



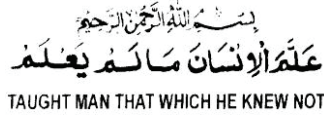
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Institute for Strategic Studies, Research and Analysis (ISSRA)
National Defence University Islamabad – Pakistan

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E9 QUARTERLY

CONTENTS

Insights	Page No
Editorial Note	i
How to Achieve the “Political Will” to Change Pakistan? <i>Dr M. A. Gul</i>	1
Good Governance: Prosperous Pakistan <i>Fiza Khan</i>	6
Pakistan Exits FATF Grey List <i>Manal Ahmed</i>	9
Youth Bulge and Its Implication on the National Security of Pakistan <i>Wardah Gull</i>	15
Diversification and Neighbourhoods for Reducing Energy Prices in Pakistan <i>Dr Abdul Rauf Iqbal</i>	19
Imports and Exports of Pakistan – Need to Explore New Markets <i>Ayesha Afgun</i>	23
Pakistan's Cybersecurity Governance: Challenges and Way Forward <i>Umar Baloch</i>	28
Shifting Rain Patterns: Implications for Pakistan <i>Qurat ul Ain</i>	32

Insights**Page No****LBOD: Culprit Behind Sindh Floods?****36***Aiman Nawaz***India's Latest Ingress into Afghanistan– Effects on Pakistan****40***Muhammad Nasir Ansari***Domestic Unrest in Iran****46***Bashira Omeed***Pakistan and the Russia-Ukraine War****51***Ayesha Malik***The Transgender Persons (Protection of Rights Amendment Bill – 2022)****54***Wahaj Sohail*

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Editorial Note

The Institute for Strategic Studies, Research and Analysis (ISSRA) is a highly respected think tank in the country. Its primary focus is conducting research in the field of National Security and providing practical solutions to relevant stakeholders. ISSRA is also a member think tank of the National Security Division and actively contributes to its endeavours. Recently, ISSRA launched its electronic publication, INSIGHT, which has become a popular academic platform for researchers to offer brief analyses on various Comprehensive National Security perspectives, ground-level issues and their potential resolves.

Likewise, the Director General ISSRA, Major General Muhammad Raza Aizad, HI(M), having professional acumen and a forward-thinking approach, encourages young researchers to improve their research skills and share their knowledge through precise academic writing. During the last quarter of 2022, fourteen INSIGHTS were written by various scholars. To recognise their hard work, ISSRA is introducing a new publication called *Eg QUARTERLY*, a periodical of INSIGHTS written during the corresponding quarter. The first volume of *Eg QUARTERLY*, now available, features original research work from our vibrant research community. These short pieces of writings selected for the current issue underwent a rigorous research process supervised by the Directors of the relevant branches and the Director General himself. This volume promises to be a valuable resource for practitioners, professionals, academics and students in the social sciences.

We extend our gratitude to the researchers whose work has been featured in this volume and wish success to those whose efforts will be showcased in the following issues. Furthermore, we hope our readers will gain ample knowledge on national security matters and enjoy reading the content.

How to Achieve the "Political Will" to Change Pakistan?

Dr M. A. Gul

Abstract

This INSIGHT discusses the 24th edition of the National Security Workshop held at ISSRA, NDU. There was a consensus among participants that the ultimate solution to the country's problems lies with the political leadership. The need for an 'iron political will' was emphasised to address issues such as the mismanagement of resources, building institutions, strengthening the social contract and achieving transparency and accountability. It highlights that achieving a conducive political environment depends on political forces understanding that their survival depends on their performance and indigenous public support. The responsibility of the military establishment is to help achieve such a conducive political environment.

Keywords: Non-traditional Aspects of National Security, Political Will, De-politicization of State Institutions, Rule of Law, Economic Well-Being.

National Defence University, Islamabad, conducts a unique annual programme called as the National Security Workshop, and this year its 24th edition was conducted from 10 October – 11 November 2022. More than seventy participants, both male and female, representing all walks of life, including parliamentarians, professionals from the civilian sector, academia, lawyers, bureaucrats and a few senior military officers, took part in this five-week long workshop. **National Security Policy of Pakistan 2022-2026 served as the primary framework** around which all discussions took place, especially focusing on the non-traditional aspects of the National Security of Pakistan.

One of the highlights of this year's workshop was the complete consensus among all the participants, without exception, expressing their earnest desire and hope to put things right in Pakistan. There was a general feeling among all the participants that **'everyone knows the problem; people generally know the solutions too, but the real conundrum was as to who would fix the problem.'**

Interestingly, parliamentarians were asking this question from the military, the military was asking this question from the parliamentarians, and civil society representatives were asking this question from both.



Everyone wondered if the people who had the power and responsibility to change things were also the beneficiary of the prevailing system, then was it realistic to expect change coming from them?

However, at the end of the day, everyone knew, at least in their hearts, that the ultimate solution to problems resided with the political leadership of the country. It was generally due to the **vacuum provided by political leadership** that other forces always moved in to occupy the vacant space. But the opposing argument was equally compelling, which implied that **political leadership has always been constrained** to perform their constitutional role by other forces and hence, the vacuum.

Nevertheless, it was generally understood that in any civilised, modern and democratic country, **the buck would ultimately stop with the political forces who have to develop their capacity to assume this leadership role assigned to them by the Constitution of Pakistan.** For this purpose, it is essential that the politico-social and economic stakes of country's political leadership should reside inside the country and not abroad.

Followings are some of the major conclusions from the discussions carried out during the 24th National Security Workshop, which gained almost general consensus among the participants:

- a) Allah Almighty has bestowed Pakistan with all kinds of natural resources, but, as a nation, we have not been able to manage our resources well. So, the real question is not so much about the shortage of resources, but in fact, it is the **mismanagement of resources**.
- b) In order to manage and utilise our resources well, it is essential that we build our institutions so that 'systems become stronger than personalities' and not vice versa. For this purpose, 'de-politicisation of the state institutions' is the first and foremost step. The priority institutions include Judiciary, Police, Bureaucracy, Military, Election Commission, Public Enterprises, etc. Achievement of Transparency and Accountability within state institutions is the key to which Digitization and Automation are the future.
- c) There is a need to strengthen the social contract between the state and the people. In this regards, the rule of law (provision of quick and equitable justice at the doorstep-security of life and property) and the economic well-being of common citizens are the key requirements that need to be addressed as a priority before anything else, even before health, education, etc. It implies that capacity building of the Judiciary (quality and quantity) is of utmost importance.
- d) In order to accomplish all of the above, there is a need for an 'iron political will'. Whenever in the past, this political will has been on display, Pakistan managed to accomplish many achievements despite heavy odds.

So how would this 'iron political will' come about?

This political will may come about in a political environment where political forces clearly understand that their political survival depends upon their performance (service to the people) and not on artificial support mechanisms, e.g., support of military establishment or vested interests of foreign powers, etc. The political forces should always be looking towards indigenous public support (power of vote) for their survival and not anywhere else.

So how to achieve such a conducive political environment? In this regards, following policy guidelines are considered essential; although each of them, as mentioned below, requires an independent and separate implementation strategy.

- a) Given the past record, **it is the responsibility of the armed forces, para-military forces, along with intelligence agencies of Pakistan (military establishment) to help achieve/ provide such a conducive political environment in the country through a policy of strict non-interference in political matters.** Moreover, military establishment should also hand over routine law and order tasks to civilian governments sooner than later, e.g., Rangers employment in Punjab and Sindh, security of foreign teams, delegations, joint check posts, etc. However, the military establishment would continue to perform its constitutional role of contributing towards and safeguarding traditional and non-traditional security interests of the country.
- b) A strong, bi-partisan and de-politicised Election Commission of Pakistan is the need of the hour. The election commission would have to exert itself to ensure strict implementation of the agreed-upon code of conduct and relevant scrutiny procedures for the candidates as well as the conduct of free and fair elections.
- c) In order to safeguard national security, it is the prime responsibility of the state to 'formulate the nation's public opinion' and not leave it for others to exploit. It should be remembered that media is merely a business proposition and a self-proclaimed 'pillar of the state,' which is nothing but a misnomer. Therefore, the state must regulate media (chief influencer of public opinion) in a manner it regulates any business in the country. Following measures may be necessary to regulate the media in Pakistan.
 - i. There is a dire need to curtail the number of TV News Channels in Pakistan (like any other modern democracy, e.g., USA, UK, France, Germany, Turkey, etc.) and bring this number down to five-six, whereas the rest could be city-level news channels. The current TV News scene in Pakistan creates more confusion,

- ambiguity, despondency and polarisation in society, which needs to be strictly curbed.
- ii. All national-level TV channels should operate from Pakistani soil, and their funding sources need to be strictly scrutinised in accordance with the laws of the land.
 - iii. In the case of social media, the tendency to malign, defame, fake news, etc., must be strictly dealt with in accordance with relevant laws while promoting 'freedom of expression' with responsibility.

The foundation of the National Security of Pakistan, like any other country, should stand on multiple Centre of Gravity, including the Government of the day, Judiciary, Law Enforcement and Intelligence Agencies, Bureaucracy and Military, which are collectively responsible for providing a safe and secure environment for the people of Pakistan to achieve socio-economic prosperity and well-being for themselves and their families.

National Security Division (NSD) headed by the National Security Advisor (NSA), which should be a permanent position in the government, is well placed within the Prime Minister's Secretariat to coordinate and monitor the progress of above-mentioned broad contours of the implementation strategy and act as a watchdog. It should also regularly update the National Security Committee (NSC). For this purpose, there is a need for capacity building of the NSD so that it could play a more effective and constructive advisory role in the national policy-making process.

About Insight and Author

This INSIGHT was first published on the ISSRA website in December 2022. It can be accessed at <https://ndu.edu.pk/issra/images/issra/How-to-Achieve-the-Political-Will-to-Change-Pakistan.pdf>. The writer is a senior faculty member at NDU and can be reached at magul68@outlook.com.

Good Governance: Prosperous Pakistan

Fiza Khan

Abstract

This INSIGHT discusses the importance of good governance for economic growth in Pakistan. It highlights issues related to accountability, transparency and non-performance of bureaucracy that hinder the achievement of good governance. It suggests that the maximum use of technology and e-governance, digital literacy and policies focused on citizens' needs can improve governance in Pakistan. It concludes that good governance can lead to a better economic state and uplift the lives of common citizens.

Keywords: Good Governance, Accountability, Economic Growth, e-Governance, Digitalisation.

States must have an independent, effective governance structure to exercise power in managing social and economic resources. The political and economic stability is highly dependent on administration. Unfortunately, Pakistan could not ensure good governance due to a lack of accountability, transparency, low economic performance and non-performance of bureaucracy. Governance has been well-defined to refer to processes and structures designed to ensure transparency, accountability, responsiveness, stability, the rule of law, inclusiveness, equity, empowerment and broad-based participation. "Governance is the relationship between the state and civil society that caters to issues concerning national interest."¹ As indicated by Dr Ishrat Hussain: "The better the governance, the higher the economic growth rate."²

Good governance expands economic profits and accelerates economic evolutions in a globalised society. Gradually, economists and relevant policymakers are familiar with the importance of governance and institutions for economic progress and development.³ Pakistan was

amongst the top economic performers among underdeveloped countries in the world in the first forty years of its existence. However, the problem of governance accelerated in the 1990s. Pakistan's economic performance has significantly lagged behind those of its immediate neighbours.⁴ Some of the significant issues related to governance are as follows:

- a) Little to no accountability for state institutions is present in Pakistan; particularly, instability in the political system of Pakistan has reduced accountability. Decision-making is undemocratic and highly centralised.⁵
- b) A conducive environment in governance is one in which citizens have access to the information complemented with mechanisms essential to hold political leaders liable to accountability and where these political leaders also have access to tools and privileges to manage service delivery efficiently. In Pakistan, there is a lack of political will to increase openness and transparency of the decision-making process. Citizens can access information, but the government has consistently infringed on these rights. Furthermore, citizens of Pakistan have only restricted access to information on general public financial management.
- c) From the past few years, it has been observed that in some institutes, bureaucracy is politicised, which hinders their transparent performance, impacts the functioning of bureaucracy as a whole, and results in system disruption.

Pakistan's governance structure is weak and witnessing numerous ups and downs. Moreover, Pakistan also performs below its regional competitors on various institutional and governance indicators. In order to improve governance, there is a need to take stock of the present situation. Accountability and transparency should be considered, and speedy justice for citizens must be ensured. There are institutes, such as NADRA (passport and national identity card system), Motorway Police, etc., that improve accountability and transparency by introducing e-governance in their departments. The maximum use of technology helped increase performance and form a

Governance is the relationship between the state and society that caters issues concerning national interest.

good governance structure. There are the following key points that can help improve governance:

- a) With maximum use of technology, a shift from traditional governance into e-governance in public service delivery and improving the economy, governance concerns can be reduced.
- b) Government departments need to accept digitalisation and digital literacy to ensure maximum transparency and accountability in moving a file among ministries and other matters.
- c) As discussed earlier, a state's policies must be based on the idea that effective government must be transparent, inclusive, accessible and focused on the needs of its citizens. These parameters can contribute to a reduction of problems like governance. Otherwise, governance concerns will remain stagnant, resulting in a negative impact on the growth and development of Pakistan, as the country's success is majorly based on economic growth.⁶

Good governance is a complex area to achieve in totality; however, to ensure it, efforts must be made to make it better. Good governance will lead Pakistan to a better economic state, thus affording job opportunities and improving and uplifting the life of a common citizen.

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About Insight and Author

This INSIGHT was first published on the ISSRA website in December 2022. It can be accessed at <https://ndu.edu.pk/issra/images/issra/02-Insight-Good-Governance.pdf>. The writer is an Intern at ISSRA and can be reached at fiza68814@gmail.com.

Pakistan Exits FATF Grey List

Manal Ahmed

Abstract

This INSIGHT explains how Pakistan was removed from the Financial Action Task Force's Grey List. The removal comes after Pakistan demonstrated a commitment to improving its domestic laws and systems to counter money laundering and financing of terrorism. It highlights that due to strategic deficiencies in its anti-money laundering and counter-terrorism financing system, FATF provided 40 recommendations and a 27-point action plan to Pakistan, which it has successfully implemented. Pakistan's technical compliance towards FATF recommendations was monitored by FATF and its associate member, the Asia Pacific Group, for four years and detailed in four follow-up reports published by the APG.

Keywords: Financial Action Task Force, FATF Grey List, Action Plan, Economy, Money Laundering.

Pakistan exited the Financial Action Task Force's (FATF) list of jurisdictions under increased monitoring, colloquially known as the Grey List, on October 21, 2022.¹ China welcomed the decision,² while India stated that Pakistan must "continue to take credible action" to curb terror financing.³ Minister of State for Foreign Affairs Hina Rabbani Khar, who attended the meeting in Paris, acknowledged that it was a result of Pakistan's consistent efforts and demonstrated Pakistan's commitment to improving its domestic laws and systems to counter money laundering and financing of terrorism, "Pakistan has come a long way in improving our domestic AML and CFT framework and bringing it at par with the global standards."⁴

FATF, the Paris-based money laundering and terrorism financing watchdog, first admitted Pakistan onto their Grey List in 2008, then

again in 2012 and most recently in 2018.⁵ They said Pakistan's re-admittance in 2018 was due to strategic deficiencies in Pakistan's anti-money laundering and counter-terrorism financing (AML/CFT) system.⁶ FATF provided 40 recommendations⁷ and a 27-point action plan⁸ to Pakistan to address shortcomings in government and non-government agencies, inter-agency coordination, financial institutions and the judicial system. The recommendations were expected to bolster Pakistan's capabilities to effectively combat money laundering and terror financing (ML/TF) through legislation, including the ability to identify, sanction and seize the assets of terrorists and of "those acting on their behalf."⁹ It has been a point of criticism from the US, the UK, France and other member states towards Pakistan and cited as a reason to prolong Pakistan's presence on the grey list.¹⁰

Pakistan's technical compliance towards FATF recommendations was monitored by FATF and its associate member, the Asia Pacific Group (APG), for four years and detailed in four follow-up reports published by the APG.¹¹ In June 2021, the watchdog found Pakistan compliant with 26 out of 27 action plan points during one of the tri-annual plenaries in Paris.¹² While FATF praised Pakistan's commitment to tackling TF, an additional 7-point action plan was identified for Pakistan by APG, which former Minister for Energy Hammad Azhar vowed to complete within 12 months.¹³ This effort succeeded, and all FATF and APG recommendations and action plan points were implemented in June 2022.¹⁴

The economic strangulation Pakistan felt as the danger of default inched ever closer now seems to have given way and allowed Pakistan room to breathe.

Typically countries are cleared from the Grey List after demonstrating a standard of 80% compliance with provided conditions. However, FATF and APG pushed Pakistan to pursue 100% compliance and faced rigorous and politically motivated demands. The arrests and sentencing of two suspected terrorists are also crucial contributing reasons that prompted a re-evaluation of Pakistan by FATF, as believed by Michael Kugelman,¹⁵ Director of the South Asia Institute at the Wilson Centre. Kugelman's suggestion indicates that the increased sentences convinced FATF that

implementing AML/CFT laws and standards in Pakistan was being taken seriously.

FATF's decision to keep Pakistan on the grey list in June 2021 prompted the people of Pakistan to question the supposed apolitical disposition of the organisation.¹⁶ Statements by former Foreign Minister Shah Mahmood Qureshi¹⁷ and former Minister of State and Chairman Board of Investment Haroon Sharif¹⁸ suggested political motivation behind the continued monitoring of Pakistan. There was a widely held belief in Pakistan that the US and India played a crucial role in perceiving Pakistan's economic plight at the plenary.¹⁹ The timing of FATF's June 2021 decision to demand an additional 7-point action plan as well as 100% compliance is believed to be influenced by the US and India.²⁰ India's Minister of External Affairs, S. Jaishankar, vindicated these concerns when he confirmed that India had exhausted much effort to keep Pakistan on the Grey List.²¹ India specifically lobbied to have Pakistan black-listed and economically exiled.

Moreover, a Reuter's special report found that India was among five countries that utilised FATF recommendations to pass legislation that authorised investigations of journalists, NGO workers and lawyers²² but was not held accountable. The Reuters report thus questioned the double standards applied by FATF. The compliance of Pakistan as compared to FATF-member states reveals double standards of FATF, thus suggesting that the watchdog is not immune to political influence and interference. While Pakistan has sought to combat terror networks in erstwhile FATA, Waziristan and Swat, FATF's responses adopted "the [demoralising] US rhetoric of do more."²³

Being placed on the Grey List has allowed Pakistan to strengthen existing structures and add legislation to combat ML/FT.²⁴ The existing oversight mechanisms and supervision have been improved, and Pakistan has subsequently entered the League of responsible countries, where AML/CFT laws hold people accountable.²⁵

The impact of being on the FATF Grey List for a country such as Pakistan with a struggling economy has been significant. The economic situation causes important concern as foreign exchange reserves continue to run low, the currency weakens, and inflation rises to levels not seen for

decades.²⁶ The continued greylisting had become a more significant concern for the country as it would have further damaged Pakistan's prospects for direly needed financial assistance from international financial institutions.²⁷ Additionally, the flood in August 2022 is estimated to have affected 33 million people, killed 1718, damaged 410 bridges and destroyed 9.4 million acres of crops,²⁸ requiring further foreign assistance and loans to recover.

Removing Pakistan from the FATF Grey List will not directly help alleviate Pakistan's economic woes. It would, however, help boost the country's economic reputation and borrowing capabilities and provide a clean bill of health to wary global investors.²⁹ After an onsite visit was deemed necessary, IMF and Pakistan agreed to resume a \$1.2 billion loan programme.³⁰ The news caused the currency and stocks to rise, increasing the prospect of a bailout and paving the way for further foreign investment. Similarly, World Bank stated they would supply \$2 billion in aid for reconstruction and rehabilitation, and ADB will begin the provision of \$1.5 billion in funds to Pakistan.³¹ The economic strangulation Pakistan felt as the danger of default inched ever closer now seems to have given way and allowed Pakistan room to breathe. However, while the dire economic situation in Pakistan may have found a silver lining, the increasing debt burden requires Pakistan's best diplomatic efforts to convince donor countries to defer or reschedule debt servicing.

Pakistan enjoys strong diplomatic ties with Saudi Arabia, China, Türkiye and Malaysia, and these countries have assisted Pakistan through grave economic hardships. Pakistan may continue cultivating its relations with these countries if the West's political expediency decides to apply economic coercion against Pakistan once again.³² Pakistan must also establish links with more FATF-member states to ensure its charm offensive is effective.

Nevertheless, the circumstances of Pakistan's journey to exiting the Grey List pose a question; does FATF base its assessment on uniform compliance criteria for countries under scrutiny, regardless of their economic position and influence? Despite having a high standard of AML/CFT standards in place according to FATF, various reports have revealed a worryingly consistent influx of embezzled funds from

developing countries, such as Nigeria, into developed countries, such as the UK.³³ The Chatham House has also revealed failures in investigations by UK's financial state agencies, leading to the ineffectual regulation of rampant international kleptocracy.³⁴

Considering how difficult it is to regulate ML/FT, Pakistan was subjected to much harsher scrutiny and compliance standards that betrayed geopolitical intent by countries that pulled the strings. Despite the apolitical adage FATF adheres to, there are few exceptions to political power. When engaging with more powerful states, Pakistan would benefit from widening the scope of allies and establishing ties with stable countries. Though 'blank cheque' ties do not exist in diplomacy, a broad scope of new diplomatic relations allows the opportunity to fund infrastructural and societal development programmes without increasing the negative balance of payments.

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Youth Bulge and Its Implication on the National Security of Pakistan

Wardah Gull

Abstract

The INSIGHT discusses the youth bulge in Pakistan, where more than 64% of the population is below 30 years while 29 per cent is between 15 to 29 years and its implications on national security. The unmanaged youth population bulge can lead to socioeconomic inequalities, unemployment, illiteracy and aggressive behaviour, radicalisation, and conflict. It suggests practical steps to harness the potential of youth, such as academia-industry linkages, promoting technical and entrepreneurial skills, and encouraging youth to do business and engage in agriculture.

Keywords: Youth Bulge, Population Explosion, Socioeconomic Inequalities, Academia-industry Linkages, Vocational Training.

Population explosion and youth bulge is a worldwide phenomenon. However, a large chunk of the population is usually shared by developing nations, and Pakistan has been ranked among the most populous countries in the world. According to the National Human Development report published by the United Nations Development Program (UNDP), Pakistan has the largest percentage of young people recorded in history. More than 64 per cent of the country's population is below 30 years while 29 per cent is between 15 to 29 years.¹ Pakistan has had a burgeoning youth bulge since the 1990s and currently stands as the fifth most populous nation in the world.² This larger chunk of youth can be an asset or liability for the country and has several implications for Pakistan's national security.

Due to population mismanagement, Pakistan is at a worrisome stage where its population is increasing at a fast pace of 2 per cent yearly.³ At

its inception, our country was ranked 14th globally, with a population of 33 million. Nevertheless, in less than three-quarters of the century population has mounted to more than 220 million. Moreover, with the current annual growth rate of 2 per cent, the highest in the South Asian region, the population is expected to soar to 330 million by 2050, which is alarming.⁴ However, it is well-known that a large population can be utilised as an asset. Just like China, having the largest population in the world has capitalised on its human resource and is now the centre of power regionally and globally. The point is, are we investing and capitalising on our population, especially the young generation? More importantly, what practical steps have been taken to empower and mainstream the youth bulge?

The unmanaged youth population bulge has several implications for the country's national security. The National Security Policy 2022 understands the intertwined relationship between economic, human and traditional security. However, the threat that emerges from the population explosion and youth bulge is missing from the policy discourse. The unguided and jobless youth would augment socioeconomic inequalities, directly impacting national cohesion. With the current employment rate soaring at 9.56 and the lowest female labour force participation rates (LFPR) in South Asia across all age groups, Pakistan is tasked with generating an additional 1.3 million jobs⁵ each year for the next five years to fill this gap.⁶ Unemployment and illiteracy go hand in hand, creating aggressiveness and restlessness among the youth. Hence the economic frustration diverts them to unfair means of getting money, due to which there is a significant rise in street crimes, abuse, narco-trafficking and other malicious activities. This ignorant youth subsequently fall prey to radicalisation and conflict and are soft targets of militant outfits. The paradigm of internal and human security is severely affected, and there is a rise in sectarianism, extremism and violent ethnic conflicts in Pakistan.⁷

The youth bulge in Pakistan is a double edge sword which will determine the direction and destiny of this nation. Hence this issue should be dealt with immediate attention, seriousness and clear vision.

These factors have a direct connection with the youth being unaware and uneducated. Pakistan's current education system could be more capable of generating people who can play an active and leading role in the recent uncertain political and economic times.⁸ Nevertheless, some practical steps have been taken to harness the potential of youth. Firstly, Pakistan's Higher Education Commission (HEC) has been emphasising academia-industry linkages, chalked out in its vision 2025, to focus on real organisational-based issues and internships for faculty and students. Local university students are encouraged to pitch their ideas and are funded by HEC. Many top-notch universities like LUMS, IBA, GIKI and other national universities have already replicated this model.

HEC is also considering implementing German-style two-track education, which identifies students' abilities and aptitude after high school to counsel and encourages them to opt either for a university degree or vocational training considering their capacities and the job market. Secondly, HEC plans to develop technology parks to create an enabling environment for young entrepreneurs. NUST has already been implementing this plan in collaboration with the Malaysian government.

A few suggestions for ameliorating the current situation are:

- a) Education be taken as intellectual grooming rather than merely as means of the profession.
- b) Requirement-based education should be propagated through media and other institutions focusing on contemporary skills required in the country and world. It could be done through Pakistan embassies outside. Then those skills and degrees should be promoted in the education sector.
- c) Promoting technical, vocational and entrepreneurial skills.
- d) Encouraging youth to do business and indulge in Agriculture.
- e) Promoting low-profile jobs like running machines, nursing and plumbing and remapping the society's social contract where every profession is given due respect.
- f) Developing technology parks in top cities to enable young entrepreneurs to start their tech-based ventures and attract inter-business outlets for collaboration and funding.

- g) The social mindset prevalent in society has to be changed that all jobs are respectable. It can be done through social media, the drama industry and educational institutions.

Statistical figures of youth getting out with degrees vis-à-vis through government jobs created are quite misleading. Government jobs, even in the most advanced countries, are less than the youth graduating. Most of the jobs are created in private and civil sectors. Therefore, there is a need to enhance the same through incentives to promote the establishment of small-sector enterprises. In addition, the mindset of society needs to be changed through media and educational institutions that all jobs are respectable. We must change our mindset and social norms to respect only a few jobs. Hence the Youth bulge is a double-edged sword that will determine the nation's direction and destiny. This issue should be addressed with immediate attention, seriousness and clear vision.

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Diversification and Neighbourhoods for Reducing Energy Prices in Pakistan

Dr. Abdul Rauf Iqbal

Abstract

This INSIGHT explores ways Pakistan can reduce its energy prices by diversifying its sources of petroleum imports, specifically by exploring options from neighbouring countries like Afghanistan, India, and Iran. The challenges and opportunities of each option are highlighted, and the potential benefits for the country's economy are discussed. It identifies diversification and neighbourhood as the way forward and suggests that Pakistan's geostrategic location can be exploited for geoeconomic gains.

Keywords: Diversification, Neighbourhood, Energy Prices, Petroleum Imports, Geoeconomic Benefits.

The energy prices in Pakistan have increased manifold during the current fiscal year due to multiple factors, including the post-Covid global recession, the Russia-Ukraine conflict, the impact of the IMF programme, soaring pressure on the Pakistani rupee, etc. Pakistan primarily imports oil from Gulf countries, which are directly or indirectly aligned with the US. The present government has sent an envoy to Russia to explore options for importing cheaper oil. Importing oil from Russia seems lucrative; however, it has certain caveats, such as price, payment modalities, cargo charges, sanctions on Russia and Pakistan's relations with Saudi Arabia and UAE. Russia mainly exports crude oil, and Pakistan's capacity to refine Russian crude oil is limited. However, despite limitations, it can be considered the right step to diversify our imports and reduce dependence on one source. The question arises, what are the other options for Pakistan to get cheaper oil products? 'Diversification' and 'neighbourhood' can be the way forward.

Pakistan has an important geostrategic location; however, we need to exploit the same for geoeconomic benefits. National Security Policy identifies the economy as a central pillar of our policy, but its implementation is yet to be witnessed. Pakistan borders Afghanistan, China, India and Iran. Afghanistan possesses furnace oil reserves and provides a trade route to energy-rich Central Asia, but oil import depends on overall stability in the region, especially in Afghanistan. Iran is also rich in oil and gas but is under sanctions like Russia. The possibility of importing petroleum products from India also exists. Importing oil from neighbourhoods like Iran, Afghanistan and India is considered plausible in terms of price and accessibility. Therefore, it is need of time to diversify energy imports at low cost from these countries for the geoeconomic gains of Pakistan.

Iran is a probable source of oil and gas for Pakistan; however, US sanctions and geopolitics in the Middle East are significant challenges.¹ Countries with strong economic and strategic muscles, like China and India, have found ways and means to avoid sanctions and have been purchasing oil from Iran.

Contrarily, Pakistan could not even materialise the Iran-Pakistan gas pipeline project due to geopolitical factors. Although oil is being illegally smuggled from Iran

Importing oil from Iran, crude oil from Afghanistan and petroleum products from India can help in reducing energy prices in Pakistan.

to Pakistan, there is a need to find a trading mechanism within the sanctioned regime. The possibility and avenues of importing oil through small private trading companies need to be explored.

Afghanistan's coal and oil reserves remain untapped; however, crude oil from Angot fields is being refined on a small scale by privately owned refineries near Mazar-i-Sharif.² These refineries produce furnace oil that can be imported to Pakistan at about one-third of the international price.³ It is worth mentioning that Pakistan's independent power producers (IPP) largely depend on imported furnace oil. In July 2022, both countries concluded the Temporary Admission Document (TAD) to import coal from Afghanistan.⁴ The same mechanism can be used for the import of furnace oil. The price difference will not only help reduce electricity prices but also reduce Pakistan's import bill. Afghanistan is

moving towards stability after the Taliban takeover. Hence, there are chances that Pakistan can establish connectivity routes with Central Asian states. If done so, Pakistan can get more export destinations and diverse energy import options in the coming days. The people of KPK would emerge as the prime beneficiary of energy trade with Afghanistan and Central Asia. Secondly, there would be fewer geopolitical consequences of such imports as Afghanistan mainly depends on imports from Pakistan.

Importing petroleum products from India can be another option for Pakistan. Indian refineries are working close to the border of Pakistan in East Punjab. Guru Gobind Singh Refinery (GGSR) in Bhatinda, AP Refinery in Jagraon, and Indian Oil Cooperation in Ludhiana are cases in point. GGSR is fulfilling domestic needs and exporting petroleum products to Asian countries. The road distance between Lahore and Bhatinda is merely 156 km. So, it can easily fulfil the energy needs of at least Central Punjab.⁵ Although imports will be in the US dollar, the carriage and premier charges can be reduced, thus lowering the pressure on foreign exchange reserves. Economically speaking, importing petroleum products from India seems viable, but both countries need to open and extend bilateral trade despite disputes. We need to act like Turkey and China, who are engaged in the trade pacts besides having geostrategic differences with Russia and India, respectively. Pakistan has occasionally imported petroleum products from India. On 27-28 April 2011, commerce secretaries of both countries met in Islamabad to enhance bilateral trade; however, the proposal remained on paper due to political differences.⁶ Presently, the NLC yard at the Wagah border is used to export Pakistani gypsum to India. The same mechanism and facility can be used for petroleum products.

Pakistan is facing the challenges of rising energy prices. Importing cheap oil and gas from Iran, furnace oil from Afghanistan, and petroleum products from India would help meet some energy needs and reduce the burden on foreign exchange reserves and energy prices. Furthermore, regional trade can bring peace and stability to the region, especially between the two nuclear states. It is the need of the hour that Pakistan must explore more avenues of oil import from Russia, African countries and Latin American states instead of depending on Gulf countries alone.

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Imports and Exports of Pakistan – Need to Explore New Markets

Ayesha Afgun

Abstract

This INSIGHT discusses the current state of Pakistan's imports and exports, highlighting the country's reliance on a few traditional markets and the need to explore new ones. The World Bank notes that Pakistan's share of global exports is negligible, and the country suffers from a trade deficit due to low exports. It provides information on Pakistan's main exports and imports and the major partners for each. The author suggests that Pakistan needs to expand its markets and explore new avenues for imports and exports to improve its economic situation.

Keywords: Imports and Exports, Economy, Trade Deficit, Debt Relief, Geopolitics.

Backbone of any country's economy and financial strength mainly depends on its exports and remittances apart from investment and reserves. The same is used to finance the imports. The gap between high exports and low imports results in a poor economic situation. The export performance of Pakistan has long been abysmal for many reasons like security, political instability, lack of trust of foreign investors and investment due to non-consistent economic policies, rise in the cost of production due to a rise in energy prices, etc. Thus, Pakistan suffers from a trade deficit as the total imports exceed exports. Though Pakistan is importing and exporting to almost all continents, however, for years, its major imports and export have been restricted to a few traditional countries, and we need to analyse whether the same is enough or if we need to explore new avenues or countries to diversify our markets.

According to the World Bank, the total share of Pakistan in global exports is a mere 0.13 %, which is negligible.¹ Exports make up 9.98% of Pakistan's total GDP. According to the economic survey 2021-2022, exports witnessed a growth of 27.6%. However, after April 2022, again, the exports are showing a downward trend. The principal exports of Pakistan include textiles (house linen, knitwear, clothing accessories), cotton, yarn, rice and leather products. Pakistan exports to over 160 countries. Major export destinations for Pakistani goods are the US at 21%, China at 11%, the UK at 7.3%, Germany at 5.4%, the Netherlands, UAE, Spain, Italy, Afghanistan, France, Belgium and almost negligible other remaining countries. Our Exports in order of percentage is 35% to Europe, 34% Asia, 24% Americas, 5.1% Africa and Oceanic Region with 1.3%.

Imports make up 19% of Pakistan's GDP. The main imports of Pakistan are petroleum products (refined petroleum, petroleum gas and crude oil), edible oil, electrical and electronic items, machinery, iron, steel, pharmaceuticals, organic chemicals, vehicles and defence-related products. Major import partners of Pakistan are China with a market share of 29%, UAE with 10%, followed by Indonesia, the US, Saudi Arabia, and other Gulf countries and minimal to the rest of the world. Our imports in order of percentage are Asia 74%, Europe 10% followed by the US, Africa and Oceanic Region.

Remittances from Pakistani living abroad have frequently covered a significant portion of Pakistan's trade gap. The nation heavily depends on these influxes to deal with its ongoing balance of payment crisis. Pakistan receives US \$ 2.2 to 2.8 million every month. The top five countries sending remittances are Saudi Arabia (\$570.5 million), UAE (\$427 million), UK (\$278.8 million), followed by the GCC countries (\$258.3 million) and the US (\$253.1 million).² Saudi Arabia houses the highest number of Pakistani diaspora, followed by the UK and the UAE.

Pakistan has struggled to maintain the decent size of its export since its inception due to poor economic policies, management and governance issues. Pakistan exports have increased only from \$24.6 to \$34.5 billion in the last ten years. The over-reliance on IMF for debt relief shows the deep-rooted structural problems. According to the Economic Survey of Pakistan FY 21-22, cotton manufactures, leather, and rice account for

69.9% of total exports.³ This trend has been the same throughout the preceding years with little or no variation. China, Bangladesh, the US, Turkey and Italy are major export partners. **Geopolitics and economy are interlinked. Considering the evolving nature of the geopolitical environment, it seems that Pakistan's export and import policies and markets are still focused on the US and the West. Whereas the geopolitical environment has changed to a multipolar world, new potential markets are now available to explore.** According to the study conducted by the Trade Development Authority of Pakistan (TDAP), Africa is an untapped market for Pakistani exports like tractors, transmission devices, medical equipment and non-Basmati rice.

Pakistan's major imports are petroleum products. UAE and Saudi Arabia account for almost 90% share of crude petroleum.⁴ Similarly, UAE, Kuwait and Oman account for 75% of the total share of the refined petroleum market.

Pakistan buys petroleum products from the above countries for many reasons, including existing trade relations and

- *Diversify, explore and expand new import, export and remittance markets in line with changing Geopolitical Environment.*
- *Procurement of petroleum products at low prices from Russia and Iran.*
- *Increase local production of canola, sunflower, mustard and olive oil as substitutes for palm oil.*

deferred payment facilities.⁵ We need to expand our avenues of oil import to other countries to avoid dependence on one region. Furthermore, the crude oil processing infrastructure of Pakistan is underdeveloped. Only six refineries are in operation, which is inadequate to meet the country's demands. Therefore, imports of refined oil for Pakistan are more than low-cost crude oil. The second most imported product in Pakistan is palm oil which is almost 30%.⁶ Pakistan imports palm oil from Malaysia (25%) and Indonesia (75%). We need to find alternatives locally through incentives to our farmers to ease our import expenditures. Pakistan's other significant imports are cars and electronic items. Pakistan must focus on its indigenous production through technology transfer instead of just establishing assembling plants and factories.

Pakistan's biggest strength lies in its human capital, and that too, which is young. It is important to remember that for years migrants moving

aboard have looked towards the US, Western and Middle Eastern countries for job opportunities. However, job opportunities are emerging in other parts of the world and can be explored. The government and related institutions must identify new avenues and train the people accordingly.

Recommendations

- a) Diversify and expand export/ import markets towards China, Russia, India, ASEAN, CARs, Africa and Latin America for our national interest in the changing geopolitical environment.
- b) Procurement of petroleum products at low prices from Russia and Iran.
- c) Increase local production of canola, sunflower, mustard and olive oil as a substitute for palm oil.
- d) Establish the capability to manufacture cars and electronic items which we import.
- e) Focus on the Tourism and IT sector, as the same has much potential to generate revenue.
- f) Export workforce/ labour to Canada, Scandinavian countries, France, Germany, Japan, CARs and Australia, having potential job opportunities.
- g) A detailed study is recommended by policymakers to assess the international products in demand and enhance the capacity/ capability of our country to meet the same.

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Pakistan's Cybersecurity Governance: Challenges and Way Forward

Umar Baloch

Abstract

This INSIGHT discusses the challenges facing cybersecurity governance in Pakistan and proposes a way forward. The importance of a strong governance and institutional framework and establishing a National Cyber Security Authority and National Centre for Cyber Security are highlighted. Effective policy implementation is also emphasised to protect data and privacy. Overall, it stresses the need for Pakistan to address its cyber security vulnerabilities to mitigate the threats posed by cyber-enabled crimes.

Keywords: Cybersecurity Governance, Cyber Security Policy, e-Governance, Data Privacy, Cyber Awareness.

In a virtually connected world, digital gadgets and associated services have become a fundamental part of human life. State and non-state actors increasingly exploit such devices and services for cyber-related and cyber-enabled crimes, which fall in the realm of cyber security. Countries increasingly adopt new technologies across various business spheres, and Pakistan is no exception. With the world becoming increasingly interconnected through Information Technology (IT), cyber security threats are multiplying, posing a fuzzy future for a digitalised world. Since the global penetration of internet users has increased exponentially (5 billion internet users forming 63.1% of the world population, and 40.7 billion are social media users who make up 59% of the world population).¹ In recent years, there have been millions of cyber-attacks targeting infrastructure and services; therefore, adequate cyber security is a need of the day. In the emerging cyber age, it is important to

understand the impact of cyber security, data sovereignty and privacy of users linked to the sovereignty of a country.

Thus, Pakistan faces cyber security challenges in critical infrastructure, governance and institutional framework. According to Global Cyber Security Index (GCI), Pakistan must catch up in technical and organisational measures, otherwise posing an imminent threat to its national security.² The cyber security landscape of Pakistan presents a looming picture in terms of the promotion of data governance and protection, virtual privacy, capacity building, national and global cooperation, and special emphasis on setting up the adoption of a risk-based approach. Most importantly, issues such as the lack of governance framework, ineffective implementation mechanism, excessive reliance on external resources and inadequate human resources create difficulties in maintaining a cyber security posture. According to a survey, Pakistan is rated 79th worldwide for cyber security capabilities.³ In this way, Pakistan's growing reliance on Information and Communication Technologies (ICT) has increased vulnerabilities in diverse security and global cyber-crimes.

Pakistan announced its first Cyber Security Policy in 2021. The draft policy requires extraordinary measures to address critical cyber issues causing challenges to Pakistan's national security. This policy objectifies a governance and institutional framework for the secure functioning of public and private organisations in compliance. The 2021 Cyber Security Policy comprises 17 distinct policy deliverables, 16 directly linked to cyber security. These policy deliverables present a spectrum of e-governance, technology, human resource and cyber awareness. Cybersecurity Governance is being run under exclusive national security frameworks, as seen in the best practices worldwide. For the protection of the cyber frontiers of a country, frameworks are arranged in an institutionalised manner. In such systems, chief information security officers directly report to the chief executive or risk officers responsible for risk management, who have dedicated security

Implementing cyber security policy, synergy and coordination among institutions and stakeholders while establishing an independent authority is essential for Cybersecurity Governance in Pakistan.

budgets and performance evaluations of cyber security measures, which are entirely independent of the ICT domain, across the globe.⁴

In Pakistan's case, a Cyber Governance Policy Committee (CGPC) was also constituted after the announcement of the 2021 Cyber Security Policy to effectively implement cyberculture and cyber force. Unfortunately, ownership and strategic oversight regarding the cyber security spectrum were neglected due to weak governance and inadequate institutional framework.⁵ In this way, policy recommendations and implementation await the approval of the Federal Cabinet. However, the implementation of Cyber Security Policy and coordination among institutions while establishing an independent authority are essential for Cybersecurity Governance in Pakistan.

To mitigate cyber security challenges, the Government of Pakistan established National Centre for Cyber Security (NCCS) in 2018, whereas NCCS only deals with applied and theoretical areas to fight cybercrimes. NCCS is also working on Cyber Reconnaissance, Cybercrime Investigation, Block Chain Security, Digital Forensics, Intrusion Detection Systems and Malware Analysis. Lack of institutional coordination, cooperation of stakeholders and synergy in public and private partnerships are other challenges to effective Cybersecurity Governance. However, policymakers need to clarify the governance structure and operating framework of Cybersecurity Governance with effective implementation of policy deliverables and proper digital hygiene to protect data and individual and organisational privacy.

In this milieu, the following are recommended:

- a) The approval of the Federal Cabinet for establishing the National Cyber Security Authority (NCSA) is the need of time. NCSA will serve as a central body at the federal level, mainly responsible for coordinating and implementing cyber security measures at national, provincial and all organisational levels.⁶
- b) Establishing an indigenous cyber army (keyboard warriors) under the umbrella of NCSA is suggested to achieve desired dividends.
- c) There is a dire need to establish a mechanism through NCCS and NCSA for capacity building and research culture, exclusive research and development domain, innovation in a public-private partnership

for better synergy, and intra-institutional coordination to manage internet and cyber protocols.

The current cyber policy highlights Pakistan's vision on cyber; not only restricted to securing assets but also emphasises establishing resilience through a robust and continually improving digital ecosystem and establishing independent cyber authority to ensure the cyber security of Pakistan. This policy provides a comprehensive direction for protecting cyber infrastructure, emerging global cyber trends, technological advancements and Cybersecurity Governance framework. Ultimately, Pakistan needs effective implementation of cyber security policy and robust measures for institutional synergy to attain imperatives for economic development, advancement in the IT field and capacity building in the cyber domain. Pakistan needs this strategic bearing to be taken without delay. It is time to establish a comprehensive mechanism and practical implementation as envisioned in Cyber Security Policy 2021 to safeguard Pakistan's cyber frontiers and national security.

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Shifting Rain Patterns: Implications for Pakistan

Qurat ul Ain

Abstract

This INSIGHT discusses the shifting rain patterns caused by climate change, which have a catastrophic impact on Pakistan's water resources, with ice sheets melting, rising sea levels, heat waves and rainfall patterns changing. For example, Sindh and Balochistan have been declared victims of hefty rains in recent floods, while Punjab, AJK and parts of KP are least affected, resulting from a spatial shift in rain patterns. It highlights that more water reservoirs must be constructed on Indus, Kabul and Swat Rivers. Additionally, it is essential to mainstream the development of the public and government capacity to anticipate, adjust to, and reduce the hazards associated with changes in monsoon patterns.

Keywords: Climate Change, Floods, Monsoon Patterns, Government Capacity, Hazards.

Since the earth's natural inception, its climate has been continuously evolving. The increase in global temperature and spatiotemporal variations in precipitation patterns are the primary indicators of Climate Change. Climate Change is having a catastrophic impact on the world's water resources as ice sheets are melting, sea levels are rising, heat waves are occurring more frequently, and rainfall patterns are changing due to global warming.¹ Unpredictable trends in rainfall patterns along Pakistan's coastal areas and arid plains have also been observed. In the past, the whole of Sindh, most of Balochistan, major parts of Punjab and central parts of Northern Areas used to receive less than 250 mm of rainfall in a year, but now in 2022, the situation is the opposite. Sindh and Balochistan have been declared victims of hefty rains in recent floods. Balochistan has experienced such heavy rains first time due to shifting

monsoon patterns, and the same is the case with Sindh, where rains and standing water have indeed damaged the infrastructure. Surprisingly Punjab AJK and parts of KP are least affected, resulting from a spatial shift in rain patterns.²

The entire monsoon pattern in Pakistan has moved 100 kilometres to the west due to climate change.³ The country's climate zones have demonstrated a generally changing rainfall pattern, particularly those in the north, northwest, west and coastal regions. Pakistan has monsoon rains in the summer, while the western depression brings precipitation in the winter.⁴ According to National Disaster Management Authority (NDMA), about 1 million people have been affected by floods since mid-June 2022. According to determined and established norms, Sindh typically receives 109.5 mm of rain during the monsoon. It is, therefore, 522 pc greater than average. Like Balochistan, which typically receives 50mm of rain per monsoon, this year's total is 284 mm, or 469 pc more.

Pakistan's Met department and administration could not comprehend the phenomenon of change in rain patterns.

Overall, this monsoon has resulted in 207 times more rainfall nationwide. This year, the scenario also appeared to be similar in other regions. According to Met Office data, Gilgit-Baltistan has received 50.3 mm of rain in just two months, 99 per cent over average, and Punjab has received 349 mm, which is precisely 90 per cent more rain than its typical monsoon rainfall.

This monsoon, Khyber Pakhtunkhwa saw rainfall at a rate of 31% over average; there have been 257.4 mm of rain so far. Azad Jammu and Kashmir is the country's only area with below-average rainfall this monsoon. The valley has recorded 279.6 mm of rain, which is minus 7 pc lesser than its usual monsoon downpour; therefore, the situation indicates shifting rain patterns which is quite alarming.⁵

Analysis

- a) Pakistan's Met department and administration could not comprehend the phenomenon of change in rain patterns, therefore, did not prepare accordingly.

- b) A shift in rain pattern has adversely affected the catchment area of Mangla Dam, thereby creating a water shortage in our eastern rivers, Jhelum, Chenab, Ravi and Sutlej.
- c) Damage in KP is caused by excessive rain due to changes in the monsoon pattern. However, it is felt that destruction is more due to violation of laws related to the construction of buildings along riverbanks and the destruction of Munda Dam in Swat.
- d) Swat and Kabul Rivers, when joined at Attock, increased water in the Indus River, which enhanced flooding in the Sindh Province. This water, combined with the adverse flood situation in Sindh due to excessive rains and poor Manchar Lake drainage System management, created devastating effects.
- e) Damage in Balochistan province could have been avoided if the money allocated to construct small dams could have been spent religiously on the given projects.
- f) Similarly, in Sindh, the devastation could have been reduced if drainage systems like LBOD could have been made functional before the onset of monsoon season.

Recommendations

- a) More water reservoirs are now essential to be constructed on Indus, Kabul and Swat Rivers (KalaBagh Dam) so that the same water can be shifted to Jhelum, Chenab, Ravi and Sutlej Rivers more effectively through link canals.
- b) Changes in rainfall patterns significantly impact Pakistan's dependency on freshwater resources, yet the nation is to blame for its ineffective water management. Pakistan's overall dam capacity is 27.81 km, significantly less than the country's requirements, and the current economic climate has delayed the development of large dam projects. Smaller dams are becoming increasingly popular worldwide, and since they can be built anywhere at a manageable cost and with a more compact structure and reservoir, they can be a practical answer to Pakistan's flood or stormwater management problems.

- c) Additionally, it is essential to mainstream the development of the public and government officials' capacity to anticipate, adjust to, and reduce the hazards associated with changes in monsoon patterns.
- d) Enhance the infrastructure to collect rainwater, isolate it from sewage systems, recycle it, and reuse it. It can lessen the harm brought on by changing rainfall patterns and the subsequent flooding or lack of water.
- e) The Sponge City Project in Wuhan, China, illustrates how rainfall can be retained for the city's benefit rather than being channelled away. Pakistan must establish research facilities to advance our understanding of climate change-induced changing rain patterns.

Adequate weather forecasting methods, pre- and post-monsoon preparations, and the execution of the Climate Change Act 2017 are necessary to lessen the harm caused by the monsoon season in Pakistan. Due to changing trends in rainfall patterns and the need to strengthen the six-step cycle of community resilience (preparation, response, recovery, assessment, planning, and prevention), Pakistan must develop contemporary strategies for monsoon risk mitigation and a new method of managing climate-induced disasters. In addition, assuming responsibility is essential for a successful future.

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LBOD: Culprit Behind Sindh Floods?

Aiman Nawaz

Abstract

This INSIGHT discusses the Left Bank Outfall Drain (LBOD) project in Sindh province and its role in the floods that occurred in July 2022. The LBOD project was designed to dispose of saline effluents into Shakoork Lake but was re-routed to the Arabian Sea due to objections from India. It highlights several factors that have contributed to the inefficiency of the LBOD project, including its design, built quality and capacity. The floods caused significant economic losses and national security concerns and affected the fertility of lands, displacing millions of people. It concludes by calling for actions to address the LBOD project's recommendations.

Keywords: LBOD, Saline Effluents, Drainage Systems, Water Logging, Environmental Hazards, Food Insecurity.

Establishment of industries along the Indus River in Sindh province led to the discharge of saline effluents into nearby agricultural lands and freshwater bodies. To address this challenge, concerned authorities devised a drainage system to dispose of harmful saline effluents and Indus River basin floodwater, along the left bank of the Indus River, into the Arabian Sea. The Left Bank Outfall Drain (LBOD) project, which connects districts of Nawabshah, Sanghar, Mirpurkhas and Badin, commenced in 1974 and was completed in 2002, with the assistance of the World Bank and Asian Development Bank. Furthermore, according to Asian Development Bank's report, it has four major segments, i.e., Spinal Drain, KPOD, DPOD and Tidal Link, with respective lengths of 210 km, 56 km, 38 km, and 41 km.¹ The LBOD project intended to dispose of these saline effluents into Shakoork Lake. However, it was reported that India objected to wastewater disposal into the said Lake (80% owned by India), which compelled authorities to re-route the pathway, to 41 km

west of the Shakoor Lake, via a tidal link, into the Arabian Sea. Resultantly, these changes defied the natural flow of water and forced the reversal of water flow during high tides.

According to the Pakistan Meteorological Department, the July 2022 rainfall was estimated to be approximately 177.5 mm, more than twice the average of 63.1 mm.² It led to water accumulation in a major part of Sindh province, and the left bank drain (LBOD) could not drain rainwater. The districts of Mirpurkhas and Badin were most affected, as LBOD was designed to accommodate only 4600 cusecs, whereas more than 12,000 cusecs of water passed through LBOD, which led to breaches and outbursts.³ Implying that these floods have inflicted major economic losses, they also posed several national security concerns for the state. According to an assessment, which examined the aftermath of the 2022 Sindh floods, it was found that these breaches and outbursts have not only resulted in approximately \$1.3 billion of economic losses but also sabotaged about three-fourths of provincial locomotion.

LBOD, in its functionality, was designed to maintain water logging and to re-route the passage of saline effluents from lower Sindh districts to the Arabian Sea. However, several factors discussed below have contributed to the inefficiency of the structure.⁴

Firstly, as water in Pakistan flows from north to south, the drainage is designed accordingly; however, at the tail end close to Shakoor Lake, a 41 km new structure was created having a direction of east to west, defying the natural flow of water and neglecting high-velocity coastal winds that could reverse the water flow during high tides or cyclones.

Secondly, according to a 2006 investigation report, the drain re-routing from Shakoor Lake to the Arabian Sea implied that the seawater flow was reversed during high tides.⁵ Consequently, this led to the spread of saline effluent-infused water to all nearby areas, especially Badin, and affected the precious flora and fauna of the region.

Thirdly, despite international funding, the drain-built quality could have been better. The built quality of LBOD was testified in 1999 when the Choleri WEIR, next to the Kadhan Pateji Dhand Complex and KPOD, collapsed under increased waterlogging.⁶ Other than that, there have

been many breaches and intrusions at various segments in the spinal drain of LBOD, especially at the Tidal Link, which connected KPOD with the sea. The saline effluents caused multiple environmental hazards, such as the contamination of the nearby water bodies, the degradation of the nearby fertile lands, and displaced thousands of residents.

Fourthly, it was found that the net capacity of the drain needed to be constructed as per flood sustainment requirements. In 2011 alone, it was found that the total capacity of LBOD was 4600 cusecs, while the rain discharge was approximately 14000 cusecs.⁷ It implies that if one kept in consideration of 177.5 mm of rainfall during July 2022, the discharge rate would have been slightly above twice the average discharge rate, causing unprecedented levels of damage.

LBOD was illogically designed, along with a minimal capacity for water flow, which can have major repercussions for Pakistan's economy in the near future.

The net effect is that despite the completion of the monsoon period, most of the land still has standing water in fields, and farmers need help sowing their wheat crops. Besides, it is found that in Sindh alone, floods have destroyed 3.5 million acres of crops and saline infusion, which estimates up to 78% of total agricultural loss during 2022 monsoon floods. Furthermore, saline-infused floodwater tends to affect the fertility of lands, implying that areas that have witnessed outbursts of LBOD may become infertile and food insecure when the water dries. It was estimated that approximately 12.5 million people around the Indus River strip have been homeless due to the 2022 monsoon floods.

Lastly, according to the 2011 Annual Flood Report, there were numerous suggestions for LBOD remodelling and redesign, but actions still needed to be taken to address recommendations. The following recommendations can help resolve these issues:

- a) The concerned authorities need to stress on lending agencies for remodelling and redesigning the discharge capacity of LBOD to a bare minimum of 18000 cusecs.
- b) There is a dire need for remodelling weirs and enhancing the size of drain inlets. Other than that, there is a need to reset the natural flow of LBOD back to Shakoor Lake, which implies that Pakistan will have

to pursue Indian permission or design a new drain from north to south in Badin district to finally drain out the water with natural flow into the sea.

- c) The concerned authorities must ensure the constructional resilience of drains to sustain continuous disposal of waste and rainwater. Authorities need to emphasise their concern for the built quality of these drains, as the construction quality would be as important as the design itself.

LBOD could have been better designed in terms of water flow, water capacity and even in terms of construction quality. Consequently, a large scale of livestock has been wasted due to the 2022 floods in Sindh. Other than that, wastewater has reached new extents of land, implying that more land has been degraded. If the current rain pattern continues and the drainage system, as mentioned above, is not improved, Sindh may experience a similar or worse catastrophe in the coming years.

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India's Latest Ingress into Afghanistan— Effects on Pakistan

Muhammad Nasir Ansari

Abstract

This INSIGHT discusses India's strategic inroads into Afghanistan and the possible effects on Pakistan. Since the US invasion of Afghanistan in 2001, India has invested over \$3 billion in several mega infrastructure development projects. However, the relationship came to a standstill when the Taliban took over. India's resurgence under the Taliban was not unexpected, but its magnitude is yet to be assessed. It raises concerns that India might use Afghan soil to create instability in Pakistan by sponsoring terrorism and facilitating sub-nationalist elements. Furthermore, India is spending a large sum engaging Afghan youth, particularly students, to influence the narrative-building process through scholarships, cultural exchanges and winning hearts and minds projects.

Keywords: Hegemonic Ambitions, Soft Power Projection, Propaganda, Destabilisation, Terrorism.

After the US invasion of Afghanistan in 2001, India had been making significant strides in the war-torn country, and its influence over successive regimes of Kabul remained intact. Augmenting its hegemonic and imperialistic ambitions, New Delhi attempted to infiltrate and influence all sectors of Afghan society and make it a launching pad for the encirclement of its arch-rival Pakistan. Making inroads into Afghanistan with this objective, it invested over \$3 billion in several mega infrastructure development projects since the US invaded the country. It became Afghanistan's largest regional donor and fifth-largest donor globally. New Delhi has a \$1.5 billion trade with Afghanistan, has built over 200 public and private schools, sponsors over 1,000 scholarships and before Taliban's government hosted over 16,000 Afghan students."¹

Adopting an intelligent strategy, India has always projected its involvement in Afghanistan as aid-oriented, focused on ameliorating Afghan people.² However, this relationship came to a standstill when the Taliban took over.

Due to a history of severe animosity and strained relations, the Indian embassy in Kabul was shut down when the Taliban took over. However, after several meetings, it reopened on August 15, 2022. India's resurgence under the Taliban was not unexpected, but its magnitude is yet to be assessed. The new scenario is once again fraught with serious risks of India getting involved in propagating anti-Pakistan narratives using various means of propaganda to exploit Afghan youth's nationalist sentiments.³ As of now, New Delhi is warming up to the group and has also become a generous supplier of humanitarian aid to the Taliban-led Afghanistan, which includes consignments of 20,000 tons of wheat, medicine, half a million doses of COVID-19 vaccine and winter clothing for the Afghans. Considering its nefarious designs and the use of Afghan soil to create instability in Pakistan, this development has raised some eyebrows in Islamabad for its possible ill effects on the country.

The total sum allocated for Afghanistan in India's annual budget is \$24.183 million for 2022-2023, almost half of 2021-2022, which amounted to \$47.6 million.⁴ This cut can be attributed to strained relations between Kabul and New Delhi after the political transition of Afghanistan in August 2021. Despite having a history of tumultuous relations with the Taliban, Afghan society generally thinks favourably of India. It became evident in a recent survey (July 2022) conducted by a European news outlet that found that nearly 70 per cent of Afghans consider India a "best friend."⁵

India has been trying to make inroads in Afghanistan through soft power projection and all its endeavours including economic assistance and military support are directed against Pakistan.

India's hegemonic ambitions in the region and its foreign policy trajectory towards its neighbours are deeply rooted in the Kautilian philosophy: "Every neighbouring state is an enemy, and the enemy's enemy is a friend." Following this philosophy and taking advantage of the history of border disputes, New Delhi has been making ingress in Afghanistan through soft power projection. Under the disguise of

assistance, it has been using Afghan soil to destabilise Pakistan by sponsoring terrorism and facilitating sub-nationalist elements. India has allegedly trained ISK-P and TTP elements in Afghanistan to use them as a proxy against Pakistan. It is reported that several individuals of these terrorist organisations are still under training in India. As the diplomatic relations between Taliban-ruled Kabul and New Delhi have been re-established and the Taliban government is vying for Indian economic assistance and military support, there are fears that India will reconsolidate its links with the terrorist outfits and use them to create unrest in Pakistan like it was doing during the previous regimes.

As a manifestation of the soft ingress policy, India is currently spending a large sum engaging Afghan youth, particularly students, to influence the narrative-building process through scholarships, cultural exchanges and winning hearts and minds (WHAM) projects. According to UNHCR, as of now, India hosts more than 15000 Afghan refugees, and 14000 Afghan students are studying at 73 different Indian universities.⁶ These students and refugees will significantly impact their return and can ultimately influence the foreign policy preferences of their homeland.

Mainstream and social media campaigns show that New Delhi is working hard to highlight Indian investment and mega infrastructural development projects to present itself as a friend of Afghans and shape an anti-Pakistan narrative.⁷ Indian movies and Bollywood entertainers have become very popular in Afghanistan. It has been observed that Afghan children now sit before the television not to watch local television but instead watch Indian serials dubbed in local languages.⁸ In sports, the Board of Control for Cricket in India has allowed Afghan cricketers to play in the IPL and has also provided the Afghan team with sponsors and local venues for cricket matches against rivals. As a result, the Indian cricket team is celebrated by Afghans.

India's resurgence in Afghanistan will be based on several factors; however, its economic might may compel the Taliban to pursue ties with her openly. It is worth mentioning that more than 60 per cent of the Afghan population is under 25,⁹ and most view India as a trusted friend. The young foot soldiers of the Taliban also belong to the same group. Therefore, the group's leadership will feel pressured by its young recruits and Afghan society to allow India to lead in Afghanistan.

Pakistan has also launched the annual Allama Iqbal scholarship program for 1500 Afghan students and is establishing various educational institutions in different provinces of Afghanistan. According to Pak-Afghan Graduate Association (PAGA), around 35000 Afghan students got an education in various colleges and universities in Pakistan during the last 30 years. However, compared to India, only 7000 Afghan students, half the number hosted by India, are currently enrolled in various universities in Pakistan.¹⁰ Islamabad has a weak strategy in Afghanistan for winning hearts and minds. Many Afghans pass through the Pak-Afghan border daily, and their maltreatment and that of trade convoys by our security officials have also created a negative perception of Pakistan. Also, the congested and insufficient windows at Pakistani visa centres in Kabul have reduced visas and added to the grievances of Afghan visa seekers.¹¹

Every country has the right to pursue a foreign policy that serves its interests best. Since Afghanistan is developing its relations with India, Pakistan needs to ensure that India's resurgence in Afghanistan does not affect its security and economic interests. In this regard, the following are recommended:

- a) Pakistan should broaden diplomatic engagements with Afghanistan to ensure that Pakistan's views are expressed at every meeting and on all available Afghan platforms.
- b) Pakistan's visa office in Kabul must be renovated and made more spacious to accommodate the maximum number of visa seekers and avoid congestion.
- c) Pakistan's security officials at border crossings need to be trained and instructed to treat Afghan nationals, particularly women, children and the elderly, more respectfully and in line with Afghan culture and tradition.
- d) Pakistan should improve the quality of care and health facilities by making special medical centres for Afghan patients at Pak-Afghan border crossings.
- e) Pakistan should make its presence in mainstream and social media of Afghanistan to ensure a positive image building of Pakistan. It should be able to highlight the negative aspects of Indian policies

towards Afghan society. For this purpose, it should provide media studies scholarships and conduct training programs for media personnel.

- f) Pakistan needs to increase the general educational scholarships to Afghan students, provide students with free books and stationery items, and maximise training facilities for Afghan academics.
- g) Pakistan should provide pharmaceutical facilities at affordable prices in Afghan markets to counter the ingress of Indian pharma companies in Afghanistan.
- h) Pakistan should augment transit trade-facilitation arrangements with Afghanistan to ease trade flow between and through the two countries to spur economic development and interdependence.
- i) Pakistan should enhance free trade agreements with Afghanistan and improve the nontariff measures, mainly at the Custom checkpoints on both sides of the border.
- j) Duty tax should be reduced or waived on selected items, especially fresh seasonal fruits.
- k) More space should be provided to ease the clearing and screening process of containers carrying cargo.
- l) Pakistan should open additional formal border crossings with Afghanistan to facilitate people's movement. We should digitise the cross-border movement of individuals to avoid any delays and impediments at border crossings.
- m) Pakistan should prioritise investments in Afghanistan to capitalise on Afghanistan's untapped opportunities and potential and help ensure the capital inflow and transfer of knowledge and technology across the border, particularly investing more in mining, telecommunication and carpet-making sectors.

India's intentions and interests in Afghanistan are not only anti-Pakistan but also linked to its ambition to be seen as a great power and a policeman of the region. An analysis of Pakistan's engagement in Afghanistan reveals that Islamabad is merely responding to Indian ingress into Afghanistan to protect its territorial integrity and sovereignty and not following an independent Afghan-centric approach which is the need of the hour.

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Domestic Unrest in Iran

Bashira Omeed

Abstract

This INSIGHT discusses the arrest of 22-year-old Mahsa Amini by Iran's morality police for wearing unsuitable attire. She died in police custody two days later. Her death sparked protests across Iran, with demonstrators chanting slogans against the government and calling for her death to be investigated. It highlights growing discontent with the Iranian government, which is facing several challenges, including a struggling economy, rising inflation and widespread corruption. The international community is closely watching the protests. They have condemned the Iranian government's crackdown on the protests and called for an independent investigation into Mahsa Amini's death.

Keywords: Protests, Morality Police, Death in Custody, Corruption, Dissent.

Mahsa Amini, a 22-year-old Kurdish woman arrested by Iran morality police on September 13, 2022, for wearing "unsuitable attire,"¹ died in police custody on September 16.² Amini's death struck a nerve, with protests spreading to dozens of Iranian cities and gaining international attention through social media despite severe internet restrictions in Iran. The protestors chanted "Death to the dictator" as against "Death to America" in the past, and women burned their headscarves, mandatory for women since the 1979 Islamic revolution.³ According to Iranian authorities, Amini had a stroke due to a preexisting condition in police custody and died in hospital. Her family has rejected the authorities' claims and has alleged she had been beaten in police custody. However, the forensic findings support the government's statement that Amini's death was "not caused by a blow to the head or important organ of the body," but she had underlying issues brought on by a surgery she had when she was eight-year-old to remove a benign brain tumour.⁴

The protests began in Amini's hometown of Saqqez in Kurdistan province and spread to most of Iran's 31 provinces.⁵ A human-rights group said at least 185 people, including 19 children, had died in the heavy crackdown during the four weeks of protests,⁶ and many more were arrested. The Western media quickly capitalised on the incident to incite demonstrations within Iran and major world capitals. The US has issued new sanctions against seven senior military and security officials, including the Iranian army's ground forces commander.⁷ Germany, France, Denmark, Spain, Italy and the Czech Republic have submitted 16 proposals for new EU sanctions against Iran due to its use of violence against protestors.⁸ The UN Secretary General, António Guterres, echoed the call for security forces to stop using disproportionate force and demanded an "impartial" inquiry into the death of Mahsa Amini.⁹

Despite widespread protests and instability in Iran, the Iranian government has remained intact and deals with the unrest with counter-protests sponsored or supported by the government. The demonstrators, mostly university students, have shown resilience and determination in the videos circulating on social media.

Iran is experiencing domestic instability for a number of reasons. The economy is under stress due to US maximum pressure sanctions; the youth is on edge, and the current regime is a hardline government with no tolerance for dissent. The death of Mahsa Amini in police custody worked like an ignition to a powder keg. In the last 25 years of the Iranian revolution, its streets have resounded with "Marg ber Amrika". It is perhaps the first time that Tehran has witnessed protests calling for the death of a dictator. The protests are more violent than any in Iran's history. It is an inflexion point for Iran, and the West encourages the Iranian diaspora to join in and call for a regime change. Most commentaries in the Western media claim that the purpose of the protests is to change the regime in Tehran.

The Iranian government did not expect such violent demonstrations. Many young people have died in Police custody in the past. Protests are usually allowed in a designated area, sometimes within a university, to let the students vent their sentiments. A strict vigil is kept, and most people disperse peacefully. The current wave of protests has a distinct flavour.

Young girls are protesting, burning their hijabs that are portrayed in the West as a symbol of oppression and discrimination against women.

The government of Iran has warned against foreign intervention in Iran's domestic affairs. The Supreme Leader Ayatollah Khamenei has accused the US and Israel of fomenting the unrest.¹⁰ President Ebrahim Raisi has expressed sadness at the young woman's death in custody. However, he warned that "chaos is unacceptable" and pledged to deal "decisively" with the nationwide protests,¹¹ and said that "the adversaries planned a plot to isolate Iran at a time when it is making diplomatic and economic progress."¹²

In a highly inciting video that has gone viral on social media, an Iranian girl and her brother are shown burning the Quran. The girl does not resemble Mahsa. Iran has called it a planned US and Zionist plot to destabilise the government.¹³ The Iranian Intelligence Ministry had claimed that the rioters were backed by Western regimes and their media outlets through a misinformation campaign and distorted the sequence of events even before an official investigation into the incident was completed.¹⁴ The government has blocked Twitter.

In support of Iranian women, protests have taken place around the world. The demonstration began at Trocadero Square in the heart of Paris to show solidarity with the protestors. Iranians living abroad chanted "Death to the Islamic Republic" and anti-Supreme Leader Ayatollah Ali Khamenei slogans.¹⁵

The West will exploit the wave of discontent to indict Iran for human rights violations. Attempts have been made in various countries to create dissatisfaction and use it to achieve a certain objective. The Arab Spring was dubbed as a wave of popular support for democracy. It turned out that strong Arab leaders were outside, and governance was disrupted, which led to insecurity in the region. Human rights argument is currently being used against Afghanistan, and Pakistan has experienced similar pressure in the past.

The timing of the protests is significant. The long and arduous negotiations on the JCPOA, the 2015 Iran nuclear deal, are at their final stage, and Iran is strengthening its relations with Russia amid the

Ukraine crisis. The United States is trying to pressure Iran to sign the nuclear deal without fulfilling the guarantees demanded by the Iranian government. However, if Iran feels threatened and instability increases, it will likely pursue its nuclear weapons programme. The Ukraine crisis has taught an important lesson to smaller countries that nuclear weapons are a shield for peace, and to suspend their nuclear programme or give up nuclear assets encourages military actions by major powers on various pretexts.

The Western sanctions have slowed down Iran's economy over the past several years. Its currency, the rial, has lost eightfold in value, and inflation has been hovering around 40% for over a year.¹⁶ The Ukraine crisis has given a lifeline to Iran's economy. Iran is strengthening ties with Russia to challenge the US and Europe after being forced into a corner. Although Tehran has not officially sided with Russia on Ukraine, many officials, including President Ebrahim Raisi, have implicitly accused Ukraine of inciting Russia to attack by attempting to join NATO.

Instability in Iran will have repercussions for Pakistan as a spillover effect. The border control between Pakistan and Iran has been difficult for a long time. The easement rights that separated tribes on both sides had made the border suitable for criminal activity.¹⁷ While Iran will push to strengthen its ties with Russia and China, Pakistan has yet to decide to approach Russia for low-priced oil imports despite its dire energy shortages. India has already slurped Russian oil at very low rates, and so has China.

In the face of the violent crackdown, the wave of protests has continued, and more and more people from all classes, ages, religions and ethnicities are banding together. However, another revolution or regime change is unlikely, as the Western world may wish for. The government in Tehran is tough and in control. Nevertheless, instability will have lasting adverse effects on the Iranian economy, the people's lives in the long-run and regional instability.

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This *INSIGHT* was first published on the ISSRA website in October 2022. It can be accessed at <https://ndu.edu.pk/issra/images/issra/INSIGHT-Domestic-Unrest-In-Iran.pdf>. The writer is an Intern at ISSRA and can be reached at bashiraomeed@gmail.com.

Pakistan and the Russia-Ukraine War

Ayesha Malik

Abstract

This INSIGHT discusses the recent developments in the Russian-Ukrainian conflict and its implications for Pakistan. It highlights Pakistan's neutral stance on the conflict, its long-standing stance on Kashmir, and its need for discounted Russian oil. The author suggests that Pakistan should capitalise on the West's current dissatisfaction with India by amplifying the German Foreign Minister's comments on the Kashmir dispute and staying out of global power politics.

Keywords: Russia-Ukraine War, Neutrality, Kashmir, Plebiscite, Power Politics.

This insight seeks to answer two closely related questions: what do developments in the Russo-Ukrainian conflict mean for Pakistan? Following that, and perhaps more importantly, what should Pakistan do to preserve its interests?

In the last month, many significant developments have occurred in the Russo-Ukrainian war. Russia held referendums in four regions it was occupying in Ukraine. Mr Putin then signed treaties with these territories, annexing them to Russia, and in a televised ceremony, he joined hands with the Moscow-installed heads of these regions chanting alongside them, "Russia! Russia!"¹ Meanwhile, Pakistan and India have maintained their neutral stance by abstaining from a General Assembly resolution condemning the annexations. Pakistan's Foreign Minister stressed that Islamabad would stay neutral, and Finance Minister has recently said we may be buying discounted Russian oil claiming that if India is doing it, then "we also have a right."²

Pakistan has to grapple with the pressing issues in its international stance: Kashmir and oil. Pakistan's long-standing and principled stance

on Kashmir has been clear – India should end its occupation, and a plebiscite should be held in the territory under UN oversight. In holding referendums, Russia is attempting to claim a veneer of legitimacy for otherwise manifestly illegal acts. China has quite tellingly continued to support Russia but has not condoned any of its actions, not wanting to inspire its secessionist movements in Taiwan or Tibet. Similarly, Pakistan and India refuse to condemn Russia but do not comment on its actions. In doing so, Pakistan is acting appropriately by staying out of great power politics, especially when it may need Russian oil. It must continue to advocate for a plebiscite but one that is not held under military occupation and in which the UN can act as a watchdog. Both criteria are notoriously missing from the referendums held by Russia.

Similarly, when it comes to oil, India has been buying discounted oil from Russia and selling it back to Europe at a markup, making a profit from the war. While India was warned that this move would put it on the wrong side of history, the US also reassured it that it would not be violating sanctions by such a purchase. However, there is mounting pressure on India to change its position on Ukraine. For instance, the German Foreign Minister recently called on her government to help resolve the Kashmir dispute stating that Germany supports UN engagement on the issue.³ These unusual comments were seen as part of a Western effort to push India to change its position on Russia's war. However, Pakistan is also now looking to buy Russian oil due to the economic impact of the floods and the need to raise foreign reserves. It has also agreed to Russia's plans for a Pakistan Stream Gas Pipeline that would help alleviate our energy woes.

Pakistan should capitalise on the West's current dissatisfaction with India by amplifying the German Foreign Minister's comments. The time to speak on these issues is now, given that the US is trying to strengthen relations with Pakistan as the US Ambassador to Pakistan recently made a three-day visit to last week to Pakistan-administered Kashmir.⁴ At the same time, Pakistan should stay out of global power politics, especially as it may require Russian oil in the future and risks turning the West's disgruntlement on itself too.

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The Transgender Persons (Protection of Rights) Amendment Bill – 2022

Wahaj Sohail

Abstract

This INSIGHT discusses the Transgender Persons (Protection of Rights) Amendment Bill – 2022 and examines some of the key provisions of the Transgender Act, 2018, enacted by Parliament in May 2018. The Transgender Act 2018 has seven chapters, and important terms like 'transgender person,' 'gender identity,' and 'gender expression' are defined in the first chapter. The article also explains the difference between intersex and transgender individuals and highlights the need for states to preserve, protect and enforce the human rights of all people, including transgender and intersex persons.

Keywords: Transgender Persons, Protection of Rights, Transgender Act 2018, Human Rights, Gender Equality.

In light of the recently introduced Transgender Persons (Protection of Rights) Amendment Bill – 2022, this insight examines some of the key provisions of the Transgender Act, 2018, enacted by Parliament in May 2018. Dr Aslam Khaki brought a lawsuit in the Supreme Court in 2009 in response to a well-reported police assault on a gathering of *Khawajasiras* in Taxila.¹ His plea led the National Database and Registration Authority (NADRA) to add options to the 'sex' category in ID cards. The Supreme Court of Pakistan instructed the Federal Government to pass legislation establishing the community's rights and protections.² Approximately eight years after such a decision, Senator Babar Awan proposed the Transgender Persons (Protection of Rights) Bill in Parliament. The bill was prepared over nearly a year to consider the concerns of the *Khawajasira* community and those of UN agencies, civil society

organisations, the Council for Islamic Ideology (CII), parliamentarians from all political parties, and feminist groups.

Despite the Transgender Act of 2018, Pakistan is still one of the most vocal opponents of expanding acknowledgement and safeguarding human rights regarding sexual orientation, gender identity, gender expression, and sex characteristics (SOGIESC). The notions of equality, non-discrimination and universality form the basis for how international human rights law is promulgated. Irrespective of how someone identifies or asserts their gender, everyone has the prerogative to cherish and exercise their human rights. These include the right to be free from cruelty and other inhumane treatment, the right to one's life, freedom, safety, and equality before the law.³ Thus, it is well established that states have an obligation to preserve, protect and enforce the human rights of all people, including transgender and intersex persons.⁴

Gender incongruence was excluded from the list of mental diseases in the most recent revision of the International Classification of Diseases (ICD-11).⁵ International human rights law also incorporates the Yogyakarta Principles, adopted in Yogyakarta, Indonesia, in 2006 and the Yogyakarta Principles (plus 10) implemented in 2017. The obligations that states have under international human rights law concerning sexual orientation, gender identity, gender expression, and sex characteristics (SOGIESC) are underlined in these principles.⁶

Transgender Act (2018)

The Transgender Act 2018 has seven chapters. Important terms like 'transgender person,' 'gender identity,' and 'gender expression' are defined in the first chapter.⁷ The right of transgender people to change how they identify as gender is covered in the second chapter. The third chapter forbids harassment of transgender people and discrimination against them.⁸ The fourth chapter mandates obligations on the state, such as providing safe shelters and centres for protection for transgender people, as well as separate prisons and detention facilities for them. In addition, chapter five grants transgender individuals the right to all the rights guaranteed by the Constitution of Pakistan. The exploitation of any transgender person for begging is also made an offence under this chapter, whether done through coercion or employment.⁹

The methods for enforcing the law are described in chapter six. Transgender people whose rights have been violated may complain with the *Wafaqi Mohtasib*, the National Commission for the Status of Women (NCSW) and the National Commission for Human Rights (NCHR) in addition to the general remedies provided by criminal and civil law. The law, while it remains in effect, will supersede all other laws, according to chapter seven.¹⁰

Difference between Intersex and Transgender

Intersex people are those who have a mix of male and female genitourinary characteristics or have ambiguous genitalia, as per Section 2(n) of the Transgender Act, 2018. People who identify as intersex are principally included in the Act's description of a transgender person.¹¹ The two words' definitions, however, are different. It is a mischaracterisation and factually incorrect to categorise people who identify as transgender as having intersex traits. People with a wide array of naturally occurring variations in their sexual development or characteristics are said to be intersex. Therefore, the gender identity of an individual is distinct from having intersex characteristics. However, by international standards, there is no single classification for a transgender individual. Many existing descriptions of the term, including the one used by the Council of Europe's Commissioner for Human Rights, are based on the notion that individuals may choose a gender identity different from the one assigned to them at birth.¹²

Neither do the Yogyakarta Principles define transgender people; however, they provide the gender identity definition, which is "Gender identity is understood to refer to each person's deeply felt internal and individual experience of gender, which may or may not correspond with the sex assigned at birth, including the personal sense of the body (which may involve, if freely chosen, modification of bodily appearance or function by medical, surgical or other means) and other expressions of gender, including dress, speech and mannerisms."¹³

The disagreement over how to categorise intersex people had an impact on the creation of the Disorders of Sex Development (DSD) taxonomy. Alice Dreger, Cheryl Chase (pioneer of the Intersex Society of North America), along with three other healthcare experts, published an essay

in the Journal of Pediatric Endocrinology and Metabolism in 2005 endorsing a change in the existing clinicians' nomenclature and taxonomy.¹⁴

Transgender Persons (Protection of Rights) Amendment Bill (2022)

On October 3, 2022, the Senate received the Transgender Bill 2022, which seeks to amend the Transgender Act 2018.¹⁵ The bill stated that intersex people would be entitled to the same possibilities for work, education and healthcare as other members of society. The bill makes the case that safeguarding the rights of intersex people should have been the main goal of the Transgender Act of 2018. The bill claimed that several elements of the 2018 Act were wholly at odds with the country's traditions, religious beliefs, and the Constitution.¹⁶

The bill details how an American psychiatrist coined the word 'transgender' in 1965. The term was introduced for individuals who chose to endorse their genders based on their sexual orientation instead of those assigned to them at birth. The bill claimed that since it is a psychological condition of the mind, it could not be likened to having intersex characteristics. Therefore, the bill proposes to replace the word "transgender" with the phrase "intersex" across the Act and its title. The law also proposes for the phrase "as per his or her self-perceived gender identity" to be replaced with the phrase "as per his or her sex at birth." Likewise, it proposes to strike down all of the 2018 Act's provisions that go against both the Constitution and Islamic principles.¹⁷

Transgender Act 2018, according to several transgender activists, was intended to defend the community's rights. They contend that the statute gives transgender persons the right to take legal action against those who compel them to beg on the streets.¹⁸ They have criticised the requirement of medical check-ups to determine their gender. According to them, an infringement of their privacy is only giving CNICs to transgender people following a medical examination.¹⁹ Furthermore, they have argued that the Transgender Act 2018 grants transgender people the same rights to vote and run for office, access to basic healthcare and education, and the ability to identify as transgender on their identification cards and passports.²⁰

These activists have also asserted that the term 'intersex' truly refers to a group of more than 30 sexual characteristics. The genitals of each intersex infant vary, and frequently, by the time they reach adolescence, the initially masculine-appearing organs start to alter.²¹ Additionally, they asserted that the Transgender Act 2018 made the same argument, stating that every transgender person can pick their preferred gender identity once they are 18 years old.²² Finally, they have rejected the argument that even though this law is solely for transgender people, ordinary men and women would use it to choose the gender of their preference for their interests.²³

The confusion surrounding using the term "transgender" rather than "intersex" appears to be at the heart of the criticism from the religious and political segments. The preamble of the Act makes it quite apparent that the Act's objective is to safeguard transgender people, so its provisions cannot be construed to benefit anybody other than members of this group. The government must clarify the terminology to prevent the vested rights of such a marginalised community from being in jeopardy because the Act has been widely recognised for safeguarding the interests of the intersex community. Lastly, it is scientifically unwarranted to limit the definition of intersex people to those born with the condition; as a result, the term must also be further clarified by consulting with relevant medical experts.

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