ambassador to the US Husain Haqqani were routinely accused by sections of the media of facilitating a so-called spy surge in a murky quid pro quo. Americans in particular and foreigners in general were routinely regarded as possible spies. Yet, security cooperation was believed to

be continuing, drone strikes were occurring regularly and the US-led war effort in Afghanistan continued to be supplied through Pakistani routes.

A new era of relations that had been forged in secrecy by then president Gen Pervez Musharraf in the aftermath of the 9/11 attacks had become so distorted and convoluted under the unnecessary continuing cloak of secrecy that it had become difficult to separate fact from fiction.

The problem with the secrecy then and the secrecy now is that it is impossible to know whether the genuine national interests of the country are being protected at all times.

Raymond Davis's account of his exit from the country suggests a range of Pakistani officials bent over backwards to ensure his release, a plausible account after then US president Barack Obama himself had demanded his release. What it does not reveal is whether Pakistani military and government officials were arm-twisted and what were the parameters of the debate surrounding Mr Davis's possible release inside Pakistani policymaking circles.

The officials involved should come forward and clarify their positions themselves. That may help dispel lingering suspicions that the Davis incident was not resolved in good faith.

## Terror financing

IT is becoming an increasingly high-stakes gamble for Pakistan to continue to delay the measures needed for complying with the Financial Action Task Force regime. For years, Pakistan had not adhered to the standards of the global anti-terror financing framework aimed at preventing money laundering and terror financing. It was almost blacklisted a few years ago, but in 2015, the government managed to take just enough steps to prevent that outcome. However, since then, key challenges have been kicked down the road and left unresolved. This month, another important event is coming up, and the FATF will look for a report on whether Pakistan has taken the steps it had committed to taking in order to ensure that its financial system satisfactorily meets global requirements; the signs that are emerging at the moment indicate that it will take some doing on Pakistan's part to pass that test. The detailed workings of the FATF are too



bureaucratic for most people, but suffice it to say it is looking towards its subgrouping, the Asia Pacific Group, to report on whether Pakistan has taken the necessary steps. At the moment, it appears that the APG will be hesitant to report that Pakistan is fully complying.

At issue is the presence in Pakistan of individuals and entities that have been specifically designated by the United Nations as terrorists, including Hafiz Saeed, Jamaatud Dawa and the

Falah-i-Insaniyat Foundation. Whereas many other steps have been taken in recent weeks, such as the State Bank requiring banks to determine whether an individual seeking a banking relationship is operating as a front man for any banned group, these measures may not be enough. In January, the government placed Hafiz Saeed under house arrest, but the FATF will want to know whether or not his ability to receive and distribute funds, either directly or through others, has been curbed altogether. The authorities in Pakistan may have their reasons for not taking greater direct action against some designated groups, but the fact of the matter is that failure to comply with the global regulatory regime has enormous ramifications for the country's financial system. With a new administration in Washington, D.C., it cannot be left to the play of geopolitics to avoid this matter any longer. It is high time we weighed the consequences of non-compliance and took a prudent decision on an important matter.

## Hockey woes

PAKISTAN'S nightmarish run at the recently concluded World Hockey League in London has been enough to convince even diehard fans that it is the end of the road for the game in the country.

From being one of the best sides in the world in the 1970s and 1980s, Pakistan has slipped to the point where a lightweight team such as Canada can give it a royal thrashing (6-0).

The greenshirts, whose victories in the league came against lowly-ranked Scotland and China, were completely outplayed by major teams including Holland, India — twice — and Argentina as they finished a poor seventh at the Queen Elizabeth Olympic Park.

It is ironic, though, that despite this horrendous show, the Pakistanis have managed to qualify for the 2018 World Cup, thanks to the International Hockey Federation which has raised the number of participating teams from 12 to 16 for the mega event.

And yet, had it not been for the drawn match between Canada and Scotland, Pakistan would have returned empty-handed.

While the national game has been experiencing a sharp decline for a number of years now, the almost complete absence of skill, stamina and the will to win has been astonishing this time round.

Not a single facet of Pakistan's game in the tournament is worth mentioning.

The midfield and the forward line appeared completely disjointed, failing to put any pressure on the opposition, while both strikers and defenders were listless as the side lost games by huge margins, highlighting the embarrassing state of bankruptcy.

Even so, the harsh statement of the Pakistan Hockey Federation secretary, Shahbaz Ahmed, is appalling.

The former captain has been running the affairs of the game for the past two and a half years and one expects him and his PHF colleagues to shoulder the blame instead of picking on players' intellect and talking about the money spent on them going to waste.

Remedial measures on all counts are desperately needed.

## **PML-N's attack on JIT**

As the JIT approaches a court-issued deadline for the submission of its report, the attacks against it by the PML-N government have sharpened.

The strategy that has emerged is two-pronged: cooperate with the JIT to the extent of appearing before it when required while routinely lambasting in the media the investigation team's composition and working.

The JIT itself has courted controversy with wide-ranging allegations against the government, but with the firm encouragement of the Supreme Court implementation bench, it appears to have more recently focused on completing the task assigned to it. Unhappily, the government has only escalated its attacks in recent days.

The most troubling aspect of the PML-N's campaign is the suggestion that anti-democratic forces in the country are conspiring to oust an elected government. If that is indeed a possibility, the PML-N owes it to the country to come forward and provide proof of what it is alleging. Democracy does not belong to the PML-N or whichever government happens to be in power; it belongs to the people of Pakistan.

The dark allegations of the PML-N have also had the unfortunate effect of suggesting that accountability of the Sharif family is akin to putting democracy on trial. If anything, democracy will be strengthened by a fair and transparent accountability of Prime Minister Nawaz Sharif and his family.

Were Mr Sharif to be disqualified or his family members found to have engaged in corrupt practices, the PML-N would lose its parliamentary leader and the country would be without a prime minister. But even if it came to that, the PML-N would still have several democratic options before it.

The party could, for example, elect a new prime minister from its ranks in the National Assembly or it could opt for an early election. Disruptive and damaging as Mr Sharif's possible exit may be for the PML-N, the democratic process would hardly be on the verge of automatic collapse.

Unhappily, the JIT's early controversial conduct and the questionable circumstances in which its membership was selected have helped sustain the PML-N's narrative of victimhood. Instead of the JIT recognising that the way it conducts itself could be used by the PML-N to taint the entire probe, the team has itself at times plunged headlong into damaging political terrain.

The shocking dossier that it submitted to the Supreme Court on alleged media criticism suggested an investigation team that is more concerned about how it is perceived in the media than interested in the terms of reference given to it. The PML-N's allegations aside, the JIT has independently mired itself in unnecessary and undesirable controversy.

Once the latest round of interviews are over, the JIT must work to compile a fair report that adheres to the norms and rules that ought to apply to investigations with potentially far-reaching consequences.

## State Bank report

IT appears that the State Bank has been told to tone down its warnings on the economy's increasing vulnerabilities. After clearly pointing towards the growing current account deficit as a source of serious concern in the fiscal year, its third quarterly report released just after the Eid holidays omits all expressions of alarm. This is surprising because the jump in the current account deficit is most pronounced in the quarter. In fact, it is the highest quarterly deficit posted by the economy since the second quarter of 2009. One is left wondering why so little is said about this rather 'impressive' jump this time when far smaller spikes triggered expressions of concern in previous quarters. The only explanation seems to be that the State Bank has been told to paper over the concerns it has been flagging all year, because they were taking the air out of the government's claims it had turned the economy around.

But even the blandest presentation of the facts cannot obscure the troubling aspects. While the report tries to paper over the impact that the current account deficit has had on the reserves, the reality is that the State Bank's foreign exchange reserves had dropped by \$3bn by March, after hitting a peak of \$19.5bn in October 2016. These are still ample to cover imports of up to four months, but that ratio is also coming down with the passage of time. After trying to point out that official inflows to plug the gap continued, there is no option but to add that these "were not sufficient to fully offset the widening in the current account gap". On the financial account, the report tries to highlight a spike in FDI, but cannot escape the fact that 86pc of the major inflows of \$4.82bn that came in during the year were debt creating. "Pakistan's external account has come under pressure due to an unfavourable trade balance," the report notes correctly, before throwing the ball into the court of the private sector, arguing for greater "entrepreneurial spirit" and putting long-term growth before short-term profits. A brief mention of the importance of continuing reforms merely touches on the government's responsibility in the whole affair, as it only points out that a "brief

window of opportunity” was provided by low oil prices and an IMF programme needs to be supplemented with continuing reforms.

## Exam malpractices

IT is a measure of how bankrupt a society is when those tasked with educating its younger generation are willing to barter the country’s future for profit. An inquiry report by the Counter-Terrorism Department has exposed a massive racket in Karachi’s secondary education system. The investigation implicates 23 officials of the Board of Intermediate Education Karachi and five education department officials. These individuals, in collusion with a “private agent mafia”, were engaged in leaking question papers; making fake admit cards to enable fraud; changing examination centres as per students’ choice; enhancing marks post-tabulation; organising large-scale cheating; and other malpractices to game the examination system. The Hyderabad Board has also been found to be culpable to some extent. According to the report, there were nine private agents who were the intermediaries between the board officials/staff and the students. It was a racket that minted money for all those playing a role in it.

While we have sadly become almost blasé about corruption, there are some scandals that still have the capacity to shock and dishearten. This is one of them. It is difficult to comprehend the mindset of education officials who would participate, for the right price, in further decimating this country’s public education system. It is not the first time that BIEK has been found involved in such illegal activities, and it is high time those involved in such practices were prosecuted to the full extent of the law. And what to say of those students who would take short cuts to ‘success’ and accept plaudits they do not deserve rather than work for well-earned accolades? Moreover, those who manage to manipulate the system cannot find success in their chosen careers, for they will not have acquired knowledge, only the know-how of using deceit to achieve their ends. Unfortunately perhaps, the use of unethical means by some students also discourages the many who apply themselves diligently to their studies, those young people who are our hope for tomorrow.

## Business of politics

LOST in the cacophony of accusations and recriminations over the fate of the Sharifs in the Panama Papers case is a worrying nexus that appears to exist between business and politics in the country. From the Sharifs' business partnerships with a number of ruling families in the Middle East and the Gulf to their interests in that most recognisable of political assets, sugar mills, the obvious and perhaps hidden conflicts of interest are numerous. How, for example, can the PML-N government really be trusted to strike the best gas procurement deals with Qatar for the country if the prime minister's family are themselves directly engaged in business with the ruling family there? Qatar and other monarchies may not distinguish between the assets of the state and those of its rulers, but Pakistan is a constitutional democracy. Moreover, with the political government controlling economic policy, how can the government be trusted to fairly set the rules and tariffs in, for example, the sugar industry if the Sharif family has business interests in the sector?

The sweeping problems are, of course, not limited to the Sharif family or the PML-N. Imran Khan has claimed in the past that only the rich can be trusted to practise clean politics here since the financial temptations in office are so many — a claim not only contradicted by the global history of politics and money, but at odds with the allegations the PTI supremo routinely makes against the Sharifs and sundry political opponents. The PTI chief has also for much of his political career surrounded himself with special interests that can surely be expected to try and recoup their investment over the years if the PTI wins power at the federal level. Other political parties are no less egregious in their mixing of business and politics. Realistically, parliament will for now remain disproportionately populated by vastly wealthy businessmen and industrialists and property tycoons. The aim then must be to limit the influence they can have in policy areas that affect their businesses.

In mature democracies, a favoured approach is for politicians to put their assets in a blind trust while in public office. That approach may not work well in less democratic polities where politicians routinely hide their wealth and assets at home and abroad — exactly what the Panama Papers purported to have revealed. With successive governments having little interest in strengthening institutions, the possibility of strong regulators overseeing business sectors has also receded, at least temporarily. Yet, doing nothing is no longer an option.

Perhaps parliament could consider appointing an ethics czar who can at least publicly highlight the conflicts of interest that government officials may knowingly or unknowingly be exposed to. Whatever the tools used, the nexus between business and politics must be progressively dismantled if democracy is to truly flourish.

## Juvenile offender

JUSTICE must not only be done, it must be seen to be done. And when technicality sends a juvenile offender to death, the demands of justice are defeated. Muhammad Iqbal was only 17 years old when he was convicted of a fatal shooting in Mandi Bahauddin in 1999. Although an ossification test confirmed he was a minor, this was before the passage of the Juvenile Justice System Ordinance, 2000, which prohibits execution of a juvenile, and the court handed down the death penalty. Iqbal's sentence was upheld by the Lahore High Court in 2002 and his appeal to the Supreme Court dismissed later that year. The Justice Project Pakistan, which provides legal representation to vulnerable prisoners, has pointed out that after Pakistan ratified the UN Convention on the Rights of the Child in 1990, the president issued a notification granting remission to juvenile offenders awarded capital punishment. Despite this, Iqbal not only remained in prison, his mercy petition was also rejected last year. Gujrat Jail authorities have now requested the LHC to issue his 'black warrant' that would pave the way for him to be sent to the gallows.

Iqbal has already spent over half his life behind bars although he should have benefited from the president's notification of remission for juveniles on death row. The state should pardon him without delay. Two years ago, Pakistan had a similar choice to make — hang an individual who had been a minor when he committed his offence, or extend clemency to him on the basis of international obligations, not to mention the JJSO that was passed some years later. The state opted for a heartless adherence to the letter of the law rather than the spirit of the law. That was the case of Aftab Masih, who was executed although he was only 15 years old at the time of the crime, and despite the fact his conviction was the result of an extremely dubious investigation. At the time, when the war against terrorism was in full cry, the state was keen to demonstrate its 'writ' by ruthlessly sending scores of death-row prisoners to the gallows, most of them convicted for

reasons other than terrorism. To prevent another minor from being hanged, the National Commission on Human Rights has intervened in Iqbal's case. For the sake of its standing in the comity of civilised nations, Pakistan must not repeat this travesty of justice.

## Phone monitoring

A COMMITTEE of senators was told on Monday “that intercepting telephone calls is lawful and should not be taken as a serious matter because it is practised worldwide”. Whereas this should, in normal circumstances, mean that the Investigation for Fair Trial Act, 2013, is being strictly adhered to, there are far too many voices in the thick Pakistani communication jungle which say that the reality is just the opposite. As the state tries to deal with fears spawned by the new world and its inventions, Pakistanis find themselves increasingly exposed to spooks who think that privacy is a luxury no one can be allowed any longer. The latest urge to listen in, as most succinctly reflected in the dire warnings to social media users — by the interior minister no less — set alarm bells ringing. The more aware among the citizens protested. But the official response is typically wrapped up in ambiguity, as in the case of this latest briefing to the Senate committee. The ultimate message is that we should quietly accept whatever half-explanation the officials offer about such interception being legal and in sync with global trends.

This is a debatable course, for it asks for approval of a dangerous system in the making — one without any sound reasoning underpinning it and without any assurance that such interception is lawful. The explanation will be complete and acceptable only when it is proven that all provisions of the 2013 law are strictly being followed, such as the procedure where interception is to be first legally decreed by a judge on being asked by a minister. The same law says the authorities have to ask the judge again if they want to continue the interception beyond the sixth day. Indeed, the act allows for proceedings against an interception that violates the rules. There has to be categorical official confirmation that this law is being strictly followed. Failing this, concerns that citizens' privacy is being breached on the pretext of security will increase.



# Mangroves in peril

A CAVALIER approach to environmental issues is outmoded, myopic and often indicative of a callous disregard for human life. According to a report in this newspaper yesterday, an LNG import terminal project to be constructed at Port Qasim will entail the cutting down of around 900 mangrove trees. The project envisages the import of 4.5 million tonnes of LNG annually via a 600-metre pipeline that will pass through the mangrove forest. The Sindh Environmental Protection Agency appears to be acting in total contravention of its duty, and the rules of business, by sidelining the relevant government department while assessing the environmental impact of various development activities linked with the LNG project. Instead, it is blithely issuing no-objection certificates for the project to go ahead. Moreover, Sepa proceeded with a public hearing on the project despite the fact that its EIA lacked the mandatory NOC from the forest department.

There have been a number of judgements by the superior courts against cutting down mangrove forests. Apart from being hatcheries for fish and shrimp, mangroves are a natural buffer against sea erosion and destruction by the elements. Karachi's green cover is already fast diminishing with trees — the lungs of our ecosystem — being ruthlessly chopped down to make way for an increasing number of high-rises. Sadly, Sepa appears to function as little more than a rubber stamp entity that has approved EIAs without following due procedure, and then glossed over, or even outright ignored, environmental concerns of citizens on issues that will profoundly impact their quality of life. The authority is also known to resort to underhand methods to ensure that the people do not get a fair chance to study the issue at hand and thus cannot participate constructively in the public debate that is their right. For example, Sepa gave only 16 days for concerned citizens to review and file their comments on the 2,400-page technical EIA report for the nuclear power plants to be built near Kanupp in Karachi. This dangerous farce must end.

# The toxic path we still tread

THERE was a coup two decades earlier and there was another coup two decades after. But the coup against the government of Zulfikar Ali Bhutto by then army chief Gen Ziaul Haq on July 5, 1977, remains one of the darkest days in this country's history.

It is not just the contrast between the bright democratic promise that Bhutto once embodied and the dark, anti-democratic menace that Gen Zia ushered in; the country and its people were changed under the latter ruler in ways that have left terrible scars and that continue to distort state and society.

Gen Zia was of course aided by circumstance and outside powers. No history of his dictatorship can be complete without an account of Soviet aggression in Afghanistan and America's one-time enthusiasm for Islamist jihadis to help wage a proxy war against the communist empire.

But the military ruler's extended good fortune was the country's lasting misfortune. Being an ally and adversary of two superpowers allowed the country's most notorious dictator the time and space he needed for a sweeping religious experiment that has had the most disastrous of consequences.

Forty years on from the start of that violent experiment, it is impossible to downplay or forgive the depredations that Gen Zia unleashed on state and society.

Not just for imprisoning and executing the country's brightest democratic star but also for his radically anti-democratic policies infused with religious intolerance and bigotry, Gen Zia remains a wicked leader that history will never forgive.

Yet, nearly 30 years since his death, the past can no longer be an excuse for the present inaction.

The repackaging of the Afghan jihad as a jihad for the liberation of India-held Kashmir was a decision made by Gen Zia's ideological successors.

The support for the Afghan Taliban was a scheme devised years after the Soviets had left Afghanistan. And today, the continued flourishing of a vast network of mosques, madressahs and social welfare centres that promote

extremism and militancy is a policy for which several different national leaderships since 9/11 must take responsibility.

Gen Zia may have paved the path towards an explosion domestically in extremism, terrorism and militancy, but two generations of national leadership since have continued to walk down that path.

There can be no illusions that reversing the legacy of Gen Zia may be the most difficult policy change this country has ever attempted, perhaps even more so than the painful path in recent times to developing a zero tolerance approach to anti-Pakistan militants. But there is no choice.

If Pakistan does not rid itself of its networks of extremism, terrorism and militancy, domestic or regional circumstances will invariably create an excuse for the next big wave of violence.

Seventy years into its existence, this country must no longer be held back by forces four decades old.

## **Indo-Israeli embrace**

Nothing is permanent in international relations; alliances are constantly shifting and relationships between states are made and broken. The current global scenario is no different.

Amidst the tumult in global affairs, the Indo-Israeli relationship has emerged as a steady bilateral alliance, surprising to some, while others have been watching the ties between Tel Aviv and New Delhi grow over the decades.

Narendra Modi's recent visit to Israel seems to have cemented this alliance, as the warm embrace between the Indian premier and Benjamin Netanyahu on the tarmac of Ben Gurion International Airport on Tuesday showed. However, the visit has sparked an interesting reaction from Iran, which has enjoyed cordial relations with India, but is at daggers drawn with the Zionist state.

Iranian Supreme Leader Ayatollah Ali Khamenei on Monday called for support for the "oppressed Muslims in India-held Kashmir"; he also referred to Kashmir in his

Eid sermon. There is little doubt Ayatollah Khamenei's response has been triggered by the growing bonhomie between Israel and India.

The Indians have come far from their past policy under Congress's watch regarding Israel/Palestine. India only established relations with Israel in 1992, while late PLO chief Yasser Arafat enjoyed great rapport with Indira Gandhi, calling her his 'sister'. Clearly, those days of mutual support are gone and Mr Modi has no love lost for the Palestinians; it was reported that a meeting with Palestinian leaders was not on the cards during his visit.

While the comparison would be anathema to New Delhi, there is a clear parallel between Israel's atrocious behaviour towards the Palestinians, and the brute force India has unleashed upon the Kashmiris. Despite the passage of several decades since these crises emerged, both Palestinians and Kashmiris have continued to be subjected to state oppression on their own land and have been denied the freedom and dignity they desire.

Both right-wing governments in Tel Aviv and Delhi seem to be sharing notes on how to keep these restive populations in check, with the Israelis stifling Gaza and the Indians using the jackboot to crush the Kashmiris.

Perhaps the Indo-Israeli embrace has provided an opportunity for Pakistan to highlight the Kashmir issue with Iran and others, in order to build world opinion against the atrocities unleashed upon both the Kashmiris and Palestinians.

## Rupee depreciation

FINANCE Minister Ishaq Dar has shouted the dollar back down again, for the second time since his term began. But he cannot do the same where the current account deficit is concerned. The sharp depreciation of the rupee on Wednesday was described by the State Bank as necessitated by a worsening of the external account, something that is widely known in financial circles. The State Bank even went on to add that the depreciated value of the rupee, at 108.25 to the dollar, was "broadly in line with the economic fundamentals". But the finance minister described the move as "artificial" and then during his news conference on Thursday, added that it was the result of "miscommunication between a few individuals". Not only that, he went so far as to claim that one deputy governor at

the State Bank appeared to have acted on his own, and promised a probe into the affair, once a permanent governor was appointed.

This take on the whole affair raises some important questions. First, how can it be that the State Bank owned the move in a press release on Wednesday if it was in fact engineered by one individual and did not represent the institutional prerogative of the central bank? Even if we believe one individual is responsible for the withdrawal of all supports provided to the rupee in the interbank market, how can he or she arrange for the drafting of a press release and its upload onto the State Bank website without taking others on board? It appears that the finance minister has allowed his temper to overrule his judgement. Now that the currency has been restored to the level he favours, he should move to breathe more confidence into the markets rather than breathing fire at them.

Lost in the whole drama is the elementary truth that the country's external accounts have widened to unsustainable levels, and depreciation in the rupee is inevitable. The longer that decision is delayed, the greater the eventual shock is going to be. On the same day that the whole drama played out, a little noticed revision in the data reported for the current account showed that the deficit is in fact \$1.71bn higher than what it has been reported all year. This means the situation is even more urgent than originally thought. But if we are to believe that the State Bank has suddenly woken up to its responsibilities as the legally empowered, independent curator of the country's foreign exchange reserves and exchange rate, then we must know what it makes of the sudden reversal of the exchange rate witnessed on Thursday. The clear fact here is that after the finance minister's tirade, all semblance of the independence of the State Bank has almost completely vanished. The sad loser in this fiasco is the economy of Pakistan.

## Substandard tankers

IN a grisly reminder of the state's dereliction of duty, victims of the oil spill and subsequent inferno in Ahmedpur East on June 25 continue to die. So far the tragedy has claimed around 215 lives, including scores of people who succumbed later to the terrible injuries they had sustained in the fire. It was determined soon after the accident that the vehicle transporting 50,000 litres of

petrol was grossly inadequate for the task. As reported in this newspaper yesterday, the Oil and Gas Regulatory Authority has estimated that up to 85pc of all tanker lorries transporting petroleum products across the country are not complying with the prescribed technical standards. The regulator is set to impose on Shell Pakistan Limited — the company whose product was being transported in the present case — an amount of Rs10m in fines and compensation to the affected families.

This was a disaster waiting to happen — but it was not inevitable had the parties concerned not shirked their duty so completely. That it has taken a tragedy of such magnitude to bring to light the serious shortcomings in the transportation of combustible goods speaks volumes for the slipshod manner in which public safety is treated in this country. The primary responsibility, on the face of it, lies with Shell Pakistan, for oil companies are obligated to ensure that the vehicles they use to transport their products meet the standards laid down by Ogra. The oversight mechanism at the national level includes the Department of Explosives which falls under the Ministry of Industries and Production. This department is responsible for the safe manufacture, transport, storage, etc of commercial explosives, petroleum, LNG, CNG and the like in the interests of public safety and property. The National Highway Authority also plays a role in ensuring that heavy vehicles meet the technical standards required to safely transport their cargo. Finally, in its capacity as regulator, Ogra should have kept a vigilant eye on whether the industry players were following laid down procedures. After all, if it had insisted on standards being met and penalised infractions, the companies under its purview, most of them multinationals, would not have treated this as an incident in a country where safeguards can be recklessly disregarded. Even if it has cost so many lives for matters to come to a head, Ogra now has a chance to remedy the situation, and it should take it.

# Threat to Al Jazeera

IT is an unequivocal assault on journalistic freedom in a region where a free media is either non-existent or frequently under attack by authoritarian states. Simply, Al Jazeera is a journalistic endeavour worth protecting — the integrity of the media being easily gauged by the array of powerful forces against it. Qatar that created and finances Al Jazeera is not a democracy. Al Jazeera Arabic has at times promoted dubious ideologies and given favourable coverage to political movements that may rightly be regarded as supporting militancy. But Saudi Arabia, the UAE, Egypt and Bahrain have demanded that Qatar shut down Al Jazeera because it gives a platform to political voices and dissent that the regimes in those countries fear. While the glow of the Arab Spring has faded, the alarm it generated in authoritarian regimes across the Gulf and the Middle East has not.

It is facile to suggest that Al Jazeera fomented the Arab Spring, but certainly without Al Jazeera the Arab Spring may not have received the international coverage it did. That itself makes it immensely valuable to free expression, a platform for popular sentiment in a region where state propaganda dominates the public space. Yet, an independent-minded media is not merely about being a witness to regional upheavals or grand realignments. It is also about the everyday information that helps create an informed polity and a politically savvy public. Al Jazeera is perceived as dangerous by hostile regional powers because it has helped changed perceptions about the range of opinions that can be publicly expressed. Saudi Arabia, the UAE, Egypt and Bahrain want to control the flow of information because they fear their own publics. Each has created a mirage of popular support via oppressive propaganda and public handouts that petro-states can often afford, but the brittleness of those regimes is apparent. Unwise as its neighbours' quest to batter Qatar into submission is, the attack on Al Jazeera is potentially disastrous. Qatar will hopefully allow Al Jazeera to stand proud and tall.

# Kashmir unrest

A year ago today, India-held Kashmir was once again forced down the road of political resistance and violent oppression.

With the killing of Burhan Wani in a typically murky operation by Indian security forces, the state of India may have wanted to eliminate a rising symbol of Kashmiri resistance. What it achieved, instead, was the awakening a new generation of Kashmiris.

A year later, India-held Kashmir is in the grip of a sustained resistance movement that is leaderless but radically widespread. The images of young Kashmiri schoolgirls protesting in the streets and hurling rocks at heavily armed Indian security forces are already iconic. They are irrefutable evidence of the abiding resistance of all Kashmiris against the violent Indian rule in IHK.

The government of Prime Minister Narendra Modi may not be in a mood to listen to sensible and compassionate voices in India or to human rights advocates around the world; however, the principled but fierce resistance of the Kashmiris themselves have made at least two things inevitable.

First, the Indian state will have to recognise that there is no path to peace or stability in IHK via violent oppression. Indian propaganda blames the current unrest on either cross-LoC militancy or a small group of IHK young men who have been inspired by Wani to take up arms against India.

But as the images of the stone-throwing schoolgirls have proved, what India is confronted by is a collective resistance by all segments of the Kashmiri population. India is not fighting militancy, but a widespread political consciousness in IHK.

That means eventually the Indian state will have to return to dialogue with the people of IHK; the longer Mr Modi tries to delay the process, the more urgent it will become. Pakistan should do its part by diplomatically highlighting the plight of the people of IHK in countries that have influence with India.

Second, India will have to return to the path of dialogue with Pakistan. Mr Modi and hawkish elements in India have used the unrest in IHK as an excuse to stall dialogue with Pakistan, the claim being that the latter is stirring unrest in the held territory.



But an IHK wracked by unrest and an India-Pakistan relationship that is in deep freeze is a combination that can have dangerously unpredictable consequences, particularly when hardliners in India may be seeking to externalise blame for India's own mistakes in IHK.

The Kashmir dispute may dominate the bilateral relationship, but there are other areas that need to be the focus of dialogue too. Worryingly, be it India's collusion with elements hostile to Pakistan in Afghanistan or its attempts to undermine CPEC and Pak-China ties, Delhi seems determined to add to the complexity of the Pak-India relationship rather than keep matters stable.

Mr Modi must recognise what all Indian governments have: dialogue with Pakistan is essential.

## New SBP governor

WHEREAS one should wish the new State Bank governor well as he assumes an important position at a critical juncture, there is an inescapable sense of dismay at the circumstances under which he is taking charge. We have just seen Finance Minister Ishaq Dar deliver an unseemly and heavy-handed rebuke to the State Bank, during the course of which Mr Dar unjustifiably tried to put the central bank in a corner where he feels it belongs. Ever since the depreciation of the rupee on Wednesday sent currency markets reeling, with the State Bank sticking to its view that the depreciation was necessary to rectify a growing distortion in the country's external account, the minister has been criticising the whole exercise. Now the new governor has a challenge ahead of him; he must demonstrate that he is capable of exercising independent judgement when the country is facing growing pressures on its external accounts. He has taken up his new post under a cloud of suspicion that he is the minister's man sent to do his duty. And, it is the new governor's responsibility to dispel that impression and reclaim his credibility. This is not a matter of individual ego. The financial markets are watching carefully.

The risk now is a total reversal of three decades of hard work. One has to go back to the 1980s, to the tenure of A.G.N. Kazi perhaps, to find the last example of when the State Bank was run by an officer of the civil services. Those were the days when the central bank took its direction from the government directly. The

new era of globalisation and the free flow of capital required a big change in that configuration. Markets need to be assured that the debt repayment capacity of the country, its foreign exchange reserves, the exchange rate and debt pricing are in the hands of those who will appreciate economic good sense and not just follow the dictates of their political masters. To reverse that change is not just a shame. It is a dangerous step in the wrong direction, especially considering how dependent Pakistan's economy is becoming on foreign capital inflows. In the weeks and months to come, the new governor must take a clear-eyed look at the economic landscape, the external accounts and the reserves, and decide for himself how sustainable that picture is.

## No burns centre in KP

FOR a city of well over 4m people, a provincial capital no less, to not have a burns centre defies logic. That is why Almas Bibi had to be shifted to a hospital in Kharian, Punjab, from Peshawar's Khyber Teaching Hospital where she had been admitted in a critical condition on June 26. The young woman had allegedly been doused with kerosene and set alight by her in-laws in KP's Nowshera district. Unfortunately, she breathed her last at the burns centre in Punjab on Thursday, four days after being transferred there. On Tuesday, while Almas Bibi was still struggling for life, the Peshawar High Court with reference to her case, expressed displeasure at the lack of a specialised burns centre in the city and summoned the health secretary in this regard.

Burn injuries can occur in any setting — the result of domestic violence as in the recent instance, in accidents as in Bahawalpur last month or in bomb blasts, of which there have been unfortunately too many in Pakistan. While some state-of-the-art burns centres have been set up, there are still far too few of them. In a province like KP, where medical facilities also have to cater to patients from tribal areas, the lack of a burns centre is a glaring deficiency in its health infrastructure. To reduce the risk of complications, it is vital that burns victims receive adequate treatment that begins immediately after the injury has occurred. As the body's largest organ, the skin keeps it protected from the various pathogens in the environment. Burn injuries can therefore result in severe, potentially fatal bacterial infection setting in, unless patients are quickly placed in properly equipped isolation wards. An individual suffering from burns may experience

serious fluid loss from damage to blood vessels, preventing the heart from pumping enough blood through the body. Severe burns can also result in body heat being lost; this increases the risk of hypothermia. KP must address the issue without delay.

## The impasse continues

THE good news is that the civil and military leadership are working together once again to address matters of national security. The NSC meeting on Friday was the third in six weeks, with Afghanistan dominating the agenda, according to official statements. The less welcome news is the message that has been honed and, after Friday's meeting, hardened: Pakistan will continue to work towards peace and stability in Afghanistan, but the Afghan government must progressively re-establish the state's writ over swaths of the country lost to insurgent forces. With Afghanistan and the US continuing to insist that Pakistan needs to do more to prevent the Afghan Taliban from consolidating their gains, Pakistan is effectively telling Kabul and Washington that the problem lies inside Afghanistan — a rhetorical stalemate. In the past, when seemingly incompatible descriptions of the war in Afghanistan have been offered, the on-ground situation in that country has worsened and the regional climate deteriorated. Could Pakistan, Afghanistan and the US be headed for another downslide in ties?

A fair reading of the situation suggests that all sides must shoulder some of the blame for the current impasse. Pakistan appears to want to switch the world's attention to the fundamental shortcomings of the Afghan security forces and the self-defeating internal squabbling of the National Unity Government. But that argument has not worked in over a decade and is unlikely to win sympathy today. Even if it is true, the problem is the open secret that the Taliban leadership have been shielded on Pakistani soil in the past and that Pakistan continues to enjoy a degree of influence over them. After all, if Pakistan does not have continuing influence with them, what is its relevance to an eventual intra-Afghan peace process? Far better, then, for Pakistan to indicate the conditions in which it believes a peace process can be restarted and, in the meantime, to demonstrate that it is taking steps to prevent the Taliban from taking sanctuary in Pakistan with impunity.

Of course, where Pakistan's official approach may be problematic, Afghanistan and the US are hardly free of contradictions in their joint approach. The most recent example was the US Senate delegation that first came to Pakistan and then travelled to Afghanistan. Here, the Senate delegation led by John McCain was positive in its public statements and appeared to be supportive of Pakistan's efforts in the fight against militancy. In Kabul, it was more critical of Pakistan — an approach that raises hackles here and makes possible cooperation between the three countries all that more difficult. Certainly, the revival of the Quadrilateral Coordination Group and Russian diplomacy are other important facets of the Afghan riddle. However, it is Afghanistan, Pakistan and the US that are central to a durable peace in Afghanistan.

## NTDC chief's removal

IT seems as if one by one all those who dare to raise any questions about government policy are being removed.

The latest to go is the head of the National Transmission and Despatch Company, who had been vocal in cautioning against the runaway commissioning of new power generation capacity.

A decision was made in the Ministry of Water and Power last year that no new power generation projects should be commissioned after the capacity expansion plan was put into motion.

The decision was made because more generation capacity would be surplus to projected requirements while creating further burdens on the country's fiscal and foreign exchange resources.

Those who chaffed against this decision were successful in removing its architect, the then secretary of water and power, from his position earlier this year.

Following the secretary's departure, the managing director of NTDC continued voicing concern about the reckless commissioning of new generation capacity on extravagant terms. Now he too has been removed.

This rolling of heads in the power sector is mirrored in other places as the federal government is on an accelerated drive to concentrate all powers in its own hands.

The State Bank has been captured recently, and Nepra's powers are being redrawn to ensure that it is not left with the capacity to stand in the way of the government's will.

All other regulators similarly face the chopping block, while the Engineering Development Board's powers are being transferred to the industries ministry.

This is increasingly looking like a runaway centralisation drive, to strip all autonomous centres of power within the state and subordinate them to the will of the federal government.

The departure of the NTDC head means there are no voices left in the power sector that can think outside the parameters set by the federal government.

The reasons for the MD's summary dismissal sound weak, and the fact that the board was 'unanimous' in voting for his departure is further evidence that only yes men are equipped to work under this government.

It was stated that some transmission projects "had not been handled in a proper way" and there were "slippages in the time lines".

He was also blamed for load-shedding during Ramazan.

The MD is a known professional, and his removal now creates a situation where the power sector's leadership is passing to people who serve no interest other than that of their political masters.

## Indian visa refusal

THERE had been complaints that the Indian high commission was not offering visas to Pakistanis — except for rare cases where patients, in dire need of treatment, wanted to avail themselves of better medical facilities across the border. The news now seems to suggest that even this privilege extended to seriously ailing Pakistanis has been withdrawn. Peace activists would say that this was a lifeline that has been taken away because of the deteriorating ties

between the two countries. The steady traffic of patients from Pakistan to various parts of India had been a crucial symbol of how the two neighbours could, in fact, lean on one another when called upon to do so. It was a persistent trickle of such 'emotional' stories which brought specialist Indian doctors to Pakistan for trail-blazing joint procedures on patients here. This open channel in a most fundamental area had long been an exception to the negativity that routinely enslaves minds on this shared subcontinent. The media has played up many repeats of this human-interest story, and the help provided by friends across the hostile border has been acknowledged and reciprocated with best wishes. This has been the case even when suspicions about the Modi regime and its religious biases have increased in recent times.

The denial of a visa to a young woman from Lahore hoping to be given a new lease of life in India might in the eyes of many explain just how intense and deep-rooted the problem between Islamabad and New Delhi is today. The optimists amongst us would, however, be hoping that this rift, this heightened, nerve-racking war of optics if you like, is not allowed to be taken to a level where the posturing is in conflict with the most basic tenets of human relationships. Surely, provided there is no legal hitch, the start of the new week will bring some good news for this young visa-seeker crying out for some common-sense protocol.

## JIT report

WITH the JIT required to submit its report to the Supreme Court today in the Panama Papers case, the political uncertainty that has hung over the country for more than a year is a step closer to closure.

The unprecedented probe of a sitting prime minister on alleged corruption charges is a momentous event, and if procedurally the JIT or the court need further time to sift through the evidence they have collected and that has been presented to them, it would be in the interests of justice for that to be allowed. But if a report is submitted today on the basis of which the court can hand down a final judgement, the court will be at a historic political juncture.

For justice to be served and political stability to be salvaged, at least three things must occur.

First, the JIT must present a report that scrupulously adheres to the questions that were put to it by the court, and its conclusions must be legally sound. The JIT has been mired in controversy and now is the time for its members to demonstrate that not only do they have a firm grasp of the law, but that they recognise the extraordinary responsibility on their shoulders. Reasonable minds ought to be able to conclude that a fair set of assessments have been made by the JIT.

Second, the court must hand down a judgement that will stand the test of time and is rooted in judicial precedent, practice and norms. Two justices in the original five-member bench have already declared that Prime Minister Nawaz Sharif is unfit to hold office; if any of the undecided justices also reach that conclusion, they must do so in a manner that can lay down a judicial precedent that can be emulated later. Anything short of that and the political ramifications of an adverse decision against Mr Sharif will overshadow the need for systemic accountability.

Third, the political parties central to this dispute, the PML-N and PTI, must carefully consider their responses to the verdict. A decision against Mr Sharif will not automatically be a decision against democracy, something the PML-N must recognise. Neither must a decision in his favour be interpreted by the PTI as the triumph of a dysfunctional, quasi-democratic system.

The judgement must be assessed on its merits, but for the political parties with most at stake it must also be assessed in light of the democratic project. Each time the PML-N and PTI have clashed politically, the fear has been the same: more space for anti-democratic forces.

The PML-N, PTI and indeed all mainstream political parties have a responsibility to protect the democratic order. The path to the next general election must not be undone.

# Condemned prisoners

A VENGEFUL rage can never meet the ends of justice. In December 2014, the state chose a populist short cut to assuage public anger in the aftermath of the APS Peshawar attack when it lifted the six-year moratorium on capital punishment. A new report by Justice Project Pakistan, a human rights organisation that takes up cases of vulnerable prisoners, explores the outcome of the decision which had until May 2017, according to the research, sent 465 prisoners to the gallows. That places Pakistan in fifth place on the list of countries with the most executions per year. Punjab, with 83pc of the total, is by far the most prolific in putting condemned prisoners to death. The pace at which hangings have been carried out also illustrates some chilling patterns. For one, the incidence of capital punishment in Punjab spikes in the weeks following terrorist attacks, suggesting a political motive behind them. Secondly, the fact that executions in that province increase with a corresponding rise in the number of prisoners held beyond jail capacity indicates that the death penalty is being used as a means of controlling the prison population.

These numbers, and many others in the report, are evidence of callous indifference to the realities of a fundamentally flawed criminal justice system that only ensnares the socially disadvantaged — which is one of the reasons why this paper has consistently opposed capital punishment. Moreover, when reinstating the death penalty, the government had claimed that only those convicted of terrorism would be affected. On the contrary, a vast majority of executed prisoners do not fall under this category. Clearly, the desire of the state to appear in control of the situation trumps any pretence at due process, even if it could serve to exonerate those wrongly convicted. That is starkly demonstrated by instances of posthumous acquittals that have come to light: in October 2016 for example, the Supreme Court acquitted two brothers in a 2002 murder, only to find that the men had already been put to death a year before. Among other travesties of justice: death warrants for the physically infirm and the mentally ill, and executions of prisoners who were juveniles when they committed the crime for which they were convicted. Finally, what more evidence can there be of the dehumanisation of those incarcerated than the fact that the most overcrowded prisons see the highest numbers of executions?



# Regulating social media

THERE has been a lot of noise in recent months about the use of social media platforms and blasphemous material on these platforms. Indeed, over the past decade, this debate has been sparked on several occasions by global events, with damaging consequences at home. On Friday, it was announced that Interior Minister Nisar Ali Khan had met the Facebook vice president of global public policy to discuss “various steps and actions being taken to remove blasphemous content”. This may prove a positive step; dialogue is certainly a better strategy than threatening to permanently block all social media platforms, as the interior ministry did in March. To belittle the faith of practitioners of one of the world’s largest religions is hateful and inflammatory, but it would also be helpful to see the ministry apply the same dogged determination to curtailing the online proliferation of hate speech and violent content of banned sectarian and militant groups.

Lacking in the ministry’s approach, thus far, is the circumspection to acknowledge the state’s culpability in cynically stoking religious sentiments and tolerating extremism to wield control over its citizenry — or how much matters have spiralled out of control. What makes this cycle of debate on internet freedom different from previous iterations is that the threat, as perceived by Chaudhry Nisar, stems from within. Recent detentions and campaigns to malign activists and journalists for alleged blasphemy or for expressing points of view critical of the state have conflated the two issues and produced a chilling effect on our ability to express dissent. ‘National security’ has become a rug under which all dissent can be swept, abetted by a murky cybercrime law. In such a climate, it is necessary that any measures to regulate social media have clearly stated and precise parameters, and that these measures are made transparent to the public. The state must unequivocally target the hate speech of extremists, while recognising that the path to mending our fractured polity requires respecting, not fearing, its peaceful citizens’ right to free speech.

## From JIT to NAB

A day of high judicial and political drama has ended on a note of great uncertainty. Only two facts are clear in the immediate hours after yesterday's Supreme Court hearing: the JIT has submitted its report and the court will hold its next hearing on Monday.

However, from snippets of the JIT report that have been shared with the media, it does appear that the JIT has made a number of damaging observations about the legitimacy of the wealth of Prime Minister Nawaz Sharif and his children.

Furthermore, the JIT appears to have recommended that the matter be turned over to the National Accountability Bureau for further proceedings. But the JIT has no legal power to enforce its own recommendations; it is the Supreme Court that will have to make a decision whether to turn the matter over to NAB or indeed whether Mr Sharif can be immediately disqualified.

The first thing that must be established is the fairness and reasonableness of the JIT report. The PTI and other opposition parties have automatically hailed the report while the PML-N has decried it, but those are partisan political assessments.

As the Supreme Court reviews the report and the report becomes available to the public, it will become apparent whether or not the JIT has scrupulously adhered to the task that was given to it by the court and produced a report that can pass independent, professional scrutiny. The controversies that the JIT mired itself in require the fairness and reasonableness of the report to be broadly established. It is therefore correct that the court decided to provide copies of the report to the parties in the Panama Papers case.

Next, the court must assess the choices before it. The goal must surely be to deliver a verdict that can stand the test of time, further the cause of accountability and act as a judicial precedent that can be readily used in future. There may be political pressure for short cuts, but a well-reasoned final judgement will have a lasting impact. Due process is the path to democratic substance in such matters.

Finally, the PML-N must be prepared to do the right thing for the sake of democracy. Prime Minister Sharif's supporters may rightly argue that the PML-

N's majority in parliament is because of Mr Sharif, but the constitutional position is clear: the PML-N government can exist without Mr Sharif.

If the Supreme Court does rule that Mr Sharif must stand trial on corruption charges, a grave blow will have been struck against the legitimacy of Mr Sharif personally. At that point, it may become morally necessary and politically inevitable for the prime minister to step aside. It is Mr Sharif's right to fight any legal charges against him to the very end, but neither he nor the PML-N should forget their responsibilities to the democratic order.

## Devaluation probe

THE new governor of the State Bank should start off his term in office by rejecting the directive sent to him by the finance minister to launch an inquiry into last week's depreciation of the Pakistani rupee. The directive has been issued under highly dubious authority and bowing before it will send the wrong message to the governor's own team and the markets, the consequences of which could haunt him for the rest of his term. The finance minister claims he is issuing the directive under his authority as the chair of the Monetary and Fiscal Policy Coordination Board, but the latter has no powers to order any such inquiry. In fact, Section 9B of the State Bank Act, under which the board was created in 1994, specifically states that "the Coordination Board shall not take any measure that would adversely affect the autonomy of the State Bank of Pakistan". The board was never intended, nor is it empowered under the law, to issue directives to the central bank, least of all directives to launch an inquiry into decisions made at the bank. A simple reading of the law makes that abundantly clear.

The new governor needs to realise that the 'clever' action that brought him to his current position will not serve him going forward. In the years to come, there is a growing likelihood that he could find himself sitting at the head of the central bank as the country's external accounts push the economy towards a serious balance of payments situation, meriting an appeal to the IMF for assistance. He should take a sober look at the external accounts — the mushrooming current account deficit and the composition of the reserves — and realise that his words and deeds of today could be held against him should matters not improve on their own as hoped for by the finance minister. In the days to come, many complex

decisions will need to be made at the central bank, including what signals need to be sent to the markets regarding the external accounts. His emphasis at the start of his term should be to carve out the space within which to take those decisions autonomously, rather than cementing his place in the finance minister's heart. His credibility is now on the line, and credibility is the biggest tool with which a central bank exercises its stewardship of the markets.

## Population Day

AS we mark the passage of the UN World Population Day today, there is more than ever reason to reflect upon why the issue was deemed worthy of note. This was the date, 30 years ago, when the planet's population was approximated as having hit 5bn. It was retained as a day of observance by the UN to keep the focus on population issues, particularly their effects on development and the environment, and to further advocacy on safe and voluntary family planning. With the global population now in excess of 7bn, it is disheartening to note that notwithstanding the efforts made by national and international authorities over the years, some 225m women around the world remain unable to prevent pregnancy through safe and effective family planning methods, for reasons that range from a lack of information or services to partners or communities that are hostile to the idea. Most of the women in this category live in the world's 69 poorest countries.

Pakistan is no stranger to the double bind of unmet family planning needs and the burdens imposed by a growing population graph. The country holds the dubious distinction of being the world's sixth most populous nation, with the figure estimated to near 250m by 2030. These realities, as well as the fact that national demographics are skewed heavily towards the young, ought to garner far more attention in policymaking circles than is currently the case. The challenges ahead warrant meticulous planning now. Before the 2017 exercise, the last census in the country was conducted in 1998 — an unfortunate delay considering that a population count is the basis of development plans and electoral reforms. Now that this exercise has been carried out, it is to be hoped that the results are made public as quickly as possible, and without political considerations of the sort that delayed the holding of the census in the first place.

The challenges posed by a burgeoning population will be intense, and Pakistan ignores them at its own peril.

## Mr Prime Minister, step aside

Whatever the law may permit, Prime Minister Nawaz Sharif must do the right thing by democracy and step aside, at least temporarily.

The JIT report submitted to the Supreme Court has now been pored over by experts, politicians and citizens alike. It is not a perfect report and the PML-N has already raised some important objections that will eventually have to be addressed by the court.

But the JIT report has laid out a number of very serious and specific allegations against Prime Minister Sharif and his children. Simply, no democratic order ought to have a prime minister operating under such a dark cloud of suspicion.

The PML-N may urge Mr Sharif to stay in office and Mr Sharif may be tempted to hunker down and fight, but the toll on democracy would be too great. The prime minister has a clear alternative: step aside, fight whatever charges are brought against him or his children in court and, if he is eventually cleared of the charges, he can seek a return to office as the law permits.

To be sure, stepping aside now would not be an admission of guilt. It would, in fact, be a necessary sacrifice for the protection and strengthening of the democratic order. The country does not need and cannot afford the distraction of an incumbent prime minister fighting corruption charges in the courts.

Moreover, with the JIT report now public, the principal PML-N allegation that the Panama Papers investigation is nothing more than a witch-hunt stands significantly diminished. Anti-democratic forces may exist in the country and they may wish Mr Sharif ill, but none of that prevented Mr Sharif and his family from providing evidence to the JIT that would corroborate the family's claims.

The JIT conducted its entire investigation while the political stakes were crystal clear to the country and to the Sharifs themselves. Surely, the Sharif family should have gone the extra mile to provide evidence and explanations to the

satisfaction of a reasonable investigation. As the JIT report makes clear, the Sharifs have not done so.

The other option would be for Mr Sharif to call a snap election. If Mr Sharif's case is sent to the National Accountability Bureau, the presence of a caretaker government would dispel concerns of a manipulated process, NAB being prone to intense interference by the executive.

A fair but expedited accountability process would allow Mr Sharif to contest the next election without a cloud of suspicion hanging over him and his family, assuming a NAB process clears the family. Whichever option Mr Sharif chooses, it should be clear that the status quo is not an option. A prime minister preoccupied with fighting corruption charges is a prime minister no democratic polity deserves.

Mr Sharif may have his doubts about the fairness of the system, but the system has doubts about him. The system must prevail over the personal.

## Lal Masjid siege

TEN years ago today, militancy in Pakistan took a darker and more ominous turn. On July 12, 2007, the army's siege of the Lal Masjid religious complex in Islamabad exploded into a pitched battle that lasted several hours. The encounter, which saw commandos storming the complex and fighting heavily armed militants from room to room, left at least 100 insurgents dead, including Lal Masjid's charismatic deputy imam Abdul Rashid Ghazi, and claimed the lives of 11 armed forces personnel. Aided by a huge stockpile of weapons inside, the long stand-off and the bloody denouement illustrated the tenacity of anti-state elements determined to fight to the death. The conclusion of the assault also brought to an end the moral vigilantism unleashed by Lal Masjid's 'vice' squads across the capital.

On the face of it, Operation Sunrise was a triumph for the state, a demonstration of its fearsome power. Soon enough though, it became clear that it was more of a pyrrhic victory for the state, but an enduring one for the militants. A mishandled operation that resulted in a large number of fatalities, the siege proved to be a propaganda coup for the militants. Instead of being a deterrent, it catalysed

violent extremists — already in revolt against the state following what they saw as a betrayal of the jihadist cause after 9/11 — to unite under the umbrella of the Tehreek-i-Taliban Pakistan. Terrorist attacks, particularly suicide bombings, saw a marked escalation. Now that a decade has passed, and kinetic operations have dismantled much of the militant infrastructure, it is time to reflect upon what lessons have been learnt. After all, the siege was not inevitable: it need not have come to pass had the state not winked at radical elements establishing a stronghold in the very heart of Pakistan's capital. It acted belatedly after the situation had spiralled out of control. However, even today, many madressahs are run by religious organisations whose allegiance to extremist ideologies should be cause for concern — some of them are even on the interior ministry's watch list. Resisting government oversight, they cultivate in their students the same radical mindset that has already proven so costly for the nation. And even though Lal Masjid's Shuhada Foundation was rightly denied permission to hold a remembrance ceremony for the 'martyrs' of the siege, it illustrates how the ultra right continues to push the boundaries. The question is: are we pushing back hard enough?

## Mosul recapture

AFTER a gruelling military campaign, Iraq's second largest city of Mosul has been retaken by the government. On Monday, Iraqi Prime Minister Haider al-Abadi declared that the 'liberation' of Mosul was complete — three years after this historic city had been overrun by the hordes of the militant Islamic State group. However, the pictures emerging from Mosul are ones of devastation, showing a grey landscape filled with rubble and debris. The human toll has been even greater, with hundreds of thousands of Mosul's people displaced, while hundreds have been killed either by IS militants or in the crossfire. Of course, Mosul's recapture is highly symbolic as it is a major urban centre, while it was in the city's Nuri mosque — now reduced to rubble — that Abu Bakr al-Baghdadi declared his 'caliphate'. However, while the 'caliphate' may be falling apart, IS's ability to cause havoc remains considerable. Observers are of the view that the terrorist outfit may increase its guerrilla tactics after losing Mosul, while it also retains territory elsewhere in Iraq.

Apart from consolidating its gains against IS, the government in Baghdad should work towards ensuring that Mosul is rehabilitated at the earliest. Part of this rehabilitation must, of course, encompass the rebuilding of infrastructure and institutions. However, the Iraqi state must also ensure that communal relations are handled carefully. Mosul is a Sunni-majority city, while much of the Iraqi army consists of Shia troops. The militias that supported the army in recapturing Mosul are also almost entirely Shia. The government must ensure that there are no 'revenge' attacks and that steps are taken to promote harmony among Mosul's different communities. The militants of IS had in the past exploited communal differences to pit various groups against each other. They must not be given this chance again, which is why the state must work to build bridges between communities as part of the rehabilitation of Mosul.

## Role of the opposition

ON Monday, the Supreme Court will begin the next set of hearings that will decide the political fate of Prime Minister Nawaz Sharif in the Panama Papers case. Damaging as the JIT's findings may be, the Sharif family has not had an opportunity to present its objections to the report and its conclusions. That is what due process is and it ought to be respected — by all sides. Worryingly, there are signals from the political opposition that it may try and force the government into rapid concessions. Be it in the form of street agitation or rumour-mongering about the formation of forward blocs in the PML-N, an unnecessary and undesirable trickle of suggestions has begun that could quickly escalate and have unpredictable consequences for the democratic project. Now is the time for good sense to prevail. Too much pressure and too much adventurism by the opposition could be a recipe for disaster.

Mr Sharif is clearly in a great deal of legal jeopardy and this newspaper has already called on the prime minister to step aside while he fights to clear his and his children's names in the courts. The prime minister still has time to do the right thing and it is hoped cabinet colleagues and PML-N leaders will counsel him wisely. But while Mr Sharif and his team reflect on the tenability of his position, the opposition should avoid threats that could give the PML-N an excuse to reject necessary decisions. The case against street agitation is particularly strong: the Supreme Court itself is seized of the Panama Papers matter, and proceedings



there should never be politically pre-empted. Perhaps reckless elements among the opposition that do not care much for democracy are willing to risk such an approach, but the mainstream political parties certainly ought to reject it.

Rumour-mongering about the formation of forward blocs within the PML-N is a similarly foolish approach. Never mind the constitutional bar on such practices today, what such rumours amount to is an unwelcome reminder of the terrible politics of the 1990s and the ugly horse-trading that it was marked by. The PML-N has a majority in the National Assembly and can elect from its rank a new prime minister — if Prime Minister Sharif decides to step down. That is an internal party decision for the PML-N and outside attempts to prise away some members of the party may not just backfire but could have grave consequences for the democratic order. The Panama Papers were revealed to the world in April 2016. It has taken 15 months and much controversy for the Sharifs to be on the verge of the completion of a historic accountability process. For the sake of democracy and stability, the opposition should act sensibly and honourably in these potentially final important moments. History will judge the opposition well if they do the right thing now.

## Deregulating prices

AS a general principle, it is possible to argue that markets should play a greater role in determining prices, but there are some areas where there is a clear and manifest exception. For a country like Pakistan, the market cannot be allowed to determine the price of major vehicular fuels because our petroleum supply chain is brittle, and the population that is served is spread over a vast area and far-flung regions are likely to suffer. Therefore, the proposal advanced by the petroleum ministry to deregulate the prices of High Speed Diesel, followed by petrol at a later stage, deserves the opposition of the Planning Commission and the regulator that it is facing. The ministry needs to first prove that the government has enough control over the oil marketing companies to ensure that they will hold up their end of any bargain with the state. Past experience with 'deemed duty', and the failure of the OMCs to invest their required share in building their storages, which are vital for serving as synaptic gaps to protect the supply chain from unanticipated short-term shocks, does not inspire confidence in the ability of market forces to serve the public interest.

Eventually, it might be possible to move towards deregulating vehicular fuels after market forces have been tamed by a strong and independent regulator that is capable of acting like a referee in the market. In order to get there, though, the petroleum ministry should focus its energy on developing the proposals that would be required to strengthen Ogra, the regulator, and create the tools with which it can penalise the OMCs without fear of disrupting the supply chain. At the moment, it appears the ministry and the regulator are having a difficult enough task getting the OMCs to follow safety regulations in their contract carriages, putting precious lives at risk. Any strong step in enforcing the existing regulations in this area could potentially hamper the supply chain, thereby constraining the space within which punitive measures can be taken. The fragility of the oil supply chain is a major constraint at the moment, and under these conditions, passing pricing powers to the same OMCs risks creating a situation where the public interest suffers while the private vested interests are enriched. The vehicular fuels area of the petroleum sector is not ready for market forces to determine prices.

## Breast cancer detection

GIVEN that early diagnosis is key to survival in breast cancer, it is appalling that Punjab, the country's most populous province, did not until now have a public-sector screening centre for this type of cancer. Add to that the fact that Pakistan has the highest incidence of breast cancer in Asia with over 90,000 cases reported annually, the government has shown gross neglect on this score. However, in an instance of 'better late than never', that shortcoming in the health sector is soon to be addressed with the opening of such a facility at the Lady Aitchison Hospital in Lahore. Equipped with the latest equipment, such as digital mammography, the centre will cater to women from diagnosis all the way through to treatment. The medical faculty comprises lady doctors so the reluctance of many women in Pakistan to consult male doctors — thereby delaying diagnosis — will not be an issue.

If breast cancer is detected in the initial stages, say oncologists, there is 90pc chance of a complete cure. Often, surgery alone is enough to render a patient cancer-free. It is all the more tragic then that 40,000 women in Pakistan die of the disease every year. That is largely because less than 10pc are diagnosed in the

early stages, while 47pc are diagnosed at an advanced stage, often detected in the course of ante-natal examinations for gynae-related problems. Women with symptoms of breast cancer tend to suffer in silence until it is too late. Cultural inhibitions prevent them from talking about it to family members or accessing medical help for a condition they do not realise is fatal if left untreated. Often it is a combination of both inhibition and ignorance that seals their fate. It is therefore vital that a vigorous media campaign accompany the opening of the new screening facility. Women, and men, must know that modesty and coyness in this case is foolish in the extreme. The taboo surrounding this killer disease must end.

## Debating CPEC

The army chief's call for an "open debate on all aspects of CPEC" is to be welcomed, but a few irritants stand in the way before any such debate can happen.

The first irritant is the lack of disclosure by the government of many of the crucial details. Specifically, the long-term plan needs to become a public document, and greater debate ought to have gone into its finalisation. Details regarding the financing, the Special Economic Zones and the concessions being given to Chinese enterprises could also be more transparent.

When this newspaper ran the details from the long-term plan developed by the Chinese government for CPEC, people were genuinely surprised to learn that the scope of what is planned under the corridor projects goes far beyond power sector investments and transit trade. To this day there has been no specific denial from the government about the contents of that report, which has lent credence to the idea that what is in fact being developed under the plan is a far larger engagement than the government is willing to admit.

The second irritant is the extremely defensive language the government adopts every time questions about CPEC are asked, accompanied with reminders that "an enemy of CPEC is an enemy of Pakistan". This is a childish attitude and if an open debate is to take place on all aspects of CPEC, then defensive reactions of this sort will have to be dispensed with.

An open debate is necessary, indeed vital, given the project's depth and scope, to help build confidence that it is being pursued with the best interests of the country and its citizens in mind. Thus far that confidence is lacking.

One burning question, for example, that refuses to die down is how far the beneficial impact of the project through developments like job creation will actually filter down to the people, and how far it will be siphoned off by the Chinese counterparts. The larger macroeconomic impact of the project is also in question given the heavily debt oriented nature of the inflows associated with it.

At the end of the day, an open debate will promote greater clarity and understanding about the projects. Mere assurances and statements from government ministers and functionaries that all is well are not enough.

It is sad to see parliament and the provincial assemblies neglect their role in promoting such debate, and the political parties themselves are too preoccupied with the politics of the moment to spare a thought for this enormous and landscape changing undertaking that is taking place amidst us.

It is astonishing how little is known about the details outside of a small coterie of individuals. Without wider debate, the potential benefits of CPEC will not be felt by the common citizenry, at least not in the shape that we are being told.

## Orange Line controversy

MONTHS of wrangling later, controversy over the Orange Line Metro Train project in Lahore — in particular vis-à-vis its impact on important historical sites — refuses to die down. The latest episode came on Monday, when the Lahore Conservation Society and the Pakistan Civil Society Forum issued a press release alleging that rather than answering concerns raised by Unesco and the International Council on Monuments and Sites on the effect of the project on the Shalamar Gardens, it has presented before the World Heritage Committee prevarications and obfuscations. The press release claims that the authorities have taken the position that the World Heritage Committee has endorsed the train project, but that this assertion is untrue. In addition, the handout contends that the Punjab Mass Transit Authority has been citing domestic laws as an excuse for its delay in carrying out an exhaustive environmental impact

assessment for the project, even while flouting the country's labour, environmental and heritage laws in order to press ahead.

These are serious allegations and, if they contain any grain of truth, would imply considerable damage to the credibility of the provincial government and its vision of development. These claims need an urgent response, especially given the volume of controversy the Orange Line project has stirred up and the fact that the Shalamar Gardens — a centuries-old Mughal-era complex that was included in Unesco's World Heritage Site list in 1981 — are just one of the several affected heritage sites that invite concern. There is no argument that mass transit systems and development are a pressing need in most of the country's cities — but these must not come at the expense of erasing past histories and cultural splendours. The Punjab government, having taken the lead in these matters, needs to be absolutely transparent in its decisions and operations. Without that — and without the support of society at large — there is great danger of myopically attempting to cater to future needs at the expense of concern for the past.

## Turkey, one year on

A YEAR ago, the people of Turkey stood up to military might and quashed an attempted coup — a resounding triumph in a country where the military has overthrown a number of civilian governments. Since then however, Turkey remains under emergency rule, with critics accusing President Recep Tayyip Erdogan of consolidating increasing power and using authoritarian tactics to crush dissent. Of course an elected government has every right to defend itself from extra-constitutional adventures, and change at the top should only come through the ballot box. Given Turkey's history of military dominance, it is understandable that elected representatives would resist any unconstitutional moves. However, the tactics used by Mr Erdogan's government since the attempted coup do not reflect a democratic ethos. Speaking on Wednesday, the Turkish president said emergency laws would stay in place till "we no longer need to fight against terrorism". This indicates that the emergency may last for an open-ended period. In the year since the revolt, thousands have either been dismissed from service or rounded up; this includes government servants, soldiers, journalists and educators. Around 50,000 have been detained while the purge of the armed forces has been most severe, as rogue troops were in the

forefront of the attempted coup. Ankara has blamed exiled Turkish cleric Fethullah Gulen for orchestrating the revolt, a charge Mr Gulen has denied.

While Mr Erdogan and his supporters have managed to secure power, the state should work to lift the emergency and resist moving in a more autocratic direction. The Turkish president won a constitutional referendum in April by a narrow margin, while on Sunday the opposition held a large anti-government gathering in Istanbul. Clearly this indicates there are fissures within Turkish society; instead of using iron-fisted methods to crush all opposition, the Turkish state must work to heal the rifts and allow criticism of its workings. This is essential in a democratic dispensation. The doors must permanently be closed on military intervention in civilian affairs, but this does not mean that the leadership transforms into an elected dictatorship. Turkey is situated in a volatile region, with conflict raging not too far from its borders, while internally the situation is not entirely stable. Considering this state of affairs, while prosecuting those responsible for the revolt, President Erdogan should initiate a policy of reconciliation that tolerates all shades of political opinion and strengthens the democratic system. Alienating large segments of society may only lead to more instability.

## Economy at a tipping point

AFTER about two years of consolidation and growth, the economy appears to have reached a tipping point and has resumed its slide downwards. All along, we have been told by the government that it inherited a dismal situation but turned it around, pointing to the resumption of growth, the rise in foreign exchange reserves and the considerable investments being made in infrastructure. The latter, we have been told, are going to lay the foundations for future growth, thereby breaking the cyclical patterns of boom and bust that have held the economy hostage for decades now and brought the country to the doorstep of the IMF on more occasions than most other countries in the world. For a couple of years, the numbers supported this claim, and the sceptics had to dig deeper to find material that could challenge the story. In 2015, Moody's rating agency upgraded Pakistan's credit rating to B3, after a downgrade in 2012, in response to the improving macroeconomic situation.

But this fiscal year, it all began to change. Even the numbers are now lining up to testify against this story one by one. Two reports released back to back in the past two days make this abundantly clear. Moody's decided on Tuesday to retain its B3 rating and outlook, but cited a long list of vulnerabilities that have opened up, particularly with the current account and fiscal deficits. Pakistan may enjoy one of the highest growth rates of all B3 rated countries, but it also has one of the biggest debt burdens amongst them. On the fiscal side, the consolidation undertaken in the past few years appears to have run its course; for the next two years the ratings agency sees the deficit climbing to 4.7pc and 5pc of GDP respectively, much higher than what the government projects. The reserves rose fourfold while the government's story was in play, the agency notes, but "are still low in relation to current account payments" and on a declining glide path. Neither of these are encouraging developments, and if they persist, the growth story will be in jeopardy.

Then two days later came the IMF Article IV report, echoing many of the same concerns. After the usual bow to the positives, the Fund notes that recently "policy implementation has weakened and macroeconomic vulnerabilities have begun to re-emerge", summing these vulnerabilities up by saying "fiscal consolidation slowed, the current account deficit widened, and foreign exchange reserves declined". The government argues that these trends are temporary while CPEC-related projects are implemented. Growth will resume on a stronger trajectory, we are told, once those projects come online and the corridor gets going in earnest. It is a hope indeed, and nobody wants to take the shine off these words for no good reason. But hoping for the best is not a good way to manage deteriorating economic trends.

## Police officials' murder

WHATEVER emerges from the opaqueness that surrounds Balochistan is almost always of a grim nature. So it has been for the past week. Last Friday, the senior-most police official of Killa Abdullah, DPO Sajid Mohmand and his driver lost their lives in a suicide bombing in Chaman, the district main town which lies close to the Afghan border. On Thursday in Quetta, a senior police officer, SP Mubarak Shah along with his three armed guards was slain by four armed men on motorcycles who ambushed the SP's official vehicle while he was on his way to

his office. Jamaatul Ahrar, a faction of the banned Tehreek-i-Taliban Pakistan, claimed responsibility for the attack, as did the militant Islamic State group. There has so far been no claim of responsibility for the murder of the Killa Abdullah DPO.

When law-enforcement personnel are killed, it has a far-reaching, psychological impact. That is compounded when such an event takes place in a city like Quetta, a small town with a population of only a little over a million. If those who are supposed to secure the lives and property of citizens can themselves be targeted, that too in broad daylight in Balochistan's capital, can anyone consider themselves safe? The city is one of the most heavily policed urban centres in the country, with Rangers checkpoints at frequent intervals, so when individuals are singled out in this manner, it raises a number of questions. For example, how well are the security officials screened for radical sympathies or affiliations? How can assailants enter the city and make good their escape without being apprehended? The kidnapping of two Chinese nationals in May, again in broad daylight, illustrated the ease with which criminals operate in Balochistan. In that instance too, the abductors managed to make their way unimpeded through the city, even though they were in an unmarked car. Over the past several years, the province has become a cauldron of multiple insurgent outfits and extremist groups with violent, often diametrically opposed, agendas. That these groups are willing and able to strike wherever they choose, was demonstrated in May this year with the suicide bombing of JUI-F leader Abdul Ghafoor Haideri's convoy in Mastung and the Shah Noorani shrine bombing in Khuzdar last year. The SP's murder in Quetta, no less than that of the DPO 75km away, once again underscores the precarious security situation in the province.

## Visa for Jadhav's mother

A visa application by the mother of convicted Indian spy Kulbhushan Jadhav is the latest opportunity for India and Pakistan to back away from an increasingly confrontational stance against each other.

The reasons for Jadhav's conviction and incarceration suggest that Pakistan may not be legally required to allow his mother to visit him or indeed grant her a visa at all, but it ought to be considered on humanitarian grounds. Jadhav has been



sentenced to death and while there is some way to go yet before he exhausts his legal options, a meeting between mother and son would be humane and in no way undermine Pakistan's case against him. A meeting between mother and son is very different to granting consular access, which is any case being litigated by India in the International Court of Justice. There is also little possibility of a media spectacle being created given that Jadhav is in military custody. Indeed, were Jadhav's mother allowed to meet her incarcerated son, it may even have the benefit of indirectly demonstrating that the convicted spy is being treated according to the law and his safety is being taken care of inside a Pakistani prison.

Clearly, such a visit would not automatically reverse the growing chasm between India and Pakistan. India appears to be in no mood to talk to Pakistan and Prime Minister Narendra Modi's crackdown in India-held Kashmir shows no sign of abating. Meanwhile, Pakistan has been plunged into political uncertainty once again with the submission of the JIT report to the Supreme Court and Prime Minister Nawaz Sharif's decision to contest its conclusions while remaining in office. But small gestures can have a way of lowering the temperature in the overall relationship between India and Pakistan and opening the door to further sensible measures. Pakistan and India are caught in a trough in relations; the request by the spy's mother is an opportunity for both sides to show that humanity can still shine through.

## PM's accountability

THE next phase in the political fate of Prime Minister Nawaz Sharif begins tomorrow.

The battle lines are now drawn, at least politically. The PML-N has vowed to fight corruption charges against its leader tooth and nail; the combined opposition, though in varying degrees, believes Mr Sharif should step down and let parliament get on with the business of electing a new prime minister.

Self-serving as the opposition demand may be, there is an undeniable logic to it. The PML-N's claims are self-serving too, but they are less persuasive, at least from a democratic perspective. What remains to be seen is the PML-N's legal strategy.

Thus far it has been a spectacular failure — an attempt to taint the proceedings against Mr Sharif as politically motivated without trying to address the allegations themselves.

As the JIT report has made clear, the Sharifs have continued to provide contradictory accounts of how the family apartments in London came to be in their possession. That is unacceptable, no matter what the concerns about the intentions and motivations of the JIT may be.

Surely, a decade into the latest transition to democracy, old excuses cannot stop the system from progressing towards a much-needed accountability of all. Unhappily, the JIT lived up to its reputation and delivered a report that is littered with unnecessary observations and distractions. It is almost as if the JIT were drawing up a political indictment for public consumption rather than strictly answering the questions put to it by the Supreme Court.

It must be remembered that the three justices of the Supreme Court who determined a JIT was necessary to answer certain questions about the so-called money trail of the London apartments did so with a relatively open mind. The JIT seems to have interpreted the questions as accusations and enthusiastically condemned Mr Sharif, his children and sundry allies.

The unnecessary and certainly undesirable approach of the JIT has prevented it from assembling a legally impregnable case against the Sharifs, something that will undoubtedly be exploited by the prime minister's legal team in the Supreme Court.

Worse, the JIT's undue aggression towards the prime minister and his family has cast a cloud over the whole proceedings, reinforcing arguments that the process is politically motivated. The Supreme Court ought to address the issue head-on and separate core facts in the report from unnecessary distractions. If Mr Sharif is to be shown the exit door, the process must be unimpeachable.

There is a further issue that the Supreme Court ought to consider. Some of the doubts about the true purpose of the proceedings against Mr Sharif can be removed if a clear road map is given for furthering the cause of accountability. It is right that Mr Sharif is being investigated first in the Panama Papers case, but accountability cannot and must not stop with him.

## Sindh's anti-NAB law

ACCOUNTABILITY has always been a flawed process in Pakistan. However, it makes no sense to do away with institutions responsible for ensuring accountability and replacing them with obedient rubber-stamp bodies that work to cover up the shenanigans of their political bosses. The PPP-led Sindh government, it appears, seems to be bent upon pursuing the latter course of action. On Friday, Sindh Governor Mohammad Zubair returned the National Accountability Ordinance 1999 Sindh Repeal Bill, designed to do away with NAB's jurisdiction in Sindh, without signing it. In the weeks since the Sindh government passed the controversial law on July 3 in a stormy provincial assembly session, word on the political front was that the Sindh governor, who belongs to the PML-N, was going to do exactly that. However, Sindh Chief Minister Murad Ali Shah has 'regretted' the action, and said that the law will be sent back to the Sindh Assembly. Due to the PPP's majority in the provincial legislature, the party will have little trouble in getting the law passed without the governor's assent, even though opposition parties in Sindh have cried foul over it.

Perhaps in the upcoming Sindh Assembly session the law can be further debated and reviewed to remove the opposition's and critics' objections. As things stand, the law is widely being seen as an attempt by the PPP to protect itself and its supporters from oversight of any kind. Indeed, NAB's performance has left a lot to be desired. But instead of proposing to reform the body, the PPP's attempt to remove the federal body's jurisdiction from Sindh points to something more sinister. There are very few who would believe that Sindh's administration is being run in a transparent, corruption-free manner. The province's crumbling health and education infrastructure and lack of basic facilities for its people all indicate that a large portion of the billions of rupees allocated for public expenditure are not being spent on the people's welfare, but are ending up in certain pockets. Defective as the accountability infrastructure may be, replacing it with a submissive body at the beck and call of Sindh's ruling party may do away with whatever little oversight of government finances remains. The PPP would do well to heed the criticism and review the anti-NAB law in the assembly session, and work towards reforming the body instead of eliminating it in the province.

## Beaten to death

AFTER days of back and forth over the cause of death of young Akhtar Ali, a post-mortem report has finally been prepared.

It confirms what the boy's family had been claiming since the 16-year-old's body was recovered from the house of his employers in Lahore's Akbari Gate area: the child was beaten with a blunt weapon, resulting in his death.

Talking to the media, SSP Investigation Mubashir Maiken on Friday further quoted the post-mortem report as saying that the boy's body bore old wounds as well as fresh ones.

Consequently, into the murder FIR that was registered when the case first came to light, the police have now inserted an anti-terrorism clause making reconciliation between the two parties difficult.

Suspected of the murder is the employer of Ali and his sister for the past four years, Fauzia, daughter of PML-N MPA Shah Jahan.

There are many aspects to this tragedy that must simultaneously evoke emotions ranging from shock to unbearable sadness.

One is the sort of poverty and lack of governmental intervention/support that produces large families and forces parents to put their children to work in the first place.

Recent times have thrown up case after case of such domestic workers — young, unaware of any rights and often cut off from their families — being horribly treated.

Often, the conditions under which they work are hardly different from slave labour.

Another is the callousness of society itself, where the issue of child labour and the mistreatment of minors is deeply endemic and there for all to see, yet invisible until death or serious injury occur.

Most depressingly, not even the potential vanguards of change always have their hands clean — consider how many of the country's educated families employ children, and in particular, ponder the fact that the politician parent of Ali's

suspected murderer is a member of the National Assembly's standing committee on labour and human resource.

In such circumstances, can there be anything other than despair?

## Editorial: New Khyber operation

WITH the launch of Operation Khyber-4, the military will attempt to address a long-standing problem that has evolved in an unexpected way more recently. A fourth iteration of the same exercise may give the impression of unfinished counter-insurgency operations, but the Rajgal Valley, in the Tirah region of Khyber Agency, is a roughly 250-square kilometre impenetrable zone. Earlier Khyber operations had given security forces the control of peaks surrounding the valley and from there, when militant activity was detected, it was possible to use artillery or even aerial firepower. On the other side of the border, across from Rajgal Valley, lies the militancy-infested eastern Afghanistan, with familiar names such as Tora Bora and Achin. Anti-Pakistan militant groups, such as the Mangal Bagh network Lashkar-i-Islam, had found sanctuary in eastern Afghanistan and crossed over into Pakistan through Rajgal Valley for terrorist operations here.

What appears to have changed is that the militancy dynamic in eastern Afghanistan has shifted in favour of the militant Islamic State group; it has elevated the danger that Pakistan faces through the Rajgal Valley route. So now the military has freed up forces to take the fight to militants inside the valley and, eventually, set up posts along the border from where future militant movements can be interdicted. It will be a tough fight and Pakistan's brave soldiers will incur losses. Their sacrifices for the long-term security of the country are the backbone of the nation's resolve. It remains to be seen if the Afghan government will be able to provide some support to the Pakistani effort. What is needed is a hammer-and-anvil approach that leaves the militants no space to escape or operate. Pakistan has acted sensibly by informing the Afghan government in advance of the operation, and bilateral relations are not as openly rancorous as they were until recently. Perhaps there will be space for some trust-building joint efforts along the border.

There remains a fundamental reason for Pakistan and Afghanistan to cooperate in this latest phase of a long war against militancy. The Afghan security forces,

assisted by American firepower and a smattering of ground forces, have inflicted significant blows on the fledgling IS network in Afghanistan. IS is a serious threat to Pakistan too, hence the latest operation in Khyber. The new US administration, which is expected to unveil a new, so-called South Asia strategy soon, has made fighting IS the centrepiece of its security policy. Surely, all sides can find a way to cooperate in the circumstances.

## K-Electric tariff

THE pandemonium that broke out at a recent hearing held by Nepra to decide on a review of its tariff for K-Electric will encourage those already opposed to public hearings to further justify their stand against consultation in such decisions. The noise and chaos that ensued when workers of two political parties — the PPP and the Jamaat-i-Islami — resorted to a shouting match led the chairman of the authority to abruptly end the hearing after an hour, saying “our legal requirement is fulfilled”. The two political parties have only themselves to blame: whereas the law calls for a public hearing, its purpose is not to create chaos but to hear the arguments and reasoning of those who are to be affected by the decision under consideration. The participation of political parties in such affairs should be welcomed, provided they have the brains amongst them to present reasoned arguments, and not to shout each other down. As it turned out, the pandemonium served no purpose whatsoever, other than cutting the hearing short and denying many others who may have had genuine arguments to make an opportunity to be heard.

Nepra did the right thing to ignore the pandemonium. Now it must do the right thing once again when deciding the tariff. And the right decision is the one that puts the public interest ahead of the private interests of the investor. K-Electric’s present management has skilfully presented its arguments in a way so as to argue that its interests are the public’s interest. Strictly speaking, whether or not the utility is able to finance future investments under a given tariff regime is of no interest to the consumer. It is a little disingenuous of private-sector parties to argue that their future revenues somehow embody a public interest. The tariff should indeed be performance-based, as the management is arguing, and not contain guaranteed returns, since the company’s business includes distribution, and it should be incentivized to raise efficiencies. That is where the revenues to

pay for future investments should come from. When deciding the matter, Nepra must recall its role as the voice of the public interest, and keep that as its fixed point in the determination. Whether the present investors can offload their shares onto another purchaser under the new determination, or future investments for system upgradation should not be a matter to burden the public with.

## Extremism in universities

THE alleged mastermind of 9/11, Khalid Sheikh Mohammed, was a graduate of an American university, while Omar Saeed Shaikh, convicted of Daniel Pearl's murder, studied at the London School of Economics. Clearly, secular, even elite, education is no guarantee against radical ideologies. In Pakistan, however, the stereotype of the militant — madressah-educated or illiterate and coming from an impoverished background — remained intact for a considerable time. Indeed, it was largely applicable to the earlier generation of militants. But with the conviction of Saad Aziz — a graduate of one of Pakistan's top business schools — for the Safoora Goth massacre and rights activist Sabeen Mahmud's murder, it is obvious that the militant landscape in Pakistan has evolved considerably. Last week in Karachi, the Sindh police's Counter-Terrorism Department organised a seminar titled 'Growing radicalisation in educational institutions', in which academicians from around 40 public and private universities called for a coordinated policy to address this pressing issue. A number of practical steps were proposed by the participants such as vigilance committees, increased surveillance on campus and seminars to sensitise faculty members and students.

An exchange of views between members of law enforcement who are familiar with the minutiae of extremism in the country, and educationists responsible for moulding the mindset of young people, is a valuable exercise that shows proactive, long-term thinking. While savage violence such as that carried out by Saad Aziz is an exception thus far, there are umpteen indications of a radical mindset taking root in Pakistan's higher institutes of learning. The internet has made it even easier for extremist elements to ensnare naïve, impressionable young people, including women. A case in point is Noreen Leghari, an MBBS student from Hyderabad, who was arrested in April on suspicion of being involved in terrorism; she later confessed she was to be used as a suicide bomber. Aside from educational institutions, families too must be made aware of

the warning signs which indicate that their younger generation is on the path to embracing a dangerous Manichaeian ideology.

## Outside the courtroom

INSIDE the courtroom, the absence of television cameras and microphones and the presence of judges means that grandstanding by petitioners or respondents is rare. The court is a forum for decision-making in light of the law and Constitution, not a place for political posturing. Outside the courtroom, however, a very different and damaging spectacle has unfolded in the Panama Papers case. Yesterday, the pre- and post-hearing theatrics and politicking were on display again as politicians and lawyers jostled behind a makeshift podium facing cameras, microphones and reporters. It is a political right to comment on court proceedings and defend a particular point of view. What is problematic is the backdrop: the Supreme Court building and with it the reputation of the court as a place above the political fray. The spectacle outside the court is undermining one of the very few strong democratic institutions the country has; it must stop.

This newspaper firmly supports free speech, especially in the political domain. Too often, political dissent has been muzzled in the name of national security or institutional integrity. Many of the speeches and comments made outside the Supreme Court in the Panama Papers case would be routine for news conferences and television studios. But just as there are norms to be followed inside parliament, where speech is protected and proceedings are immune from judicial scrutiny, there are norms that apply to the Supreme Court. In a polity where democratic institutions are weak, the Supreme Court has established itself as a non-partisan institution. It is for that very reason that all sides in the Panama Papers dispute have agreed on only two things: the Supreme Court is the right forum to decide the matter and the court's decision will be respected. However, the polemics and theatrics outside the court are threatening to tarnish its independent reputation and reduce its stature among the public. That must not be allowed to happen.

A straightforward solution would be for the political class and the legal community to themselves recognise the damage they are potentially inflicting, and tone down the rhetoric on the court's premises. After the political fate of Prime Minister



Nawaz Sharif is decided, there will undoubtedly be further legal disputes with national consequences that politicians are party to — protecting the court's reputation now is not just the right thing to do, it is politically sensible too. But if politicians and lawyers insist on continuing with the spectacle outside the court, the Supreme Court itself may want to consider issuing directions against the practice. The court has demonstrated enormous patience so far and gone out of its way to accommodate the diverse, and often contradictory, demands made of it by the political class. Restraint was a sensible approach to begin with, but it may have reached the point where it is no longer effective. The court's premises must not become a political circus.

## Market uncertainty

STOCKS have been hit by a strong bout of volatility since at least May when a sustained bull run hit choppy sentiments. In recent days, the declines have been so spectacular after some trade sessions that they have set records and rekindled memories of 2008. All the stories that we were fed since the bull run began last year have been demolished since the declines kicked in after May, laying waste to the elaborate analyses and narratives put out by various brokers. By now, it is abundantly clear that few, if any, know how far these declines will go, and whether or not the peaks that the index hit this winter will ever be scaled again. The uncertainty is proving too much for many small investors who have their valuable savings at risk.

The apex and front-line regulators are right to point out that they have no role to play in such declines, and especially not one that involves attempts to dampen the volatility or preserve investor value. This is a ruthless marketplace, where profits and losses must be swallowed with equal ease. Beyond ensuring that the payments and settlements system is working properly, that brokers are not over-leveraged or engaged in unethical trades, there is precious little for them to do. But it is also important to realise that the investor landscape has changed in significant ways since this regulatory framework was put in place. Mutual funds are playing a growing role these days, and capital-protected funds are particularly popular. These generate their own patterns of buying and selling due to commitments to their clients. These patterns can today be drivers of volatility. There is nothing unethical about these funds, but perhaps it is worth asking how

far the regulatory framework has evolved to keep pace with the changes sweeping through the investor landscape. Are there reforms that can help small investors better understand the risks involved in the stock market, and is it possible for the regulators to keep a closer watch on the hype through which buying activity can be generated? Most people are being told that the political crisis in Islamabad lies at the heart of the declines, but more savvy investors know that the crisis is at best catalyzing a trend that was going to come around in any case.

## Sindh's polluted water

RECENT analysis by the Pakistan Council of Research in Water Resources of surface and groundwater samples from across Sindh reveals that water quality in the province has worsened — 80pc (from 75pc a few months ago) of sampled sources, including at educational institutions and tertiary-care hospitals, is now contaminated with pathogenic bacteria and unfit for human consumption. Add to this the extent to which the creeks of the Indus delta have been polluted with heavy metals and emerging cases of multidrug-resistant typhoid, and we have before us an environmental and public health crisis of devastating proportions. Unsafe water supply and inadequate sanitation are responsible for substantial economic and human losses. Children are the most vulnerable to preventable water-related diseases such as cholera, typhoid, hepatitis and polio; diarrhoeal diseases are the leading cause of infant and child deaths in the country. Sindh leads with the highest number of cases of diarrhoea as well as the highest number of deaths of children under five. This has placed a tremendous burden on the province's already under-resourced public health sector.

Water pollution in Sindh appears direr than in the rest of the country, with the provincial government and administrative authorities largely responsible for the near total collapse of water and waste management systems. But this is just a microcosm of a larger issue: the state's abdication of its obligation — as mandated by its commitment to the UN's SDGs as well as the Supreme Court — to provide safe drinking water and sanitation facilities to all its citizens. The PCRWR estimates that 84pc of the country's population lacks access to clean water. The concomitant disease burden is already more than the country can bear. Clean water is a fundamental prerequisite for Pakistan's progress; no

scheme to eradicate disease, ensure food and water security, improve livelihoods and boost the economy can succeed without a multidimensional policy to address environmental degradation, particularly the contamination of our most precious natural resource.

## LoC violence

A pattern of violence can be dangerous because one or the other side may be encouraged to escalate. A spike in violence over the weekend along the Line of Control continued into the new week with further incidents on Monday. A familiar set of accusations and recriminations have been traded, but the casualties on the Pakistani side suggests a disproportionate escalation in violence by India. That appears to have been confirmed by the reactivation of the DGMO hotline between the Pakistani and Indian sides. The Pakistani DGMO Maj Gen Sahir Mirza has, according to the ISPR, warned his Indian counterpart that Pakistan could consider 'choking' the Indian security forces' supply lines across the LoC. The unusual Pakistani warning is likely an attempt to signal to India that it has drifted perilously close to red lines in the range of violence that has become a worrying norm along the LoC this year. The Pakistani DGMO stressed that immediate actions need to be taken if a major escalation is to be avoided.

The warning may have a short-term effect, but the security trajectory along the LoC is a major cause of concern. With India-held Kashmir firmly in a cycle of protest and repression, the Indian government, led by Prime Minister Narendra Modi, is looking to blame external factors for the unrest and has firmly backed the Indian security forces in IJK, which have been in an aggressive mode both inside the occupied territory and along the LoC. Now, with Pakistan firmly in the throes of another political crisis, the Indian side could consider escalation at a time the leadership here has to contend with domestic issues. The sensible approach would be for high-level political and diplomatic contact between the two countries. It is apparent that the overall poor state of the bilateral relationship has allowed security problems to fester. A bold political statement between the two countries could go some way towards ending the recent cycle of violence and help put the two sides back on the path to dialogue.

But is that realistic? Perhaps not without third-country encouragement at the moment. The two obvious possibilities — the US and China — are mired in their own problems. China-India tensions have also spiked in recent days, suggesting that the already limited influence China may have had when it comes to encouraging Pakistan and India to engage in dialogue has been further reduced. Meanwhile, the US will soon unveil its new strategy in Afghanistan. Dubbed a South Asia strategy, the focus appears to be on the Afghanistan-Pakistan region and the tentative signals are that it will involve applying greater pressure on Pakistan. That may cause Pakistan to balk and increase suspicions of US intentions. Ultimately, the Pakistan-India conundrum will have to be addressed by the two countries themselves. Dialogue is the only path that the two sides ought to consider.

## Sindh police shake-up

MANY of the country's law and order problems can be traced to the fact that the police department as an institution in Pakistan is not geared towards public service; rather, it seeks to please its political bosses. In fact, politicisation of the police can be described as the biggest factor that contributes to the law-enforcement body's lack of performance. When the department is stuffed with cronies and political supporters, it is naive to expect it to deliver. The Sindh administration, it seems, is particularly adamant about clipping the wings of the police department and bringing it under its thumb. On Monday, a major shake-up in the province's police hierarchy was announced as several senior officers, including the Karachi police chief, were changed. However, while transfers and postings of officers are nothing out of the ordinary, in this case what was particularly odd was that Sindh police chief A.D. Khowaja was not consulted by the PPP government. As reported, Mr Khowaja wrote to the Sindh chief minister saying he had "serious reservations" over the shake-up. Over the past few months, relations between Sindh's rulers and its police chief have been strained, with the political administration unhappy with the IGP for not 'toeing the line'. This is the latest in a series of moves to isolate the police chief, as a few weeks ago the Sindh government took away the IGP's powers to appoint SSPs and SPs. But Sindh is not alone in treating the police department like a political appendage. On Tuesday, the Lahore High Court suspended a government

notification appointing the acting IGP as the province's permanent police chief. It criticised the Punjab government for "taking the court frivolously"; the IGP had been appointed after the court's third deadline while he has only a few months left before retirement.

It would be wishful thinking to imagine that crime and lawlessness in Pakistan can be controlled without an independent, competent police force. However, if political forces insist on creating blockages in the way of the police's independence, these goals will be impossible to achieve. Instead of constantly meddling in the police's work, the Sindh government should empower the IGP and give him the independence he needs to do his job. While oversight is necessary, micromanagement is undesirable. Punjab should also take the task of appointing a permanent IGP seriously and do the needful without delay.

## Women's cricket rout

WHEN it comes to sports, especially in this part of the world, women's teams always have to put in that extra effort to be noticed. It was unfortunate that this effort was not reflected in the performance of the Pakistani women's cricket team at the ongoing ICC Women's World Cup. True, they were not among the favourites at the competition, but no one expected them to lose seven consecutive games. Sana Mir and her charges started out well with a close game against South Africa and had restricted arch-rivals India to just 169 in the subsequent all-important contest. There were hopes they would be sufficiently inspired by Pakistan's win at the Champions Trophy some days earlier, but they were bundled out for a paltry 74. It was a sad story from thereon. Barring the West Indies game, where they ran out of luck, their performance could be summed up as lacklustre. There was the occasional flash of brilliance in the performance of batswomen Nahida Khan, Bismah Maroof and Javeria Wudood, but the brutal fact is that the team did not have the firepower or skill to excel at the mega event — because their preparedness had been blighted by a number of factors.

To begin with, we cannot remain oblivious to the lack of resources and support for women players as compared to the men's team. In these circumstances, and against teams with far better training, it becomes a battle for survival on the field,

let alone making a mark. For the girls in green to qualify for the World Cup was an achievement when one reflects on the few tours abroad, the poor media coverage and the handful of sponsors. Besides, breaking societal boundaries is a huge hurdle in itself. Having said that, the tournament has raised serious questions about Sana's leadership. She was a shadow of her dynamic self in most games. It would probably require a Pakistan Super League for women to unearth fresh talent that could turn things around in the future.

## Saudi-led alliance

IS retired Gen Raheel Sharif commanding a ghost army? Government representatives have insisted that so long as the terms of reference of the Saudi-led Islamic Military Alliance to Fight Terrorism are not finalised, Pakistan's participation cannot be determined. But with the prime minister's foreign adviser, Sartaj Aziz, once again struggling to answer questions in the Senate on Tuesday, it is obvious that the Pakistani government is not clear when these terms will be finalised. So why was an NoC issued to Gen Sharif, allowing him to proceed to Saudi Arabia to take command of an army that does not exist and to implement the orders of an alliance whose terms have not yet been finalised? Despite another round of questions by senators on Tuesday, Mr Aziz was unable to offer anything resembling an acceptable answer.

It is possible to attribute the decision to issue Gen Sharif an NoC to a civil-military relationship that is forever shrouded in secrecy and in which the civilians are arm-twisted into making poor choices. But so long as the veil of secrecy remains, it is also possible to interpret the decision to send Gen Sharif to Saudi Arabia in other ways. Could the civilian government have struck a deal with the then army chief to provide him a job post retirement if he gave up on his rumoured ambition to secure a second term as army chief? The problem with secrecy is that it breeds rumours and suspicion, especially when it concerns individuals at the very top of the de facto power structure in the country. The phrase 'in the national interest' is bandied about easily; surely, when it comes to Pakistan joining a foreign military alliance, with the possibility of troop deployments abroad, the national interest demands clarity and transparency.

There is also a problem that the government refuses to acknowledge: parliament has debated and rejected the possibility of sending troops to a sectarian cauldron in the Middle East and the Gulf. Saudi Arabia is rightly a close ally of Pakistan and the ties between the two countries are deep and long-standing, but Saudi Arabia's interests are not automatically Pakistan's. As the war in Yemen and now the blockade of Qatar have indicated, the Saudi leadership, undergoing a generational change, is making questionable decisions. Pakistan's core national interest is to defeat militancy of all stripes. But in their quest for ascendancy over rival states, several Middle Eastern and Gulf countries have embraced groups that can have disastrous consequences for this country. There is already speculation that recent sectarian attacks in the country are the militant Islamic State group's purported retaliation against Pakistanis fighting in Syria. The warning signs are too big to ignore. Gen Sharif ought to unilaterally reconsider his position. If he does not, the government must consider ways to cancel the NoC he has been granted.

## Hindus in Thar

THE part of the Thar desert that lies within Pakistan has long been a bastion of communal harmony in this country. Given there is near parity between the Hindu and Muslim populations living in the area, that peaceful coexistence has been an example for other Pakistanis to emulate. However, there have been indications for a while now that Thar's benign social ethos is undergoing a change, a change that bodes ill for the future of those who call it home and one that may well have wider repercussions for the rest of the country. An investigative report about forced conversions of Hindus that appeared in this newspaper recently detailed how certain mullahs and feudals are exploiting poverty and class distinctions to put Thar's Hindu community under unprecedented pressure.

Certainly, exploitation along these lines happens elsewhere as well, but in Thar, with its huge Hindu population, it assumes a different dimension, especially against the recent backdrop of the mushroom growth of seminaries in Umerkot and Tharparkar districts. The spread of the madressah culture has led to a wave of fundamentalism in which conversion to Islam, whether by force or otherwise, has become a means to an end. For one, the conversion of Hindu girls — many of them underage — and young women, is often used to 'legitimise' their

kidnapping and rape. Cowed into submission, and afraid of rejection by their community if they return, they can do little else but say their conversion was voluntary. How else can one explain that young girls and women of marriageable age comprise the vast majority of such cases? Moreover, if they do convert willingly, why is it they never contact their families again? On the other hand, there is an active effort by certain elements to offer material inducement to impoverished Hindus to convert. Such assistance, including ration, livestock, proper housing, etc is calculated to appeal to a people who are not even able to meet their basic needs. Surely charity should be predicated on need rather than on faith, or upon a change of faith. It is heartening that most Muslims who live alongside Hindus in Thar as part of an integrated social milieu are equally disturbed by the changes they are witnessing in a land that has seen none of the religious conflict that much of Pakistan has been witness to. The state has a duty to protect the Hindu community and its right to live as Hindus.

## Pak-India culture ties

IN a welcome development, the Lahore High Court has struck down a notification issued by Pemra last year regarding a ban on the broadcasting of Indian dramas on this country's licensed private television channels. It is definitely a case of better sense having prevailed. On Tuesday, Lahore High Court Chief Justice Syed Mansoor Ali Shah ruled that the electronic media regulator needed to revisit its policy, given that the world had become a global village, and that the placing of unreasonable restrictions was not reasonable.

The decision deserves appreciation. For one thing, in this age of internet connectivity and digital media, there is no sense in attempting to block certain content when there are so many ways of accessing it. The idea that Pakistanis might be harmed by watching Indian television content — indeed, Pemra's counsel made the argument that the content of Indian dramas was objectionable and contrary to the ideology of the country — appears besides the point given this larger reality. Where the greater picture is concerned, however, what must be thought about is the future of Pakistan-India relations. In recent months, cultural ties have increasingly become a casualty in the historically difficult diplomatic relationship between the two countries. Notwithstanding what is happening on the political front, the long-term goal is for Pakistan and India to



conclude some framework of mutual cohabitation. However, what we are seeing is the expansion of the theatre of confrontation; in large part, this is the result of moves across the border where resentment against Pakistani artists working in India in the wake of the Uri attack last year has increased. Such trajectories stymie possibilities of future thaws. Now that the ban on Indian content on Pakistani channels has been struck down, it would be a welcome move for Indian broadcasters to reciprocate — especially when Pakistani television shows reportedly enjoy the same popularity across the border as Bollywood fare does over here. Trite as it sounds, the future lies in cooperation.

## Electoral reforms

THE details have yet to be made public, but in principle the decision is the right one. After years of struggle and delay, parliament has moved a step closer to electoral reforms. Consensus at a time when the political government is under a great deal of pressure may appear as a convenient distraction, but the motivation and intention do not matter. What matters is the quality of reforms that will be evident once the bill is debated by the lower and upper houses of parliament. However, although the details must be analysed and debated, there is another problem that needs to be highlighted: the unnecessary and extended delay in arriving at some kind of agreement on reforms, even if not all parties are yet on board. Electoral reforms, of the sweeping kind that Pakistan needs, cannot be implemented easily or quickly. But more than four years have passed since the last general election, after which a commission, headed by the then chief justice of the Supreme Court, probed allegations of electoral fraud. The outcome was a report with a number of recommendations to improve the overall electoral system.

Unhappily, thus far, before this latest move, electoral reforms had been treated simply as a matter of strengthening the Election Commission of Pakistan. While constitutional amendments have been undertaken to improve the independence and autonomy of the ECP, the latter itself has time and again highlighted the problem with the scope of its powers and the administrative challenges of conducting a general election. Indeed, there is speculation that the government only expedited a consensus on electoral reforms under pressure from the ECP, which has been warning that new rules need to be established before the run-up

to the election that must be held before the end of next year. Therein lies a democratic problem, ie the willingness to act only under pressure and seemingly at the last moment, rather than improving the quality of institutions and the rules that apply to them.

While the details are many, there are some core areas in which reforms can truly take the process of fair and transparent elections forward. The three phases are well known: pre-election, polling day and counting. At each point, particularly in areas where media and administrative scrutiny are inadequate, mistakes and errors are evident. That is what taints the overall electoral process and what makes it possible for losing parties to contest individual and national results. As vast consultations and debate by the electoral reforms committee have determined, reforms are mostly common sense and about strengthening the administrative apparatus at the constituency level. Some of that is relatively easy to deliver, but an overhaul is required in other areas. Whatever path is chosen, it is time for parliament to make some important decisions.

## Iran-US friction

EARLIER this week, hours after the White House had confirmed that Iran was abiding by the landmark 2015 nuclear deal, the State Department announced new sanctions targeting Iranian individuals and entities linked to the country's missile programme. The Iranian reaction was swift, with President Rouhani saying on Wednesday that his country would "respond appropriately" to US moves. Ties between the US and Iran have been strained ever since the events of 1979, when Tehran broke away from the American orbit. In the decades since, both sides have been involved in proxy wars, be it the Iran-Iraq war of 1980-88, or the current imbroglio in Syria. However, what is important is that both sides have avoided a direct war, despite many close calls. While the relationship has never been easy, there was a hint of rapprochement during the Obama years, though normalisation of ties was still far off. Unfortunately, the course the Trump administration has adopted is one of confrontation with the Islamic Republic, and if saner counsel does not prevail, an explosive new front may open up in a Middle East already shattered by war and militancy.

Instead of building upon the 2015 nuclear agreement — which Mr Trump once termed “the worst deal ever” — and addressing its concerns with Iran at the negotiating table, it appears that the current American administration is trying very hard to look for ‘trouble’ with Iran. Unable to find fault with the 2015 deal, which was hailed by most members of the international community as a major achievement of multilateral diplomacy, Washington is now adamant to raise other issues with Iran that are bound to put it on a collision course with Tehran. It is a fact that the old order is collapsing in the Middle East and Iran has moved in to fill the vacuum in places (Iraq, Syria, Yemen). This has alarmed the US and its regional allies, especially the Saudis and Israel. Mr Trump should remember that the US is no longer the world’s policeman. If the regional states have issues with Iran, let them sit at the table with Tehran and discuss matters frankly. Flexing military muscles to cow Tehran into submission and engaging in confrontational rhetoric will only embolden hard-line elements in Iran. As it is, there is enough chaos in the Middle East; the US must work with Iran to ensure that another crisis does not emerge.

## Poor sanitation facilities

MANY people would say there is little need for something as ‘mundane’ as menstruation to be acknowledged at an international level. In fact, they are comfortable with the culture of silence that surrounds the issue. However, if they were present, or read an account of what was discussed on Wednesday at an event in Islamabad to celebrate World Menstrual Hygiene Day 2017, they may have emerged with a better understanding of how it can impact the public sphere in far-reaching ways. Speakers on the occasion highlighted the link between the menstrual cycle and girls’ education in Pakistan. When schools have inadequate facilities to support girls who have menstrual hygiene needs, it affects their school enrolment and dropout rate, besides contributing to absenteeism. Studies conducted by organisations involved in advocating for menstrual hygiene show that 11pc more girls in this country would attend school if this problem was addressed.

Menstruation is thus not just a normal bodily function; it has very real and practical consequences. If these are not factored in, it will be difficult to increase girls’ enrolment, a goal that all provinces have committed to. Also, girls’ often

have to travel long distances to reach secondary schools because the catchment area for them is much bigger than it is for primary schools; this is where there is a confluence of the two main reasons for girls' high dropout rate — lack of sanitation facilities and access. If the school does not have toilets or if they are not functional, a crucial concern particularly when they have their monthly cycle, then the only option for girls is to make their way home again, an impractical and ultimately discouraging exercise. When girls are experiencing menstrual discomfort, they are even less likely to attend their classes if sanitation facilities are missing. In a society like Pakistan, where many families already have misgivings about older girls going to school, the lack of infrastructure to meet menstrual hygiene needs should not add to their reservations.

## **Diversion of development funds**

THE federal Public Sector Development Programme (PSDP) is one of the biggest engines of growth simply by virtue of the enormous resources that can be thrown into the economy through it. The revival of growth that the government presents as its signature achievement has in large part been achieved by sharply escalating development spending. In the outgoing year, for example, the government disbursed Rs744bn through the development budget. Although this amount was below the budgeted Rs800bn (for the federal PSDP only), it still represents enough money that goes directly into productive activities and that can shape the fiscal framework as well as the growth environment in important ways. But with this volume of money passing through government hands, it is crucial that proper oversight be maintained to ensure it is being directed towards the projects for which it is intended.

In the last fiscal year, as an example, revenue shortfalls necessitated a steep cut in the domestically financed component of the development budget, and the axe largely fell on the programmes marked to facilitate the return of temporarily displaced persons of the Waziristan operations. The amount allocated for this programme was Rs100bn, but it was cut by Rs38bn. From the remainder, around Rs24bn was then diverted to various expenditures not connected to the TDPs at all, such as paying for the contingent liabilities of the JF-17 Thunder contractual payments, as well as a 'security allowance' and raising a special security force.

Although these diversions were effected after obtaining the necessary approvals, they speak of the ease with which funds marked by parliament for one purpose can be diverted to another. It is not clearly known how much of the development budget gets diverted in similar ways since the reporting template for the programme does not include the relevance disclosure requirements. What is known, however, is that growing amounts from the development budget are now being directed towards funding projects related to CPEC, for which more than Rs1.1tr have been marked thus far and Rs180bn spent until June 2016. Given the sheer amounts involved, and the growing absorption of domestically financed projects meant for CPEC, parliamentary oversight is becoming ever more critical. Yet the development budget remains one of the least debated and scrutinised areas of public finance. Parliament must play a more active role in providing oversight in this crucial area.

## Rocky Pak-US ties?

An annual report by the US State Department has yielded a familiar verdict on our counterterrorism record: while some successes have been acknowledged, Pakistan has allowed externally focused militant networks to flourish.

But the significance of the latest assessment is twofold: it is the first report to be compiled by the Trump administration and it has come ahead of the unveiling of a revised US strategy in Afghanistan. Taken together, it suggests that the US is, indeed, drifting towards taking a harder line against Pakistan on this country's alleged support for militancy.

Editorial: If the Afghan leadership remains closed to dialogue, there is little Pakistan can do

A rocky Pakistan-US relationship is not in the interest of either country, so perhaps both sides need to acknowledge the shortcomings in their respective approaches. Where the US is concerned, the almost casual disregard of Pakistan's intensive counterterrorism and counter-insurgency efforts is a continuing problem.

As Operation Khyber-IV in the Rajgal Valley of Khyber Agency has demonstrated, Pakistan is intensifying its operations against the militant Islamic

State group in the region, an important goal that it has in common with Afghanistan and the current US administration. The unexpectedly fierce response by the Afghan defence ministry to Pakistan's outreach to Afghanistan over the operation in Rajgal Valley is hardly conducive to regional cooperation in the fight against militancy.

Yet, Pakistan cannot simply disregard the US description of Pakistan's efforts against militancy and terrorism. The specific language in the latest report about a number of Afghan Taliban and Haqqani network attacks inside Afghanistan being planned and launched from so-called safe havens here suggests a consensus by external intelligence agencies that Afghan-centric militants are able to operate with virtual impunity from Pakistani soil.

Whatever Pakistan's rightful strategic interests in Afghanistan may be, there is simply no space for the continuation of a good Taliban/bad Taliban policy. The very fact that no sensible Pakistani strategist can publicly defend such a policy is telling — surely, no state ought to follow a policy that it cannot defend publicly and that runs counter to other efforts being made inside the country to re-establish security and stability.

Pakistan, as the US rightly acknowledges, has made some effort to nudge the Afghan Taliban towards dialogue with Kabul. The Afghan government and its security forces, assisted by the US, have clearly struggled to establish control over vast swathes of the country — Pakistan cannot be blamed for much of that. But neither should it be making the quest for peace and stability more difficult.

## Snooker feat

YOUNG cueist Naseem Akhtar's brilliant title win in the IBSF World Under-18 Snooker Championship in Beijing early this month has largely gone unnoticed. It seems the euphoria of our cricket team's victory at the Champions Trophy has dominated sports news in the country. But that does not take away anything from the 16-year-old's tremendous achievement. Naseem's precocious demolition of home favourite Peifan Lei of China in the prestigious event has made the critics sit up and take note. In fact, Pakistan has produced quite a few international-level snooker champions since Mohammad Yousuf's world snooker win in 1994 at Johannesburg. It was that victory which inspired an entire generation of cueists

to take up the sport and excel in it. The names include 2012 world champion Mohammad Asif, Asian Snooker winner Hamza Akbar, the recent Asian 6-Red snooker winner Mohammad Sajjad, world snooker finalist Saleh Mohammad and many others.

However, Naseem's win is unique in the annals of Pakistan snooker because it is the first by any cueist at the underage level. The Sahiwal-born Naseem, who is also national junior champion, lost only two frames in his four knockout phase victories before the final in Beijing, and his run-up to the title clash included his 4-0 semi-final drubbing of Israeli Amir Nardeia. But while Naseem has proved his excellence, he is discouraged by the government's negligible patronage of the sport and bemoans the lack of facilities even in major cities which is, indeed, lamentable. Cricket's popularity may have overshadowed almost every other sport in the country, but it is essentially the government's step-motherly treatment of medal sports such as hockey, squash, boxing, snooker, wrestling and the martial arts that has caused the regression of Pakistan's sports at the international level. Not a single Olympic medal has come our way since the 1992 Barcelona Games which reflects a shambolic state of affairs. Indeed, it is a matter of shame for a nation of 200 million.

## Accountability process

TWO weeks since the JIT delivered a hard-hitting report and a week since the Supreme Court began its final set of hearings in the Panama Papers case, the three-member bench has adjourned to decide the political fate of Prime Minister Nawaz Sharif. In a dispute that lies at the intersection of law and politics, it was perhaps inevitable that the case would be mired in controversy, but through a reasoned, well-argued judgement the court has an opportunity to reframe the accountability debate in the country in a lasting manner. A template to be avoided, however, is the dissenting opinion of two justices in the April judgement. At its heart, the dissent took a fundamentally cynical view of politicians and harkened to a period of judicial hyper-activism under former chief justice of Pakistan Iftikhar Chaudhry. The Supreme Court's best judgements are those that set reasoned precedents, gaining consensus over time rather than being cast aside because of controversy.

Unhappily, within the political class itself, the focus of accountability largely remains political opponents: the PTI wants the PML-N leadership held accountable; the PML-N demands the PTI leadership also be held accountable; etc. The Supreme Court has an opportunity to cut through the political opportunism and deliver an authoritative judgement on the scope of its own special powers, the parliamentary disqualification criteria in the Constitution and the role of the ECP. Currently, there is too much uncertainty, which is a disservice to both the cause of accountability and governance. What, for example, is the distinction between an act of corruption that allows the Supreme Court to directly disqualify a parliamentarian and refer the matter to the ECP? Will JITs form the basis of future judicial decisions in corruption-related matters? If so, will the court lay down guidelines for that process or will it be carried out in the controversial, ad hoc manner that it has been in the Panama Papers case?

Whatever the court decides in Mr Sharif's case, it should also lay out a framework for accountability that can be expanded to other politicians and other branches of government and the state. After all, the Panama Papers exposed at the very least unsavoury financial practices by a range of Pakistanis, both private citizens and public officials. So while it was right that Mr Sharif was first in the queue for accountability, the process must not stop with him. Ultimately, a court can only adjudicate on matters before it and it rightly does not have the power to compel parliament to draw up a particular accountability scheme. But the court does have a unique opportunity with the nation's attention focused on it and the prime minister himself at the centre of legal scrutiny. A methodical examination of the flaws in the overall accountability process in the country could put pressure on parliament and the executive to act.

## ATC cases

JUSTICE delayed, as the aphorism goes, is justice denied. And in Pakistan, this does seem to be the case. On Wednesday, Sindh Law Minister Ziaul Hasan Lanjar accepted that more than 5,000 cases were pending in around 50 anti-terrorism courts that are functioning in the province. Speaking to the media at the Sindh Assembly after a meeting to review a proposal for increasing the number of ATCs in Sindh, he claimed that the number of such courts had been increased and would be further added to if needed. But the devil, as always, lies in the



detail. Mr Lanjar also said that the provincial government would recruit another 400 prosecutors because this department had not been performing as it should be. Reportedly, a committee was formed in this regard that was jointly headed by the home secretary and prosecutor general. He also referred to last year's plan of recruiting law graduates for the position of 170 inspectors on the legal side and 200 inspectors on the investigation side.

Such intentions — though praiseworthy — tend to obfuscate the picture of the country's justice system, where the primary problem is the huge backlog of cases that exists in all courts, whether at the lowest tier of trial courts or the appellate forum. A similar picture exists for platforms of justice all over the country. The ATCs were themselves set up to fast-track proceedings on cases of the most heinous nature, because the regular court system was unable to process them in a timely fashion. What we have seen in recent years, though, is their being used as an alternative to the normal justice system. Within the ATCs and without, the problems range from a lack of incentives for professionals to join the prosecution service to poor investigation. Further, despite sporadic efforts over the years to clear out the backlog, the reality remains that litigants and those accused of wrongdoing must wait for years till their fate is decided. This leads to all sorts of greater problems, not the least of them being the creation of alternate — sometimes illegal — dispute resolution systems including jirgas and panchayats. The state needs to show far more resolve in its duty to provide justice, and the first steps towards this goal should be to clear out the backlog of cases that has built up over the years and to beef up investigation, prosecution and adjudication.

### Blood donation

It appears that most Pakistanis are only moved to donate blood when they are confronted with news of a major terrorist act in which multiple people have been wounded. A report in this paper on Friday gave some insight into the apathy and ignorance with which people approach this important civic duty. The fear that donating blood will affect one's health and make them susceptible to infections discourages people from the practice. As a result, sometimes medical procedures need to be delayed for lack of stored blood. But the plight of those who require transfusions on a regular, sometimes weekly, basis — such as thalassaemia major patients — is the most distressing. The aforementioned report includes a poignant quote from the father of a thalassaemia patient that people have begun avoiding him socially because he has requested them so often to donate blood.

The suffering of individuals like these and their loved ones does not make the news or have the impact that a bomb blast or a major road accident does. While a number of organisations as well as some public-sector hospitals are doing commendable work in offering free treatment to patients with blood disorders, the shortage of donated blood can lead to transfusions being delayed. That can put patients of thalassaemia major at serious risk of severe anaemia. To allay fears over giving blood, the provincial governments must ensure that blood donation facilities within their jurisdictions are properly regulated and duly monitored. At the same time, as per the adage 'prevention is better than cure', there must be an awareness campaign in the media about thalassaemia, an inherited blood disorder particularly prevalent in Pakistan because of the tradition of interfamily marriages. Mandatory premarital blood screening, as required in Iran, is the pragmatic way to ensure that the incidence of this condition that places a huge burden on the country's already creaking health infrastructure is reduced.

## Khyber operation

RAPID successes in the first phase of Operation Khyber IV in Rajgal Valley in Khyber Agency is welcome news. With the capture of a strategic mountaintop by the military, militants have been denied a position from which they can detect, avoid or attack Pakistani security forces. Moreover, the overall goal of creating Pakistani check posts along the border with Afghanistan to interdict militants who attempt to cross over is one step closer to becoming a reality. Once again, the bravery and determination of Pakistani soldiers is moving the country closer towards another important victory in the long fight against militancy. A grateful country acknowledges their sacrifices. The rapid gains in Khyber IV has also highlighted at least two other issues: the overall state of relations with Afghanistan and the pace at which post-operation steps in Fata are proceeding.

Worryingly, instead of Khyber IV creating the possibility of renewed security cooperation between Afghanistan and Pakistan, the operation has been used by Kabul to create fresh tensions between the two countries. The Afghan response, denouncing Khyber IV and railing against Pakistan for perceived inaction against Afghan-centric militants, is perplexing. At the very least, Pakistan is securing its own terrain against militants, a goal that Afghanistan surely cannot oppose. And with Khyber IV also aiming at reducing the space for the militant Islamic State

group to operate in the region, a common goal of Afghanistan, Pakistan and other countries with a stake in peace is being addressed. While Pakistan must not allow the unreasonableness of the Afghan government to slow down or prevent operations that are important to this country's security, the state here ought to consider fresh means of outreach to the government in Kabul. The overall goal of peace and stability in the region will not be realised without cooperation between Afghanistan and Pakistan.

For Fata, the operation marks one of the final milestones in the process of establishing the state's firm writ over the region. But political and administrative reforms in Fata appear to have stalled, and the process of resettlement of IDPs continues to be drawn out. Fata is a region that has been ravaged by war for more than a decade. It deserves better than the limited and sporadic attention the national leadership has been able to give to a whole spectrum of interventions that the area demands. It was obvious from the first military operation that a militarised approach alone will not bring long-term peace and stability to Fata. As Operation Khyber IV proceeds, the other aspects of long-term stability in Fata ought to be addressed too.

## Drug pricing

PAKISTAN has the second highest prevalence rate of hepatitis C in the world. Yet, more than 18 months since the UN-backed Medicines Patent Pool announced an agreement enabling the generic manufacture of the new hepatitis C drug daclatasvir in developing countries, the Drug Regulatory Authority of Pakistan has yet to confirm local tenders. Used in combination with sofosbuvir, daclatasvir reduces the course of treatment to three months, and has better cure rates and fewer side effects than intravenous therapy. Sofosbuvir suffered from a similar fate of delays and controversy before it was approved last year. Over the past few years, there have been severe shortages of many essential, live-saving drugs — thyroxine, folic acid, TB medication, to name a few — owing to discontinued local production, each representing a major health emergency that threatens the lives of millions and adds to spiralling healthcare costs. Medicine accounts for the largest expenditure item after food for most families, a cost that is driven up by lack of government support in providing free medicines and a

market flooded with expensive imported and smuggled drugs in the absence of local alternatives.

At the heart of the issue lies a weak Ministry of National Health Services, headed by a state minister lacking the executive powers to effectively administer it; its ancillary Drap is frequently at loggerheads with pharmaceutical firms over what they deem prohibitive regulations; and a dysfunctional pricing policy that seems to benefit neither the industry nor consumers. The Drugs Act, 1976, entitles the federal government to fix maximum sales prices on medicines, a necessary provision that requires the private sector to carry some of the health burden by accepting lower margins. But the government seems to desire all the accolades of securing affordable drug prices — in appearance at least — without any policy or financial investment on its part. Prioritising positive optics, it ignores the consequences of fixing prices lower than regional reference prices in a country where 90pc of active pharmaceutical ingredients are imported, even as our product list continues to shrink. We need to analyse and adopt best practices from the regional pharmaceutical industry model, develop our nascent API manufacturing industry and guarantee the independence of Drap in adopting a transparent price control regime. The cost of this lengthy pricing dispute has been paid in too many lives lost to preventable, treatable health conditions.

## Jerusalem violence

A NEW cycle of violence has begun in Palestine. The latest clashes have originated around the revered, and contested, Al Aqsa mosque compound in Jerusalem where recently a number of Palestinian fighters and Israeli police officials were killed. The violence led the Israeli state to close the religious site to Palestinians, increase security measures and cancel Friday prayers. This, expectedly, incensed the Arabs. There was more violence last Friday with deaths on both sides while killings of Israeli settlers were reported from the West Bank on Saturday. Perhaps no other spot in the occupied territories is more of a flashpoint than Al Aqsa, also referred to as Haram as-Sharif by the Palestinians, and the Temple Mount by the Israelis. It should be remembered that it was a provocative visit to this sacred site by Ariel Sharon in 2000 that sparked the Second Intifada. Therefore, the Israeli establishment must tread very carefully and not place any restrictions on the Palestinians' access to Al Aqsa.

Unfortunately, fuelled by a suffocating Israeli occupation that has lasted several decades, violence has become the norm in Palestine. The Israelis, especially right-wingers such as the ones in power now, have not lost any opportunity to humiliate and brutalise the Arabs. Five decades after Israel occupied what is globally recognised as Arab land, there is no sign of a viable Palestinian state on the horizon. What is more, Gaza, ruled by the Hamas movement, has been turned into an open-air prison both due to an Israeli blockade and Palestinian infighting as there is no love lost between the Palestinian Authority that rules the West Bank and Hamas. As a UN report noted earlier this month, living conditions in Gaza have become “more and more wretched” over the past decade. With the present structure of the Middle East crumbling, the Arab world divided and disoriented and states that seems oblivious to their plight, it appears the Palestinians have little hope of escaping violence and living with freedom and dignity.

## Lahore blast

Another major terrorist attack in Lahore with a significant death toll and injury count has underlined the drift in national counterterrorism efforts.

In the immediate aftermath of the attack, despite the banned TTP claiming responsibility, it is difficult to establish a link between a bombing in urban Pakistan and an aggressive military operation in Fata. Yet, the past suggests that military operations in Fata tend to raise the threat in other parts of the country as the militants seek revenge. So were intelligence-gathering and counterterrorism operations escalated in recent days across the country?

Given the clandestine nature of such anti-militancy activities, an official answer will be required — but there have been no obvious indications of heightened security in the country. Questions must necessarily be asked, but how much hope is there for honest replies that lead to improvements in the system’s responses?

For Punjab, the problem appears to be particularly acute. Lahore is the country’s second-most populous city, but it has unrivalled resources. Given Chief Minister Shahbaz Sharif’s manifest interest in keeping the provincial capital secure,

Lahore also has one of the more stable police and civilian counterterrorism leaderships.

Yet, the city has suffered enough to bring into question the capabilities of this leadership. Chief Minister Sharif may repose full trust in his hand-picked team, but can the city be so sure that its guardians are the best that exist in the police, intelligence and counterterrorism community?

While knee-jerk responses should be avoided, surely at some point an overhaul of the provincial capital's security apparatus is inevitable. It does not appear that the right lessons are being learned. The Punjab government tried long and hard to thwart the Rangers from getting a counterterrorism role in the province, but has been unable to implement reforms that could make the argument for the use of paramilitary forces redundant.

It is also unacceptable for Punjab government officials to argue that the province has seen a 70pc to 80pc decline in terrorism as if to suggest that the citizenry should be grateful for only having to suffer sporadic attacks. As previous cycles of militant violence have demonstrated, a slow but steady set of attacks points to militant networks that are resilient and capable of suddenly exploding into violence.

The political crisis that has recently engulfed the Sharif family is also not an adequate or acceptable explanation. The strategy to fight militancy is by definition a long-term project — it is the responsibility of the government to chart a course in which the fight against militancy continues no matter what the political distractions.

Lahore is suffering today, but cities in other provinces should stand warned too. They too must rededicate themselves to counterterrorism and counter-extremism efforts, or risk suddenly being engulfed by a wave of militant violence.

# Train drivers' strike

THE countrywide strike by train drivers to put pressure on the government to accept their demands was called off after 18 hours, but not before thousands of commuters had endured extreme distress on account of the sudden disruption in train operations midnight Saturday. The trains are back on track even if they are still running late. Khawaja Saad Rafiq, the railways minister, described the drivers' action as "needless, unreasonable and illegal" before using his Twitter account to announce that the "strike had been foiled". It remains unclear as to what made the disgruntled drivers return to work so soon, although some reports suggest that the railway authorities used strong-arm tactics to force them to resume duty. The arrest of their colleagues from different cities under the anti-terrorism laws may also have contributed to the end of the strike. The railway management's decision to call in contract and junior drivers to work is also said to be one of the reasons why the strike apparently failed.

Indeed, though protest is a democratic right, such an extreme step taken by the drivers to press their demands — upgradation of pay scales, increase in mileage and meal allowance, and reinstatement of sacked drivers allegedly responsible for accidents — disrupted the travel plans of thousands of commuters. But the railway minister's decision to employ police and anti-terrorism laws to scare them back to work is simply not acceptable. It would have been much better if he had chosen to negotiate with them and addressed their grievances before they stopped the trains. None of their demands is unjustified after all. The government has already allowed pay raise for other railway staff — station masters, special ticket examiners and so on. Why have the drivers been left out? The demand for reinstatement of their colleagues sacked summarily without transparent and independent inquiries into train accidents also makes sense. And how is stoppage of payment of pensions and other benefits to the survivors of drivers killed in those accidents a legitimate action? Heads must roll but not without proper investigations in full public view. For too many years, Pakistani commuters have endured a poor train service owing to the shortage of rolling stock and an inefficient and corrupt management and staff. They may be forced by circumstances to use this terrible service, but surely they deserve better.

## Women's cricket

ENGLAND's nine-run win over India in the Women's World Cup final on Sunday was a dramatic climax to a competitive tournament that was perhaps the most widely followed of its 11 editions since 1973. Though England, with three titles under their belt, had started out as favourites in the tournament, India stunned them with a 35-run win in the opener of the eight-team extravaganza. The semi-final win over Australia later catapulted India as joint favourites in the final. However, the hosts had the last laugh by clinching the cliffhanger at Lord's, although there was a time when the match looked in balance with India well poised at 134 for 3. A match-winning six-wicket burst by fast bowler Anya Shrubsole saw England turn the tables on Mithali Raj's team and bag their fourth title. Significantly, the tournament was a great success on and off the field. On Sunday, both teams played to a crowd of nearly 28,000 while according to estimates, global TV audiences reached over 70m in the final and 50m in the group stage matches. This was as good as any of the men's events, barring of course the India-Pakistan matches — the Champions Trophy contest saw a whopping 200-million plus viewership.

The 2017 Women's World Cup owed its success to the equal strengths of teams such as Australia, England, South Africa, New Zealand and India. Besides, all 31 matches were shown live for the first time ever. ICC, too, ensured better sponsorship deals for the tournament. The only weak links were, perhaps, Pakistan, Sri Lanka and the West Indies — three teams with inadequate infrastructure in their respective homelands and limited international exposure. Millions of Pakistani fans keenly followed their team in the mega event, and though they were left disappointed by its performance, they realise that with sincere government patronage beefed up by PCB's resources, our women's team can perform much better in the next World Cup set to be played in New Zealand in 2021.



# Pak-Afghan dialogue

AS Lahore and Kabul try and recover from yet more attacks, policymakers in the region must contend with an undeniable reality: the interconnectedness of peace and stability in Afghanistan and Pakistan. There may not be much reason to believe the attacks on Monday in Lahore and Kabul were directly connected or coordinated. But from a broader perspective, the attacks and the likely perpetrators have demonstrated that neither country can truly aspire to peace and stability without the sustained, meaningful assistance of the other. Militancy in Pakistan will not automatically disappear if the Afghan sanctuaries of Pakistan-centric militants are eliminated. Similarly, the Afghan Taliban's alleged links to Pakistan are not the sole reason why the 16-year-old war shows no signs of ending. Yet, the mistrust that has plagued bilateral relations between Pakistan and Afghanistan have prevented the two states from pursuing their respective strategic goals.

If ever there were a time for them to re-engage in direct dialogue, it is now. As media reports from the US indicate, the review by the Trump administration of the Afghan strategy has run into a road block: the White House itself. President Trump's national security and defence advisers are urging him to commit to an open-ended military engagement in Afghanistan based on a small surge of US troops, but the president is reportedly baulking. Perhaps, as former president Barack Obama eventually realised he would have to do, Mr Trump, too, will acquiesce to the demands of his generals. However, the indications are that he is not invested in a major overseas military engagement — a signal that has important implications for this region. If Afghanistan and Pakistan do not recognise the urgent need for dialogue and bilateral breakthroughs now, the militancy situation could spiral further and make cooperation impossible. If Kabul feels fundamentally threatened by militant sanctuaries and vice versa, the space for bilateral cooperation will vanish and could be replaced by the search for alliances that could damage the other.

For Pakistan, there is another burden: recognising that a militarised strategy will not deliver decisive results in the long term. Fencing the border with Afghanistan, installing military check posts on the border, leading counterterrorism efforts internally, all these are steps necessary to long-term success but the main planks of counterterrorism and counter-extremism must be civilian. Problems of civilian capacity and will exist, and these must be addressed to fight terrorism and

extremism. The alternative is what Pakistan has at the moment: a dramatic reduction from peak militant violence, but continuing sporadic attacks across the country. Whatever the institutional differences, surely the imperative of keeping the entire country safe ought to come first.

## Policemen's killings

CONSIDERING the violent past few decades that Karachi has witnessed, even a brief lull in bloodshed is considered welcome. But, while the law-enforcement operation launched by the police and Rangers in 2013 has yielded results, it is quite clear that militants still have the capability to cause mayhem at will. The most recent example of this came on Monday evening when two traffic policemen were shot in the city's Gulshan-i-Iqbal area. One of the officers died while the other was injured. This was the second attack on police personnel within a week; three policemen were killed in the Korangi area on Friday. In fact, 2017 has, thus far, been a deadly year for police officials, with around 14 officers killed in the city since January. Militants choose to target men in uniform for a number of reasons: they are 'soft targets', they represent the state and they are easily identifiable due to the public nature of their jobs. According to the Sindh police's Counter-Terrorism Department, over the past few months a new militant group — Ansarul Sharia Pakistan — has emerged in Karachi, said to be formed by militants who have returned from the Syrian war. The police believe many of the attacks on serving and retired security personnel have been carried out by members of this group.

The killings illustrate the nebulous nature of militancy in Karachi. When one group of militants, for example those associated with political parties or sectarian killers, is brought to heel, another soon emerges in its place. The murders of security personnel also show the lack of preparedness of our LEAs. After the recent killing of policemen in Korangi, Sindh police chief A.D. Khowaja expressed his displeasure over the fact that standard operating procedures were not followed by the law enforcers, which compromised their security. In the wake of the killings, the police chief has ordered that the force put renewed focus on policing skills. The force needs to be provided with modern training and equipment to enable it to fight emerging militant threats in the metropolis. It is also true that the power struggle between the Sindh government and the police

department, specifically Mr Khowaja, is affecting the force's performance. In order to battle a variety of threats, the Sindh police must have an independent, professional leadership that can motivate officers. Political interference and meddling in the police's administrative affairs is an unwanted distraction and should be discontinued.

## Dangerous oil tankers

ON Monday, a Senate panel and the Ministry of Petroleum and Natural Resources 'emphasised' the implementation of safety rules for oil tankers plying roads across the country. The rules governing the movement of hazardous goods by road, according to Ogra, were notified back in 2009. But it took the loss of over 200 lives in a blaze that erupted after an overturned oil tanker burst into flames near Ahmedpur Sharqia last month to remind parliamentarians and the government agencies concerned of their existence and the need for their implementation. It is typical of our bureaucracy and state institutions to spring into 'action' only when a disaster of this scale strikes — only to return quickly to business as usual.

No one has so far tried to investigate what prevented the enforcement of rules during the last eight years. No one has questioned why no mechanism was developed to force the rich oil-marketing companies to follow safety standards and switch to compliant tankers for transportation of their oil as is done in other countries. Or why no road map was given to transporters to gradually replace their existing vehicles with a new fleet in line with the safety guidelines prescribed in the Agreement for International Carriage of Dangerous Goods by Roads. All this needs to be probed and discussed for future reference and long-term planning to prevent similar tragedies. Petroleum Minister Shahid Khaqan Abbasi's statement that "some safety rules for the tankers might be too stringent to be followed in the country's environment" is nothing but an attempt to deflect public criticism of the failure of the government and oil firms to fulfil their responsibilities in the enforcement of standards. If the government had started implementing the safety standards and rules immediately after notifying them, it might have fine-tuned them by now and the people killed in the tanker fire might have been alive today. After all, what use are laws, rules and standards if they are not enforced?

# Property concerns

IT was already an ignominious compromise by the government and now it too appears to have been delayed. As reported in this newspaper earlier this week, the revised tables for the valuation of property, which were to have been issued by the FBR for the new financial year, have not been approved or released. Officials suggest the delay is because the finance ministry has been sidetracked by the Panama Papers investigation and hearings in the Supreme Court. But other tax officials offer a more prosaic explanation: the main purpose of the valuation tables is to increase the revenue the government raises from the property sector, a goal that is opposed by powerful private interests. Given that the government has time and again reversed its decisions in the face of intense pressure from special interests in the economy, the combination of a centre facing political peril and trying to impose more revenue-raising measures makes for a vulnerability that is likely being exploited by the property sector.

Worth remembering is that while the government has reduced the property valuation tables to merely a revenue-raising measure, two of the three original aims were to deepen the documentation of the economy and drive property speculators out of the market. By raising capital gains tax on property that is rapidly bought and sold — the sign of speculators rather than genuine homebuyers — the aim was to rationalise property prices that have spiralled out of the reach of the middle, and even the upper-middle, class across urban Pakistan. But if official property valuations are kept artificially low the disincentive for speculators is not high enough to deter them from remaining in the property sector, ensuring that special interests continue to rule. That is also reflected in the kind of investments we see, with commercial projects taking precedence over the creation of affordable housing. The disservice to a growing population is enormous.

Four years into a government's term, even without the political uncertainty that has engulfed the PML-N, few new ideas or measures have been unveiled. Election-year budgets are known more for populist measures than hard decisions regarding special interests in the economy. Eventually, however, this government or the next will have to make tough choices. The rate of growth in revenue is lower than the rate of growth of expenditure, a gap that will have to be bridged at the behest of IFIs that bail out the economy or because of simple budgetary logic. By caving in to special interests time and again, the government is making

the state's eventual task that much harder. A line will have to be drawn. Why not start with a property sector that if freed from the grip of special interests could have important benefits for swathes of the urban population?

## Delayed NFC award

THE province of Khyber Pakhtunkhwa may ask the country's president to intervene to ensure an early conclusion of the ninth National Finance Commission award, which, according to the Constitution, should have come into force on July 1, 2015. But the delay in its finalisation has led to the continuation of the previous award into its eighth year. KP blames Finance Minister Ishaq Dar for delaying a new award for the distribution of divisible tax revenues between the centre and the provinces for the next five years. The province's finance minister has also hinted that the apex court will be approached in case the president fails to "discharge his constitutional duty".

Indeed, the provinces, especially the smaller ones, aren't too pleased with the situation. The new commission has met just thrice in spite of the expiry of the five-year term of the last award and has repeated demands from the federating units for a swifter conclusion of the next one. The centre appears to be intentionally dragging its feet on the issue. It has not been able to convince the provinces to spare 7pc of the total tax resource before splitting it between the centre and provinces to meet the additional expenses of internal security on account of the ongoing military operation and the development of Azad Kashmir, Fata and Gilgit-Baltistan. Islamabad is already paying around Rs100bn annually to finance the military campaign. It is for the same reason that Mr Dar took his case for "rebalancing revenue-expenditure responsibilities" of the federation and the federating units to parliament in May and sought the legislators' support for the federal government's stance. In his budget speech, he attributed the NFC delay to the provinces' refusal to contribute to the additional cost of funding internal security and the development of federally administered regions. This government, including its finance minister, is not known for debating policy issues, especially those that are controversial, at public or constitutional forums unless circumstances force them to do so. They must understand that matters concerning the division of additional financial responsibilities between the centre and provinces can only be discussed at the NFC forum for an enduring solution.

The accord on the historic seventh award shows that any problem can be cracked and any disagreement settled if debated properly at the proper forum. The sooner they return to the NFC for deciding the issue the better it will be for all.

## Support for the NCHR

A WELCOME break from the past was witnessed on Tuesday when members of the National Assembly Standing Committee on Human Rights argued that the parliamentary panel ought to concentrate on rights violations in the country instead of criticising the National Commission for Human Rights. On previous occasions in the past, the forum has been the focus of complaints and point-scoring for, allegedly, having ‘embarrassed’ the country, when in truth it has only been attempting to carry on with its work. This time, though, once Human Rights Secretary Rabiya Javeri Agha reiterated that the NCHR was completely independent, MNA Munaza Hassan commented that there was a good deal of human rights work to be done. This included, she added, making public the standing committee’s performance report to see if any item on its agenda had been completed. Other parliamentarians, too, spoke up to agree that there were many important issues that were being neglected by the committee.

Putting it thus is to vastly understate matters; the reality of Pakistan’s abysmal human rights record is widely known and concerns have been voiced not only inside the country but also by international observers. It is imperative that the NCHR be afforded maximum autonomy and resources so that it can do whatever is possible to alter the country’s human rights trajectory. Numerous challenges lie in the way of this goal, as, at the moment, the rights of Pakistan’s citizens are being violated on practically all fronts. For the situation to change, and for people to believe that there is concern in the corridors of power about their wellbeing, the government will have to listen to what others are saying about our rights record. It will have to ensure that there is no interference in the work of institutions that have been tasked with promoting human rights in the country and probing complaints of violations, and that Pakistan is fulfilling both its constitutional and international obligations.

# Panama judgement

Today is set to be a historic day for the judiciary and politics in Pakistan. Prime ministers have been removed before and prime ministers have survived, but none have been subjected to the kind of public and mostly transparent scrutiny that Prime Minister Nawaz Sharif and his family have undergone.

Whether Mr Sharif is determined to be unfit for public office, his case is referred to the accountability courts for trial or the Supreme Court decides on some other course of action, an undeniably welcome precedent has already been set: a sitting prime minister and his family have been required to explain the sources of their income and wealth.

In a country where public officials, elected and unelected, routinely and brazenly live beyond their known and legal sources of income and wealth, the Panama Papers case may be the beginning of a new era of public disclosure and accountability. The Pakistani people deserve a better, more transparent and more accountable leadership in all state institutions.

With the political stakes so high, it is inevitable that there will be a great deal of disappointment today in one camp or the other. What is important is for the Supreme Court judgement to be respected and for its orders to be promptly obeyed.

Long after today, and much after Mr Sharif exits the political landscape, the country will need an independent judiciary to help keep the democratic process within the ambit of the law and the Constitution. At times, both the petitioners and the respondents in the Panama Papers case have drifted perilously close to politicising the court and bringing the institutions of democracy into disrepute.

The Supreme Court may have demonstrated undue restraint towards the political circus that threatened to engulf it, but the court has an opportunity to further the cause of accountability and strengthen the democratic project by delivering a well-reasoned, well-argued judgement. By doing so, it will rightly put the onus on Pakistan's political leadership to respond with a democratic maturity to the verdict and accept it as part of a continuing process to strengthen democracy.

Finally, the political class itself must introspect after this episode. While robust political competition is important to democracy, the PML-N and PTI have allowed

their rivalry to drag the country backwards. The spectre of the 1990s has returned and there is a possibility that between the determination of the Nawaz Sharif-led PML-N to remain in power come what may and that of the Imran Khan-led PTI to ascend to power no matter what, the democratic project itself may unravel.

Democracy will not be threatened merely by the exit of Mr Sharif, nor will it be boosted automatically by the triumphant elevation of Mr Khan. The two leaders must urgently learn a humility that neither has seemed capable of so far.

## Panchayat-ordered rape

THE latest report of a panchayat-ordered rape has revived memories of the 'verdict' of another unofficial 'court' that resulted in the horrifying gang rape of Mukhtaran Mai in 2002. It was her 'punishment' for her brother's alleged rape of a young woman. Convention required that she bear her fate in silence — just like so many others whose spirit and bodies have been broken by such physical assault. Instead, with courageousness that cannot be lauded enough, she chose to speak out about her ordeal, becoming a global figure in her campaign for justice for women against whom heinous crimes are committed in the name of 'honour' — often as a result of a parallel adjudication system that has no standing in the eyes of the law. The result of her bravery was widespread revulsion and outrage at home and abroad, and a sustained focus on eliminating crimes of 'honour' in this country. In the years since, Pakistan has passed both federal and provincial laws that variously seek to curb such crimes and outlaw the holding of jirgas or panchayats. It is also claimed that the awareness of law-enforcement authorities regarding crimes against women has increased. But have we really witnessed a tangible difference? Not at all, it would appear, given the news that surfaced on Wednesday that a teenaged girl in Multan district was recently subjected by a panchayat to gang rape as 'honour revenge' for her brother's alleged rape of a minor.

Official circles have since seen a fair amount of commotion. Chief Justice Mian Saqib Nisar has taken suo motu notice of the incident, Punjab Chief Minister Shahbaz Sharif has formed an investigation committee and ordered that a report be produced within a few days, and suspension orders have gone out regarding



several officers at the police station concerned. The police have registered FIRs and several members of the panchayat have been arrested (though not the alleged rapists). Even so, there is reason to be concerned whether the child in question will ever see justice. The fact remains that in spite of the focus in recent years on crimes of a sexual nature, and increased reporting of such cases, societal attitudes are proving to be hard to alter. The only way to achieve this is through the exemplary enforcement of the law. The state must take the recent outrage as a litmus test of its resolve.

## World Hepatitis Day

AN estimated 15m Pakistanis are infected with hepatitis B and C viruses, with only a fraction being diagnosed and even fewer receiving treatment. Such is the baseline we have to work with to eradicate this major public health threat by 2030, in line with the UN's SDGs. Left untreated, these two strains can lead to cirrhosis and liver cancer, and are responsible for 96pc of hepatitis-related deaths. Along with greater awareness and increased diagnosis, some key interventions are needed. For example, the prevalence of HBV and HCV in Pakistan is mostly attributed to poor healthcare standards — transfusions of unscreened blood, improper sterilisation of medical devices and reuse of syringes — putting both healthcare workers and patients at high risk of contraction. The first line of prevention, therefore, requires the Ministry of National Health Services to ensure that health and safety regulations, including proper medical waste disposal, are enforced in public and private facilities, while the provincial blood transfusion authorities must ensure that blood banks are monitored and all donations screened for pathogens.

Prevention must also include a concerted effort for universal HBV immunisation. Even though it is recommended that all children be given their first immunisation dose within 24 hours of birth, many newborns are not, owing to vaccine shortages. While there is no vaccine for HCV, recently developed direct-acting antivirals have revolutionised its treatment. But despite locally produced DAA sofosbuvir having the lowest price in the world, treatment is still beyond most patients' reach. Meanwhile, approval of the recommended price cap for another DAA, daclatasvir, is still pending. The government ought to take a page out of Egypt's book, which like Pakistan suffers from a high prevalence of hepatitis, to

negotiate deals with manufacturers that enable the large-scale, local production of drugs and vaccines, and to develop a health exchange for free and/or subsidised vaccinations, screenings, and treatment. 'Eliminate hepatitis' — the theme for World Hepatitis Day 2017 — is a blunt message Pakistan ignores at its own peril.

## Democracy after the verdict

IN a brief, emphatic and unanimous judgement, the Supreme Court has stripped Nawaz Sharif of the prime ministership, struck a blow for accountability and radically altered the political landscape. The full legal effects of the judgement will become clear in the days ahead and the specific reason given by the court for Mr Sharif's disqualification from parliament will be intensely debated. But this much is clear: Mr Sharif left himself open to judicial sanction by submitting an incomplete statement of assets with his 2013 nomination papers. Perhaps the now former prime minister was trying to hide his chairmanship of the Dubai-based Capital FZE from electoral officers or perhaps it was in keeping with the usual lax attitude of candidates towards such filings, but a stern message has been sent across the country: declare everything fully and transparently or risk the ultimate sanction. Such a harsh interpretation could be a boon — if it is applied evenly and transparently. The Supreme Court has a heavy burden on its shoulders and an expectant country will await the fair and even-handed implementation of the new standard.

Politically, Mr Sharif and the PML-N have taken the honourable path and immediately accepted the court's verdict, even if party leaders have expressed strong reservations about the judgement. Whatever the judicial fate of Mr Sharif, it has always been clear that the overall democratic stakes are greater than any individual's political future — the focus needing to remain on keeping the democratic project moving forward. It is important, therefore, for the PML-N to quickly nominate a new prime minister and have the next prime minister elected by the National Assembly. Delay would not be in the PML-N's interest and certainly not in the country's. For a party that has a majority in parliament, an assembly of 342 representatives, finding a replacement prime minister should be a quick matter, giving the country an opportunity to move on from this damaging

political episode. The PML-N ought to continue to act honourably and protect the overall democratic process.

For the PTI, a significant victory has been notched up. Whatever the disagreement with the tactics of the PTI, a political truth must be acknowledged: if it were not for the relentless campaign of Imran Khan and his party, the accountability of elected officials would not likely have been at the centre of the national political discourse. The Panama Papers case itself was almost single-handedly kept alive in legal and political circles by Mr Khan and while at times the PTI supremo has practised a destabilising kind of politics, his relentlessness has helped deliver an accountability blow that few would have imagined possible even months ago. From here, the aim of the PTI must be to widen the accountability project — to expand it to not just all elected officials but all institutions of the state, elected and unelected. Against the odds, Mr Khan and PTI have helped strike a blow for the cause of a cleaner and more transparent political process. The PTI and Mr Khan should demonstrate their commitment to that welcome goal by submitting themselves to the same rigorous standards of accountability that Mr Sharif has been held to.

Finally, in these hours after another major convulsion has ripped through the political landscape, thoughts must turn to political stability in a country where yet another elected prime minister has been ousted before the end of his term. It is possible to search for conspiracies or blame scapegoats for why the country is once again at a delicate moment in its political history. However, as the custodians of the democratic project, the current PML-N government ought to accept principal responsibility. Nawaz Sharif could have resigned and saved the country from another tumultuous political episode or he could have provided the money trail that the Supreme Court virtually beseeched the prime minister and his children to provide. Mr Sharif chose to do neither. Now, the PML-N and the Sharifs ought to recognise a new burden on their shoulders: help steer the country forward in a democratic path or risk an implosion of the democratic project. But if Mr Sharif continues to acquiesce in his judicially mandated political fate, other power centres should give the PML-N and all other mainstream political parties the space to determine a democratic way forward. Outside the strict confines of the law within which the Supreme Court delivered its judgement, there is political and institutional reality of power in the country. The democratic project must not be derailed under any circumstances.

## Counter-narrative needed

MODERN religiously inspired militancy in Pakistan, as well as other countries, is nebulous and constantly changing shape. The militants, it seems, make full use of technology and are often one step ahead of the state. Governments, on the other hand, respond in a predictable moribund and bureaucratic fashion, which explains why militant groups are so difficult to neutralise. While the state has taken the field against extremists — Zarb-i-Azb, Raddul Fasaad and other military operations being prime examples — away from the battlefield, the response to countering militancy is wanting. For example, as reported in this paper on Friday, the Sindh police's Counter-Terrorism Department has called for countering the narrative of militants 'aggressively'. The CTD officials made this observation after it emerged that terrorists, suspected of targeting police officers in Karachi, were trying to reach out to the public: in recent communications intercepted by security agencies, militants were heard 'regretting' the loss of civilian lives in the crossfire as they targeted law enforcers. The extremists were also willing to pay compensation to the families of victims.

This is just one example of how the militants are trying to control the narrative. Clearly, various militant groups are developing new tactics to reach out to a wider audience. For example, many of them are moving beyond the 'traditional' target audience of seminarians. As the Sindh CTD recently pointed out, the next generation of militants would not emerge from madressahs, but from universities and colleges. Some of the most lethal militants of the recent past have been graduates of top foreign and Pakistani higher education institutes. This indicates that the militant demographic is changing. Terrorist outfits are interested in recruiting professionals — engineers, accountants, tech wizards etc — to forward their aims. Has the state caught on to this trend? Does the government have enough qualified people to identify the triggers of extremism and militancy in educational institutes, as well as online? While terrorist groups are busy recruiting in universities and cyberspace, it is highly doubtful if our law-enforcement agencies have drawn up counter-measures.

Another major threat comes from militants returning from the war zones of the Middle East, especially Syria. As security agencies have highlighted, Syria-returned militants are believed to have formed a lethal new outfit called Ansarul Sharia Pakistan. It was always feared that the conflicts of the Middle East, especially its sectarian wars, would one day spill over into Pakistan. With the

formation of such groups and the return of fighters, those fears may now be coming true. While the repeated calls for the state to wake up to these threats are beginning to sound trite, unless the government evolves a multifaceted counterterrorism policy, the number, and complexity, of militant threats will only grow. Amidst the din of politics, have we forgotten that much of the National Action Plan has not been implemented, or that agencies formed to counter the threat, such as Nacta, remain inactive?

## Questions after the judgement

OUT of necessary respect for the Supreme Court and abundant caution in a matter where a hasty or premature assessment could trigger controversy, the initial response by sensible and responsible quarters to the Panama Papers judgement was to emphasise the need for immediate political and legal acceptance of the court's orders.

Now that the short but final judgement has been analysed by the legal community, the political class and the citizenry in detail, the implications of it for politics in Pakistan need to be forthrightly addressed.

The consensus in expert and independent circles is twofold and clear: Nawaz Sharif has been stripped of the prime ministership on troublingly narrow legal grounds and the judgement has the undesirable potential to upend the democratic process in the country.

In the circumstances, Chief Justice Saqib Nisar ought to consider, following an appropriate petition, convening the full court to review the five-member bench's final judgement in the Panama Papers case.

If the democratic project is to be sustained and strengthened, the rules of the system must be clear, fair and transparent. It had been hoped that the Supreme Court would deliver a well-argued and well-reasoned judgement that would create a desirable and easily implementable legal precedent. Instead, the one that now holds sway in the application of disqualification criteria for elected officials is staggeringly wide and could become the source of chaos in the parliamentary realm.

This newspaper called for Mr Sharif's temporary resignation after the JIT report was submitted to the Supreme Court and has consistently argued that Mr Sharif and his family submit to accountability first in the Panama Papers matter. But Mr Sharif, both as a citizen and as the legitimately elected prime minister, had a justifiable expectation of fair and proportionate justice. That does not appear to be the case in the five-member bench's final judgement and it has profound consequences for the future of the office of the prime minister and of parliament itself.

The Supreme Court itself can determine the scope of the review, but some of the questions that ought to be addressed are clear. Is, for example, the definition of receivables given in the judgement the only interpretation allowed under the law? What is the scope of Article 62(1)(f) and has it been properly determined by the bench? What constitutes a misdeclaration in a candidate's nomination forms that can trigger disqualification?

Following Friday's judgement it is not unreasonable to suggest that all parliamentarians face at least some uncertainty about their legitimate qualifications to hold public office. Whatever the legitimate concerns about many parliamentarians' lack of financial disclosure, a situation in which one hundred per cent of elected representatives are vulnerable to disqualification is surely too destabilising a situation for a democratic order.

The full Supreme Court must urgently step in and provide some necessary clarity.

## Dispute resolution

IN a little noticed announcement some time ago, the attorney general told reporters after a meeting with a visiting delegation from China's National Development Reform Commission in Islamabad that a bilateral dispute resolution mechanism would have to be created for CPEC. The reason, he underscored, was that any dispute between a Chinese enterprise and their local partners or the government should not need to be directed to international arbitration councils such as those operated by the World Bank. Given the growing role of Chinese investments in Pakistan's economy, particularly in crucial areas such as power and the financial sector, and the billions of dollars being invested, the likelihood

of a high-stakes dispute arising has also increased. Typically, the rules that govern the determination of liability in such cases are very stringent. And even though Pakistan is already in a number of arbitral councils against companies from Turkey to Australia, with billions of dollars being demanded in damages, thus far the country has not had to pay any damages to an outside party.

That could change if a bilateral mechanism is put in place, because the quantum of investments is growing at a rapid clip and will probably increase exponentially in the near future, and because a bilateral mechanism for arbitration is likely to be more streamlined, and allow greater leeway to the larger partner to shape the outcome. The government should carefully review the proposal because its consequences could be enormous. It appears the Chinese are finding out that the risks of placing large investments in Pakistan are more complex than they had at first imagined, and the framework to safeguard them is turning into a bigger enterprise than had been originally anticipated. This is the crucial stage of negotiations, and the government must ensure that its representations are unsentimental and to the point. A loosely defined bilateral arbitration framework could leave the country massively exposed to enormous liabilities arising from damages claims, and given the range of risks that the Chinese are trying to protect their investments from, the government could be on the hook for much more than it may be bargaining for. It is ultimately a positive for Pakistan that China is seeking a greater role in the economy here, but granting too many special protections can prove to be counterproductive.

## Justice for Khadija

IT is something of an aberration given our slow court system, but it appears that justice has been served in this particular case. On Saturday, in Lahore, a judicial magistrate sentenced law student Shah Husain to prison for seven years. Husain was the main suspect in the attempted murder of fellow student Khadija Siddiqui. On May 3 last year, the young woman was collecting her sister from school when a helmet-wearing aggressor attacked her with a knife, stabbing her 23 times and leaving her critically injured. During the trial, both the motorcycle and the knife used in the attack were recovered by the police, while during the court proceedings the prosecution presented 11 witnesses to what the judge ruled counted as attempted murder.

The sentencing of her assailant may bring some form of closure to the traumatised victim. But while there has been justice for Khadija, her own efforts in obtaining it must not be overlooked. Proceedings were continuing as they do in similar cases ie very slowly, until Khadija took the courageous decision to pursue the case with resolve. Her battle caught the media's attention this May when she had no option but to sit for a law exam under police escort, because her assailant — the scion of a lawyer — was also present at the same place. On television, she told the world, "The judges get scared ... the lawyers have so much influence [that] the judges are forced to give an incorrect verdict". Soon after, the Lahore High Court chief justice took administrative notice of the delay and directed the court to hold day-to-day hearings. This begs the question, is justice not served in Pakistan unless it can be vigorously demanded, and then too with ample strength on one's side — in this case media focus? The fact that Khadija's assailant has been sentenced deserves to be welcomed. But at the same time it is essential to remember that there are countless victims of crime who are waiting for redressal.

## The task ahead for parliament

Parliament is set to elect a new prime minister this week and another to replace the interim choice some two months from now.

While that will bring some welcome temporary focus on parliamentary proceedings in an era where the institution has slipped into virtual irrelevance, reasserting the primacy of parliament in the democratic order will require a serious legislative agenda.

The government and the opposition have a number of opportunities to work together, even in the polarised and bitter political climate in the country today. For one, the ouster of Nawaz Sharif has acted as a reminder that the Constitution, though significantly restored to its original democratic status by the 18th Amendment, has a number of distortions in it that ought to be removed.

In particular, the existence of vague religious references and standards of conduct expected of public officials should be addressed. The next parliament should not have to operate under a cloud of uncertainty.



There is also the vital issue of electoral reforms, changes that must for the sake of a stronger democratic order be introduced before the next general election. The parliamentary committee on electoral reforms has done extensive work; the report by a former chief justice of the Supreme Court, Nasirul Mulk, on opposition allegations of electoral fraud in 2013 identified a number of areas in which electoral laws and practices need strengthening; and a range of experts have made several important suggestions.

A comprehensive overhaul of the electoral system is within reach – if parliament makes it a priority. Surely, with the next scheduled general election less than a year away and the uncertainty that hangs over the political landscape now, a stronger electoral system is an urgent necessity.

Finally, the incoming prime ministers, first Shahid Khaqan Abbasi and then Shahbaz Sharif, must overhaul the government's approach to parliament itself. The dismissive attitude of Nawaz Sharif towards parliament also quickly became the norm for his cabinet and as a result most parliamentarians lost interest in the proceedings of the house to which they owe their jobs.

During the last PPP government, former prime minister Yousuf Raza Gilani, despite having to operate in the shadow of a presidency occupied by his political boss, Asif Ali Zardari, strived to make parliament the centre of political activity.

Future prime ministers Mr Abbasi and Mr Sharif will also have to deal with the potential reality of the centre of political power lying outside parliament. Neither Mr Abbasi as federal minister (until recently), nor Mr Sharif as Punjab chief minister has proved to be a distinguished assemblyman. But the prime minister's office is different and his seat in parliament special. Some of the lost parliamentary lustre must be restored.

## Lawmakers' taxes

THE fourth tax directory of parliamentarians shows a significant surge in the amount of income tax the lawmakers have paid during tax year 2016 from the previous year. It is hard to say if this is because of an increase in their income or the fear of a legal challenge to their qualification as member of an assembly or the Senate under Articles 62/63 of the Constitution. Indeed, the Supreme Court's

investigations into the wealth and assets of the former prime minister and his family in the Panama Papers case, as well as similar court cases brought against some opposition leaders by their rivals, may have scared many of them — former prime minister Nawaz Sharif and PTI leaders Imran Khan and Jahangir Tareen included — into paying higher taxes to avoid a challenge to their legitimacy as parliamentarians. And yet, according to the directory, out of the 1,169 members of the Senate and National Assembly, and the four provincial assemblies, some 159 legislators did not bother to even file their tax returns. The non-filers also include half a dozen members of the now dissolved federal cabinet under Nawaz Sharif. Three such former ministers have not filed their returns for the second consecutive year. There are a number of parliamentarians who have paid just a few thousand rupees as income tax. They seem not to have paid tax on their salaries. Or are they are working for free?

It is unfortunate that public representatives who have been given powers by their voters to run the affairs of the country and tax their fellow citizens often misdeclare their income to either underpay their taxes or simply not pay at all. Sadly, no action has ever been initiated against (tax) delinquent and non-filer parliamentarians because of political reasons even though the tax collectors know as well as anyone else that the lifestyle and expenditure of a large number of our public representatives do not match the amount of income tax they pay. The Panama Papers probe may have scared some ‘high-profile’ politicians into paying more taxes. Others are left alone because of their potential nuisance value. Who wouldn’t want to retain or win over their loyalty in exchange for a ‘small favour’? Even those who got Nawaz Sharif disqualified under Articles 62/63 would not want to use these provisions against them. After all, they may require the services of those parliamentarians in the future.

## Age of social media

IMPASSIONED and often irreverent, there is no denying that social media users have changed the dynamics of public debate in Pakistan, and elevated issues that tend to fall by the wayside. Equally true, with this growing ‘people power’, is that the state has felt its authority threatened and sought to curb the extent to which citizens can practise freedom of expression online. Time and again, the PTA itself has admitted the futility and costliness of attempting to enforce severe

internet restrictions. Last week, PTA chairperson Syed Ismail Shah told a parliamentary committee that the regulatory body has no jurisdiction over platforms such as Facebook, Twitter and WhatsApp. He also aptly identified where the responsibility for the effective use of social media lies — with society itself.

This newspaper has repeatedly raised concerns over the broad, vague language of the Prevention of Electronic Crimes Act, 2016 — including Section 34, which affords the PTA sweeping powers to “remove and block” any information it deems improper on virtually any pretext. The PTA appears to understand that this is neither possible given the distributed nature of the internet, nor is it appropriate to enforce a regulation that has no mandate among the general public. Barring obvious criminal offences that do material harm to individuals and the state — harassment, identity theft, money laundering, militant activities, etc — self-regulation is the only form of moderation that can work online. This may not be as neat a prescription as the state desires, but it ought to be recalled how every attempt to codify moral policing in this country’s history has only further eroded the relationship between the people and their government, and harmed the most vulnerable segments of society — the poor, women and minorities. For better or worse, social media mirrors society. To some extent, it is a truer reflection — it provides an equal platform to voices traditionally excluded from homogenous narratives of who we are and what we represent. This diversity cannot be denied, nor should it be prohibited.