



QUARTERLY NEWSLETTER

JULY – SEPT'23



PUBLIC
INTEREST
LAW
ASSOCIATION
OF PAKISTAN

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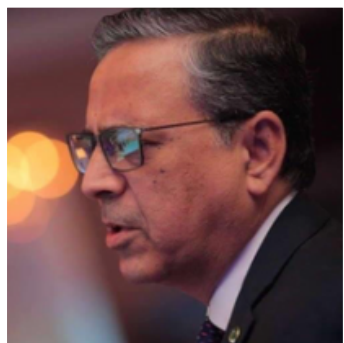
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MESSAGE OF THE CHAIRPERSON: SAAD AMANULLAH KHAN

Pakistan is currently going through a historic low: facing hurtling inflation, depleting foreign currency reserves, poor economic indicators and quickly inching towards financial bankruptcy. Many people I meet are disillusioned, depressed and feeling hopeless. Many have decided to leave Pakistan to provide their children and their family with some sense of stability.

Discussion revolves around what we as citizens of Pakistan can do in these very testing times. I always emphasize that one action that any passionate citizen can take is to help PILAP become a strong institution. We desperately need an institution that helps promote and protect the fundamental rights of the citizens of Pakistan as enshrined in our constitution. The only way to do that is to become a member of PILAP's Citizens' Assembly. This will allow us not to worry about sustainability and financing but maintain a single-minded focus on pursuing public interest issues. I envision PILAP as questioning and making public officials accountable for their actions long into the future.

Below is a glimpse of the kinds of issues we address or work upon. Many need more resources and more effort, for which we need new members so we can hire more researchers and more legal experts.

Education Article 25(A) Implementation	Disclosure of Foreign Gifts	DHA Storm Drains	Minimum Wages
Discharge of sewage/garbage/industrial effluence into Arabian Sea	Justice for Sanitary Workers	TLP Deal	
Health & Safety Measures for Miners	Kanupp Disaster Mgmt	Motorway Police	Prison Class Systems
Population Management and Control	Domestic Violence Bill	Ship Containing Chemicals at Gadani	
Haubara Bustard License	Train Accident at Ghotki	Mental Health of Inmates	EHSAS COVID Program
Electric Vehicle Policy	Malik Riaz Case	Water Scarcity	Korangi Fire
Unsafe Wheat	Human Rights Violations	Police VIP Protocols	Religious Persecution
Animals Safely in Zoo	Stray Dogs	Child Labour advocacy	Power Tariffs
			Karachi Public Transport

Our modus operandi is to first research any new issue voted on by the Citizens' Assembly. Once a strategy and data is available; we use advocacy with relevant government departments or agencies to help fix the issue. If no progress is seen, as a last resort, we opt to pursue the litigation route. In the majority of cases, we also use Right-to-Information (RTI) requests under Article 19-A of the Constitution which gives the right to every citizen of Pakistan to access information in all matters of public importance subject to regulation and reasonable restrictions imposed by law.

Please visit our website (<https://pilap.pk>), to learn more about PILAP and its role in protecting the fundamental right of the citizens of Pakistan, and become a member.

CITIZENS' ASSEMBLY MEMBERSHIP IS OUR SUSTAINABILITY

PILAP launched the Citizens' Assembly category in January 2022. The reason to launch this category was to help drive both strategy and sustainability. CA membership is only through invitation as we want to remain apolitical, transparent and have like-minded passionate members single-mindedly focused on protecting the fundamental rights of citizens.

STRATEGY: Citizens' Assembly (CA) decides and recommends which issues should be pursued by PILAP team. This is done through a bi-annual voting session where CA members recommend an issue, suggest the strategy to address it and then if voted amongst top 5 issues is taken up by PILAP team as a core PILAP strategy to pursue.

SUSTAINABILITY: Citizens' Assembly membership fee of Rs 100k per year, is a core pillar on which our long-term sustainability rests. Our members and backers do support us by providing additional donations/funds to pursue court cases, advocacy projects as well as social media support. We are running a very lean organization with currently only 3 employees: 1 lawyer, 1 researcher and 1 Admin/Finance manager; working in an office we share with another organization. With only 75 CA members we will be able to breakeven. Currently we are at 55 CA membership and the plan is to reach 100 or more soon, if each of us spread the word and help recruit more CA members.



To expand our Citizens' Assembly membership, we held a session in Lahore on May 26, 2023. Following the fruitful session in Lahore, another similar session was held in Islamabad on August 11, 2023. Members and patrons from Islamabad were requested to gather concerned citizens and collaborate for future endeavors with PILAP.

The session was extremely successful, where a lot of potential members took interest in PILAP's efforts for advocating/promoting fundamental rights in Pakistan and promised to show their support for PILAP.

The attendees actively displayed their enthusiasm by engaging in a very interactive as well as insightful Q&A session. Moreover, some valuable suggestions were made on behalf of the attendees to improve PILAP's engagement across Pakistan. The overall attendance for the event was excellent and many volunteered to become Citizens' Assembly members.

PILAP Speakers Series – Public Engagement for Rights

PILAP Speaker Series brings to you conversations about issues of public concern by engaging with experts. The aim of the series is to raise awareness by educating the public about citizen rights.



**PILAP SPEAKER SERIES
PUBLIC
ENGAGEMENT
FOR RIGHTS**

**JOIN US FOR A DISCUSSION ON
THE RIGHTS OF PERSONS WITH
DISABILITIES (PWD)
IN PAKISTAN**



PWD



OMAIR AHMAD
CEO NOWPDP

**FRIDAY, SEPT 8
5-6PM PKT**

- Citizen Assembly Members of PILAP need to RSVP
- Concerned citizens outside PILAP can register through the following form to attend:
<https://forms.gle/2VPXTjMh2cCfJcnt8>

Rights of Persons with Disabilities (PWDs)

An online session was arranged for a discussion on the rights of Persons with Disabilities (PWDs). This session was conducted in collaboration with Omair Ahmad, CEO of NOWPDP, who gave a very insightful presentation. The aim of this discussion was to provide our members an overview and analyze the current status of PWDs in Pakistan; where does the law stand

when it comes to the social protection of PWDs and what can be done to accommodate PWDs. It was pointed out by Mr. Omair that providing accessibility is essential for making the country inclusive for PWDs as easy mobility access offers a sense of independence, integration, and inclusivity which will also have a positive impact on their mental and emotional well-being.

Although Pakistan has finally passed a law promoting the inclusivity of PWDs, they are often deprived of employment. Lack of job opportunities often lead to poverty. This is a primary reason for why disability and poverty are correlated in Pakistan. PWDs also have limited education, healthcare, social support, and access to justice. It shows that implementing the rights of disabled persons to address the challenges of PWDs is not carried out effectively as expected. Furthermore, it was also pointed out that PWDs are barely accounted for in the census surveys and due to this their representation in Pakistan's population is insignificant as well as unreliable. PILAP has taken this opportunity to ensure collaboration with NOWPDP to provide any assistance that it can for any of their future projects related to advocacy of PWDs.

Child Labour

An online session was conducted on Child Labour in Pakistan by Ms. Farhat Parveen (Executive Director - National Organization for Working Communities). The key points of discussion were: "How is child labor defined globally and in Pakistan? What is the current state of child labor population in Pakistan? What are the laws/policies on federal and provincial level which protect children from labor? How effective are the laws/policies/structures in protecting children? How can civil society and the private sector contribute towards addressing issues of child labor?"

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It was highlighted that the phenomenon of child labor is a social issue, which has been the byproduct of various factors like poverty, antiquated social customs, unemployment, the lack of education (25 million out-of-school children) and various other social factors. It was also emphasized by Ms. Farhat that to combat child labor it is essential that social protection and social welfare are considered as important aspects of our fundamental rights.

While there is substantial legislation on proscribing or limiting the practice of child labor, however a major loophole is that such legislation establishes a distinction between "child" and "adolescent", allowing the latter to be employed albeit in non-hazardous work. As per the Factories Act, 1934, 15-year-olds are allowed to work. This is not in sync with international conventions on child labor to which Pakistan is also a signatory. There is thus a need for conformity of the legal definition of child with Pakistan's international commitments. PILAP's strategy is to engage in advocacy on issues related to child labor and loopholes in child labor legislation, through media campaigns and expert panel talks and group discussions.

PILAP SPEAKER SERIES
PUBLIC
ENGAGEMENT
FOR RIGHTS



**JOIN US FOR A DISCUSSION
 ON THE ISSUE OF CHILD LABOUR
 WITH NATIONAL ORGANISATION
 FOR WORKING COMMUNITIES**



**NATIONAL
 ORGANISATION FOR
 WORKING COMMUNITIES**

**FARHAT PARVEEN
 EXECUTIVE DIRECTOR**

**FRIDAY, SEPT 29
 6-7 PM PKT**

- Citizen Assembly Members of PILAP need to RSVP to Nawazish at 0300 3603352
- Concerned citizens outside PILAP can register through the following link to attend: <https://forms.gle/pFmeKJnsmv1TdBB16>

RTI Session – Youth Impact

PILAP was invited to attend the Markhor Youth Summit in September for a guest session on Right to Information. 'Markhor' is a wilderness-based youth leadership conference organized by Youth Impact. This year's conference was held in Shogran where the participants camped in the Siri Paaye meadow.

A guest session on Right to Information was presented by PILAP Chairman Saad Amanullah Khan and Head Researcher Haider Naqvi. The session was highly interactive, and the conference attendees participated very enthusiastically. The participants are young adults from all over the country who are mainly university students, and they engaged the topic with deep interest – thinking of public interest issues that affected them given their various backgrounds and how they could make use of tools like Right to Information requests. The session was received very positively.

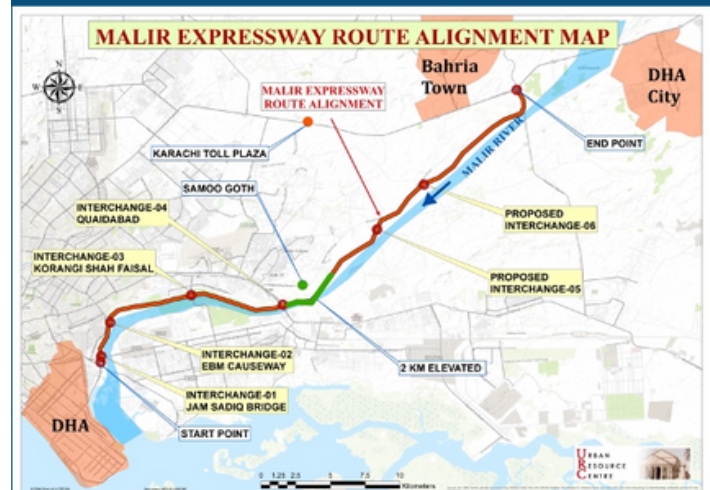


RIGHT TO INFORMATION (RTI) REQUESTS

Malir Expressway

There are serious concerns over the adverse environmental impact that will be wrought by the Malir Expressway. Most of Karachi is severely lacking in green space, with only a few small parks of one or two acres. In contrast, green space in the Malir area, stretching from Korangi Crossing in the south-east to Shah Faisal Bridge in the east, measures 4,300 acres, according to research conducted by Karachi-based architect and environmentalist Arif Belgaumi. But construction of the Malir Expressway will result in the surrounding areas being reclaimed for commercial development. In an article last year, prominent architect and urban planner Arif Hasan wrote: “As a result of permission for the building of real estate along the corridor, this lung of the city will be wiped out forever.”

PILAP filed Right to Information requests with multiple departments in the Government of Sindh seeking details of the Malir Expressway Project including design, partnership contracts, audit reports, survey reports, environmental impact assessment payments and more. Failing to receive a response, PILAP is now in appeals hearing in the Sindh Information Commission demanding greater transparency regarding the various details of the Malir Expressway Project.



Gujjar, Mehmoodabad & Orangi Nullahs

The demolitions started around Gujjar, Mehmoodabad and Orangi Nullah after the massive rainfall of 2020 that caused the drains to overflow. The settlements along the banks of these nullahs were razed without offering any compensation to the residents. The Sindh government has agreed to financially compensate the people who will be losing their homes, which are frantically being cleared and widened before the next monsoon rains in Karachi.



PILAP filed Right to Information requests seeking details of the Resettlement project proposed by Government of Sindh for the affectees of the Gujjar, Mehmoodabad & Orangi Nullahs – whose houses were demolished in an anti-encroachment drive under instruction of Supreme Court orders in 2021. PILAP is currently in review period waiting for responses, pending which appeals will be filed with the Sindh Information Commission.



Lady Health Workers

It has been reported that the Lady Health Workers are not being compensated properly, in accordance with the minimum wage mandated by the Sindh government. PILAP has hence filed Right to Information requests seeking details about the salary structure and organizational hierarchy of Lady Health Workers in Sindh.

PILAP is requesting proactive disclosure of these records from the Department of Health as the Lady Health Worker program is a public expense and as such disclosure is mandated by the Sindh Transparency and Right to Information Act, 2016 as well as the federal Right to Information Act, 2017.



LITIGATION UPDATES

Use of Khoji Devices

In 2019, PILAP filed a petition against the Airport Security Force and the Civil Aviation Authority for their use and supply of fraudulent bomb detectors. The petitioner, PILAP, questioned the manufacturing and use of bomb detector devices, named Khoji, which are being licensed and manufactured by the Airports Security Force (ASF). The petitioner claimed that Khoji was based on the similar junk science as used by a Britain-based company for its ADE-651 bomb detectors in the early 2000s, which were later banned by the British government due to bogus technology. These authorities contended that their bomb detectors are modelled on the fraudulent ones but they work. However, they stated before the court that they were not manufacturing these devices since 2016 and at the bar stated that they are winding down their use.

The court in constitutional jurisdiction preferred to accept their contention but ordered them to conduct a detailed inquiry into the matter. In 2023 PILAP submitted an RTI to the relevant authorities regarding progress on this committee and its discoveries and conclusions. The reply was unsatisfactory and did not adhere to the directions of the court. Therefore, PILAP filed an application in the disposed off petition asking for the court to require the results of the meeting conducted per court orders and place its findings before it. The court has ordered notices to the parties on the application.



Police Reforms Update

PILAP has filed a Writ Petition before the Sindh High Court against the Federal Government through the Cabinet Division and the Ministries of Law and Interior as well as the Sindh Government through the Chief Secretary; the Department of Services, General, Administration and Coordination and the Sindh Home Department asking for the repeal of the Police Order, 2002. The Honorable Sindh High Court through its Order declared these amendments as ultra vires to the Constitution and struck down an amendment made to the police order in 2019 which essentially accords primacy to the Chief Minister in the posting of senior police officers and ruled that the role of CM was advisory only. It was further emphasized that for effective policing within a state, it is necessary that the police institution is independent and autonomous in its operation, function, and administration. Any external influence could substantially impact the overall justice index and rule of law.

Read more about this issue here:

1. <https://www.dawn.com/news/1767156>
2. <https://tribune.com.pk/story/2428291/shc-empowers-igps-in-managing-police-affairs-1?amp=1>



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EC Member



Athar Osama
EC Member



Ayesha Khan
EC Member



Ahmad Rafay Alam
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Maroof Ali Syed
EC Member



Afia Salam
EC Member

• VISION

Pakistan where fundamental rights are enjoyed by all.

• MISSION

To work for the promotion & protection of fundamental rights of all Pakistanis through research, advocacy,

• VALUES

- 1) Transparency
- 2) Inclusion and Diversity
- 3) Accountability
- 4) Sensitivity
- 5) Commitment

CALL FOR ACTION

Join PILAP as we work towards
protecting the fundamental rights
of the Citizens of Pakistan

**Become a member of the
Citizens' Assembly of Pakistan
-PKR 100,000 annual fees**

CONTACT US



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