

ENGAGING CONSTITUENTS IN THE LEGISLATIVE PROCESS

*A Parliamentarians Toolkit for
Inclusive Legislation*



Engaging Constituents in the Legislative Process

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Inclusive Legislation*

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FOREWORD

Shehri-Citizens for a Better Environment (CBE) strongly believes that institutions of governance have to be fully accountable and transparent in their functions and that the legislative process needs to be inclusive and participatory. Our organization has consistently engaged with parliamentarians and other critical stakeholders to ensure that this constructive engagement between parliamentarians and constituents is strengthened. Shehri-CBE led the effort to suitably amend and strengthen the Sindh Provincial Right to Information Act which has resulted in a more inclusive and strong “Sindh Transparency and Right to Information Act 2016”. We have worked with critical institutions of the state such as the Police at a national level to facilitate greater sensitization, openness and awareness among the law enforcing agencies on important issues of police reforms.

Shehri-CBE has consistently worked to build a more constructive relationship between parliamentarians and institutions of state and the marginalized communities that include religious minorities, specially women. We are confident that this publication which has come after an extensive yearlong engagement with parliamentarians of the Sindh Assembly will contribute significantly towards a more open and inclusive legislative process leading to the enactment of laws and policies that better reflect the needs of constituents.

Amber Alibhai
General Secretary
Shehri-Citizens for a Better Environment



DEDICATION

Shehri-CBE has been extremely blessed with the wisdom, guidance and support it received from its senior member, Mr Khatib Ahmed. This enabled the organization to stay grounded on strong moral and ethical foundations driven with a selfless desire for contributing to communal good. Khatib Sahib has always instilled in us the understanding that we the citizens are the sovereign owners and should act as such when it comes to standing up for our rights; and demanding justice and accountability from our elected representatives and institutions of state. He never tires of quoting from the Constitution of the Islamic Republic of Pakistan which guarantees among others, fundamental rights to the citizens. Khatib Sahib has acted as an institution in himself, training and guiding whoever shows interest in becoming active and informed citizenship. He was instrumental in the success of our engagement with Police in the project - National Project for Participatory Citizens-Police Interaction for Policing of Human Rights Violations and Advocating Police Reforms (2008-2015) - where he held intensive training sessions with Police personnel on issues of human rights policing, community policing and of being cognizant to the constitutional provisions regarding fundamental rights. He also advocated and lobbied extensively for the successful enactment of the Sindh Senior Citizens Welfare Act 2014 in the Sindh Assembly.



He never has shied from travelling the length and breadth of Pakistan, to participate and teach citizens about empowerment. The consistent engagement of Shehri-CBE and its team led by Khatib Sahib for thirty years, with the legislature, executive and judiciary is in many ways the result of Khatib Sahib's strong insistence that we remain engaged with our legislators, service providers and courts, build capacity and trust so that the true spirit of the Constitution is reflected in the day to day governance of the state.

Our organization finds immense pleasure in dedicating this publication to the untiring efforts and contributions of Mr. Khatib Ahmed Sahib towards ensuring good governance, rule of law and wish him many more fruitful years of active citizenship.

ACRONYMS LIST

- NGO – Non-Government Organization
- MUN – Model United Nation
- RTI – Right to Information
- FOI – Freedom of Information
- PIO – Public Information Officer
- KP – Khyber Pakhtoon
- FNF – Friedrich Naumann Foundation for Freedom
- CBE – Citizens for a Better Environment

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INTRODUCTION

A nation is at peace when a level of trust and understanding exists between the instruments of state and its citizens. A continuing failure of the state to structure and implement a viable social and political contract with the citizens of the state is a significant causal factor of the variety of political and development challenges we face today within the realm of governance. In the absence of this relationship of trust, the state is challenged to provide the required level of legitimacy and credibility to its actions and lacking is the much needed acceptance and ownership by key stakeholders. In such a scenario, sustainability of actions cannot be ensured. Public policy is the means by which a government maintains order and caters to the needs and aspirations of its citizens. Public policy gets manifested by a collection of legal instruments that may include laws, mandates, or regulations established through a political process. It is the sanctity of the political process that needs to be ensured at all cost so that public policy is made on 'behalf' of the people and truly reflects their needs.

The Constitution provides the overarching umbrella for the formulation of this contract between citizens and state. The legislative bodies, the assembly spaces located within the various governance tiers seek inspiration and legal compatibility with the state constitution to translate its vision into implementable public policy and governance actions on ground. In Pakistan we have had a turbulent political history and while there is now some continuity in democratic processes, we still struggle to extend the true understanding and practical application of 'democracy', beyond Election Day. True democracy gets reflected in what happens in the intervening period between election – how avenues and mechanisms of citizen participation in the political processes are facilitated in a manner where the institutions of state stand socially accountable and transparent in their actions. A critical way to ensure this is to make the law-making processes inclusive, participatory and demand driven.

The present Toolkit addresses this need. Targeting the legislative forum of the 'Provincial Assembly', the Toolkit identifies various tools and methodologies that can be utilized at various stages of the law making process within the provincial assembly to engage citizens – documenting their problems and needs, learning from successful community practices and getting feedback on implemented policies and programs. The citizen engagement process has been categorized at the 'Constituency' and 'Parliamentary' spaces. Global best practices have been identified. Shehri-CBE's own experiences in public advocacy and citizen engagement have been shared within the context of work done on 'Gender Mobility' and 'Right to Information'. These engagements bring out critical learning in structuring demand driven policy frameworks and policy oversight that can find space within the law maker's engagement with their constituents for ensuring more inclusive and informed law making.

Farhan Anwar and Hawwa Fazal
November, 2021

USING THIS TOOLKIT

The Toolkit has been structured to facilitate participatory engagement between law makers and constituents by effectively utilizing various modes of participatory engagement to ensure inclusive law making. An effort has been made not just to identify modes of engagement that may be digital based or in person, but the tools have been organized on two scales – at the Constituent and Parliamentary levels and incorporated at various stages of the law making process at the level of the Provincial Assembly.

The Toolkit has been divided in three (3) parts

1

This part provides listing and details of various available tools and methodologies, along with reference to global best practices that a law maker can leverage for improved engagement with constituents. The tools have been divided in two (2) possible mediums of engagement - In-person and Digital

2

This part organizes the participatory tools for use at two levels of citizen-legislator engagement – the Constituency and the Parliament. The division is based on relevance and effectiveness of each tool in constituency and parliamentary spaces. In addition, this part also creates a connection of specific participatory tools with the various stages in the legislative process

3

This part references from two (2) works of Shehri-CBE. Research and advocacy for influencing decision making for gender sensitive mobility planning in Karachi city and advocacy for strengthening the Right to Information legislation in the Sindh province. These works are referenced to create an understanding on how a 'demand driven' public policy making process can be constructed and how based on stakeholder monitoring and feedback, an existing legislation can be amended to strengthen its viability and effectiveness

SECTION

1

ENGAGING CONSTITUENTS – TOOLS AND METHODOLOGIES FOR CONSTITUENT PARTICIPATION

This *Section* emphasizes the need and utility of pro-active constituent engagement in the law making process, defining what is meant by constituent engagement. It then identifies and details various tools and methodologies, along with references to global best practices that a law maker can leverage for improved engagement with his or her constituent. Citizen engagement tools have been divided in two (2) possible mediums of engagement – In-person and Digital

WHY ENGAGE THE CITIZENS?

When considering the parliament as a space for law making, one important factor that needs to be realized is that a parliament needs to act in a manner that is relatively independent of the government. This is because the parliament represents diverse views where it is not just the ruling party but the opposition voices that also get represented. That is why the parliament does not just have the 'law making' role and function but also acts as an 'oversight body'. Through its critical oversight function, parliaments are required to hold the government to account on behalf of the people, thus ensuring that the government's policy and actions are responsive to the needs and aspirations of the people.

This kind of work, mostly happens outside of the chambers in parliamentary committees that represent all shades of opinion present in the parliament. This function is critical to overseeing the executive. For all this to happen in a desired manner and optimal benefits to be achieved, the law makers need to connect with their constituents in a meaningful manner and make both the law making and oversight process inclusive and participatory. If engagement with constituents is proactive and inclusive, whatever case the parliamentarians make in the assembly is effectively reinforced. Citizens also feel included and any trust deficit that may exist between the law makers and their constituents is reduced. The citizens need to be informed that it is the job of the parliamentarians to represent the diversity in their constituencies and build consensus. There are number of ways in which a parliamentarian can engage with constituents both inside and outside the parliamentary space at the constituency level. This engagement requires a conscious effort and giving of time on the part of the parliamentarian and is very important to his or overall work portfolio.

Parliamentarians who actively engage with their constituents can help to create a link between citizens and their government or assembly. By becoming involved in local issues, parliamentarians can demonstrate the parliament's ability to address real issues in people's lives and provide tangible benefits to the communities they represent. By listening to public concerns and then conveying those concerns to the parliament or assembly and their respective political parties, parliamentarians become better equipped to design or amend laws and policies that respond to real human needs. Members of the opposition benches in the parliament can more effectively gauge gaps in the government's policies by proactively seeking citizen's feedback on the impact of these policies. This information, as well as the relationships that are developed with constituents, can be used by opposition members to effectively scrutinize the government's work and mobilize popular support for reforms of laws and policies. Political parties can use the information that is collected through active engagement with constituents to ensure that their platforms resonate with constituents and that their policies reflect relevant concerns. Active engagement in a constituency also gives a more human face to the parliamentarian. Although an elected representative cannot solve all of his or her constituents' problems, helping with some, and at least engaging with others, can build public trust in the parliamentarian and the parliament.

Citizens may better understand who their parliamentarians are, their roles and how they can help (as well as how they are unable to help). Parliamentarians who establish two-way communication channels with constituents may also be able to provide citizens with a better sense of why they are making certain decisions and difficulties that they face (such as insufficient financial and other resources). Citizens who have direct contact with an elected representative are also more likely to identify his or her party as an institution they support. Effective constituent relations can also help to mobilize citizen participation in public affairs. When a parliamentarian works with local officials, non-governmental organizations (NGOs) and ordinary citizens to solve local problems, he or she empowers them to improve their own lives and communities. By widening the circle of citizens who engage in public policies and decisions, the representative helps to fight apathy and enhance democracy through practical problem solving. Parties and legislators who establish strong ties with constituents also develop a base of loyal political supporters, which helps to mobilize volunteers. As such, a relationship based on trust, knowledge and mutual benefit is critical to ensuring the sanctity and viability of the parliamentary space.

TOOLS FOR IN-PERSON ENGAGEMENT



TOWN HALL

Town Hall meetings are often organized by legislators on weekly or monthly basis. In a town hall meeting the constituents and elected representative can come together to discuss ideas, problems and develop solutions. The elected representative can use this opportunity to discuss legislative issues, educate constituents about governmental reforms, get their feedback regarding the implementation of laws and explain role of the parliament.

UK Parliament:

Whitehall City Council meetings are held on the first and third Tuesdays of each month at 7p.m. in Council Chambers at City Hall (360 S. Yearling Road)

Pop-up Constituency Offices, Parliament of Canada:

Temporary constituency office set up for a limited amount of time by a Member of Parliament to facilitate interaction with constituents and enable public outreach activities

CONSTITUENCY WEEKS

The legislators can set aside a week, every month or so, on which they would visit different places in their constituency. They would specifically target places whose residents are unable to reach the constituency office. To facilitate such engagements, the parliament itself allows law makers such breaks from parliamentary proceedings to go and visit their constituents. Legislators should collaborate and meet with the local civil organizations as they can help with logistics and give the legislator an idea about the issues that voters face. The time and date can be advertised using social media channels.

This 'pop-up' constituency office will give citizens a chance to know their legislator and tell them about their problems. This can be a great way to mobilize dormant voters of the constituency and convey the message of parliamentarian's long-term commitment to the constituents.

CONSTITUENCY OFFICES

Constituency office is set up and run by the elected representative. The constituency office is meant to act as a safe space where constituents can go to share concerns, get information and submit petitions.

Often, parliaments give elected representative a certain budget to operate a constituency office. The office should be in a central location, accessible to all constituents and should have an 'open door' policy. The office should operate for at least four to five hours each day and the elected representative should aim to attend to the office at least twice a week. The office should have a visible signboard and the working hours of the office should be advertised.

The constituency office staff can deal with casework and individual request of constituents. The office would also provide the citizen information like public office/utilities listings, party newsletter and brochures.

Houses of Assembly, National Assembly of Ecuador:

20 offices of the parliament located in different regions of the country and 2 located outside of the country to host activities and citizen participation projects to build a direct relationship with citizens; parliamentarian can also utilize these spaces to work with

Citizen Assembly on Electoral Reform, Legislative Assembly of Ontario, Canada:

Assembly of randomly selected citizens (one from each electoral system) provided a recommendation on reform, which was presented in a province-wide referendum.

CITIZEN JURIES

A citizen jury or assembly comprises of demographically and geographically diverse group of citizens who gather to discuss an issue that they all have in-depth knowledge of. They recommend solutions to address the issue at hand which may or may not be used in legislation.

PUBLIC HEARINGS

Public hearing can be used to obtain a public view on a proposed legislation or scrutinize the implementation of previous laws.

Public hearings give the parliamentarian and parliament a chance to determine the public support for a law, educate the citizens about the law that is being proposed and determine if the law is being followed in letter and spirit.

The policy or law that has been subjected to public hearing before or after its enactment enjoys greater public support and credibility.

There are several different formats of public hearing i.e., Invitation only, open hearing, oversight, legislative, etc. The type of hearing can be determined on basis of the purpose of the hearing

National Assembly, Pakistan:

The Senate Special Committee on Electoral Issues conducted a public hearing on electoral reforms in 2012

Public Outreach with Parliament Caravan, Parliament of Trinidad and Tobago:

Parliament staff travel to various locations across the country to speak with citizens and conduct surveys to obtain feedback on the work of parliament; results are in turn provided to relevant committee

PHYSICAL SURVEY

Physical survey is done to bring attention to issues, gather information of the on-ground situation, highlight corruption or ineffective policy implementation. These visits can also help the parliamentarian gather information to make their legislative proposal strong. They can make political assessments and check results on ground.

FOCUS GROUPS

The parliamentarian can consult with a diverse panel of citizens within the scope of studies on issue of interest, to gauge public interest or expert opinion on the proposed legislation to effectively address the issues within the proposed reforms.

Gender Aware Beneficiary Analysis of the Public Assistance Programme, Saint Lucia:

As a part of efforts to establish a social protection platform with gender equity and child sensitivity as core principles, the Ministry of Social Transformation, Local Government and Community Empowerment worked with UN women to perform an analysis of Public Assistance Programme using focus groups to propose amendments to relevant legislation.

Guide Tours and witness sittings, National Assembly of Ecuador:

The project "Open Door Assembly" offer guide tours of the National Assembly to citizens and a virtual tour is available on the website; citizens can also attend sittings by submitting a request

PARLIAMENTARY TOURS

Parliament can arrange parliamentary tours for students and citizens in which the constituents can meet with the staff, observe the day-to-day work of parliament that may include committee meetings or legislative readings and ask questions. These tours can be organized at regular intervals. This helps people understand the work of parliament and parliamentarians. It gives a sense of duty as they would be able to give parliament a human face rather than just being a government building.

POST LEGISLATIVE COMMITTEES

Parliament can set up a committee comprising of provincial parliamentary members which would submit reports about the implementation of laws, being passed in Assembly. Submitted reports will be based on polls, surveys, opinion of citizen obtained during oversight hearing within constituencies and tour of government department in which the law is being implemented. The reports will determine if there is a need of amendment in the law and ensure that the laws being enacted are implemented real-time

UK, Post Legislative Scrutiny:

An inquiry by a parliamentary select committee into how a new law has worked in practice since it came into force

Karachi, Sindh, Pakistan:

Shehri-Citizens for a better Environment lobbied for amendment in the Right to Information Bill in 2015 and with help of then Information Law Minister it was successfully passed in 2016.

CIVIL SOCIETY ORGANIZATIONS

The parliamentarian can attend events and workshops that are arranged by local NGOs of the constituency. This will help them understand the issues of the community, the NGOs can provide data, act as an oversight and help draft effective legislations. The parliamentarian can meet up with international NGOs and charitable organizations to encourage them to undertake development projects in the district.

YOUTH PROGRAMS AND FELLOWSHIPS

Assemblies, parties and parliamentarians can host internships and fellowships for students. These programs will allow the youth to gain an understanding about working of parliament and become politically aware.

Provincial and national assemblies can hold conferences similar to 'Model United Nation (MUNs), where the students would be given a chance to put themselves in the shoes of parliamentarians, propose legislation, debate on legislations and deliberate to solve civic issues.

'Delibera' Student Tournament, Congress of Chile:

Inter-school competition where teams of students (12-17 years) assume role of parliamentarians, propose legislations and deliberate to solve relevant issues.

TOOLS FOR DIGITAL ENGAGEMENT



ONLINE PORTAL

Online portals can be set up on three levels - Local Government, Provincial Assembly and National Assembly. Each online portal would have defined functions according to their jurisdiction. The parliamentarian would have access to all data that comes through his or her constituency into the local government and provincial government app. This will help a parliamentarian keep a record of the problems that occur and ensure that they are resolved. Provincial Assembly can upload bills that have been submitted and allow people to vote on bills which they think should be discussed on priority basis. The parliamentarians can read people's comments which can then be discussed during the bill readings.

The constituents can lodge in reports about government departments regarding implementation of laws, law breaking. Reports and this data can be used as an oversight by parliament of government departments. This app will build transparent and effective communication between parliamentarians and their constituents.

Senador Virtual:

Senate of Chile: Online portal providing citizens with some of the draft bills being debated in the Senate and allowing them to vote on entire specific aspects of each bill, while submitting comments

Electronic Consultation, House of Commons Canada:

E-Consultation by the Special Committee on Electoral Reform as a part of study

PARTY WEBSITES

Every political party should have its website where the constituents can get information like party mandate and agenda, how much representation they hold in the Provincial and National Assembly. The Parliamentarians lobbying/developing a bill can hold online briefings. These briefings will help them gather support for their bill and also allow constituents who can't be physically present in town hall meetings or public hearings to give their opinion.

E-PETITIONS

National Assembly, Party and Provincial Parliamentary websites should have a feature which would allow citizens to submit legislative proposals online. The proposal would then be open to gather signatures of persons who support the bill and the bill that have a certain percentage of votes can then be forwarded to parliamentarians, who can become movers of the bill in the Assembly. This would help remove the physical barriers that exist between the parliament and constituent.

Citizen Initiatives, Legislative Assembly of Costa Rica:

Legislative proposals written by citizens with technical support from the Citizen Participation Office, requires support from at least 0.25% of people registered to vote or 1% in the case of constitutional reform; proposals can be submitted online or on website of the Assembly

Online Surveys, Government of Mexico:

Online surveys developed by the Government of Mexico to obtain citizen's opinion on priority issues, including topics of pre-draft legislations

ONLINE SURVEY

Surveys offer the elected representative and political party crucial information about a constituency needs, priorities and perception of the constituents.

Parliamentarians are citizen representatives; hence it is crucial that they know what their constituents think and what their concerns are. Online surveys can be a useful way to document constituent's opinion on a legislative bill, gather support for a bill and collect data for analysis required to make a bill. The polling and survey can be done to oversight laws that have been passed and are being implemented.

This tool will help the legislator reach a higher audience with less cost and efficiently.

SOCIAL MEDIA

Each parliamentarian can have their own website, Facebook page, Instagram account and twitter handle which can give the constituents following information A biography of the elected representative which includes their past work, current goals and plans It should also display location of their constituent office, the time on which he/she would be available in office to address concerns of the constituents and name/designation of his office staff.

The map of area the elected representative is currently representing.

The elected representative can hold live sessions on his social media channels, where he/she can update the citizens about the parliament working, what laws are being introduced and how they will be affecting the constituent's day to day life.

Using social media presents the elected representative an opportunity to reach a large audience with no costs and minimum censorship. It allows them to build trust between them and their constituents by being easily approachable.

Similarly provincial parliament and National Assembly can have their own social media channels where they can update citizens about the status of bills, day to day happening in parliament and hold online public hearings.

Custom Facebook Applications, European Parliament:

Customized applications within the European Parliament's page allow users to access parliamentary information and chat with members of European Parliament

Taking Parliament to the People, South Africa:

Programme gives South Africans the opportunity to make their voices heard by participating in parliamentary processes and is also one of the vehicles used by the NCOP to conduct oversight over the executive (government departments).

PARLIAMENT APP

A mobile application by parliament can be used to update the citizens and take their opinion on legislations being introduced and discussed. It can be a forum where constituents can lodge in complaints that are unresolved at their constituency level.

The app will help reach a large audience and also reduce a significant amount of paperwork which would otherwise be needed if a constituent wants any information regarding the parliament and parliamentarians. The real-time actions will help in making constituents more actively involved in parliament and build trust on the legislations that is being proposed in the parliament.

E-MAGAZINE

Newsletter from a political party and elected representatives can be a great way to generate communication with the constituents. It can tell the constituents about the plans of the parliamentarian and party, the plans that have been put into action, issues that they care about and define the priorities of the elected representative. It tells the constituents that the party and elected representative are readily available to address their issues and help heighten the visibility of parliamentarian and party amongst constituents.

There are two types of Newsletters

Targeted Newsletter: These are newsletters which inform the constituents about the problems that the parliamentarian is working on or a problem that has been successfully addressed. These newsletters comprise of pictures and testimonials of people who have been supporting and advocating for a legislation or project alongside a parliamentarian.

Joint Newsletter: A joint newsletter can be made with collaboration between local party branches, NGOs and local elected officials, this way the cost would become bearable for each and all things will be advertised at once.

UK Parliament:

The UK parliament releases a weekly newsletter titled 'House of Lords' which has news stories, debates, oral questions, draft law scrutiny and committee work is listed by subject area. The citizens can subscribe to this newsletter which would be delivered to their email or mailbox.

Romania:

Every Constituency office in Romania has a list of all pertinent personnel and institutions readily available for outreach on behalf of constituents

E-LISTING OF PUBLIC RESOURCES

Legislators and their staff don't always have the resources to resolve every public problem that comes their way. Most of those unsolvable problems are not a part of their jurisdiction but rather of the bureaucracy or local administrative system. However, citizens often have no idea how to navigate these channels and end up at the elected representative's office. To avoid rush and guide constituents, the constituency office should have a 'listing of local public services' which should have details like job description of each Local Public Service Office, name of designated officials and how they can be reached. These listings can be distributed among constituents and copies can be kept in the constituency office.

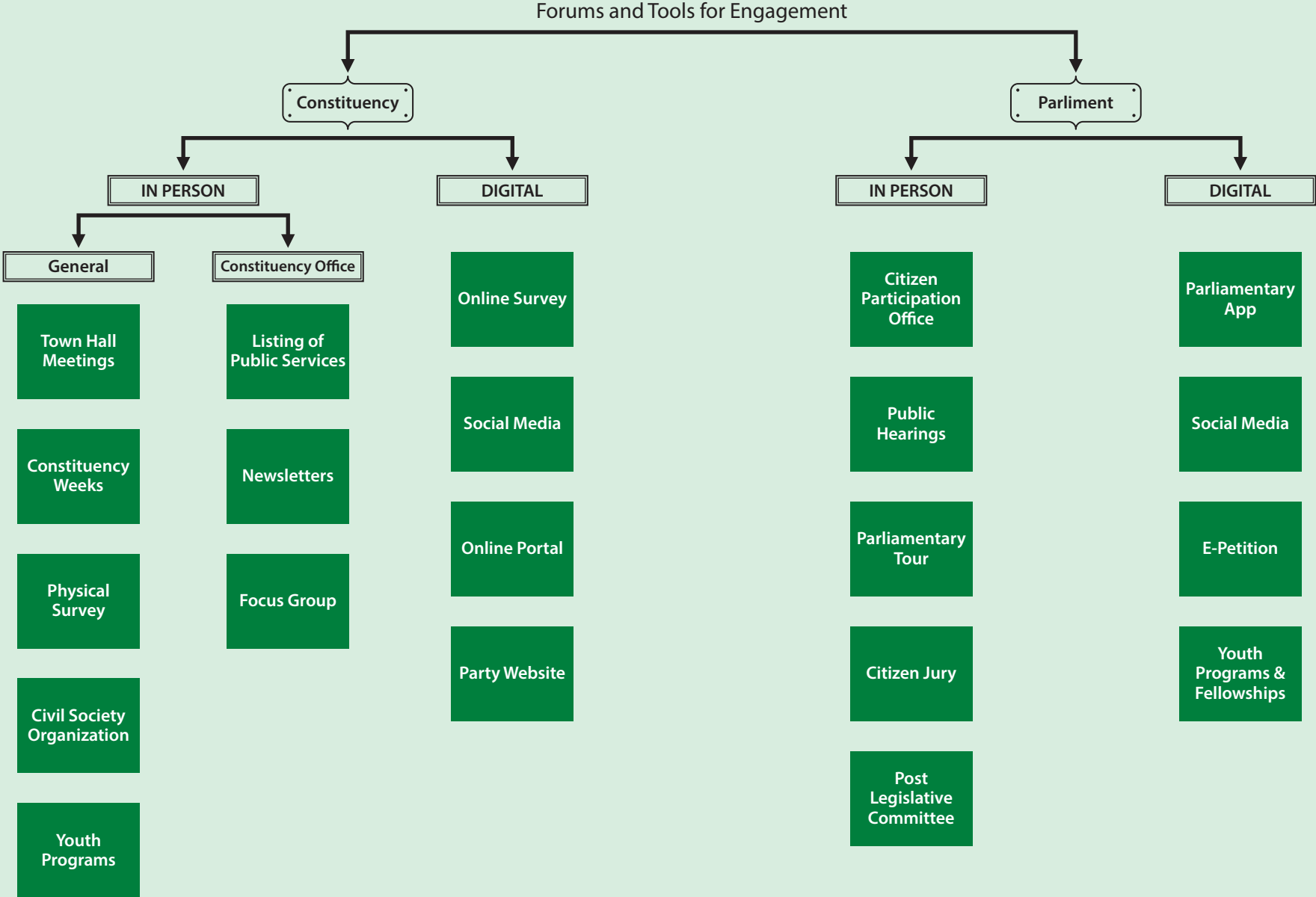
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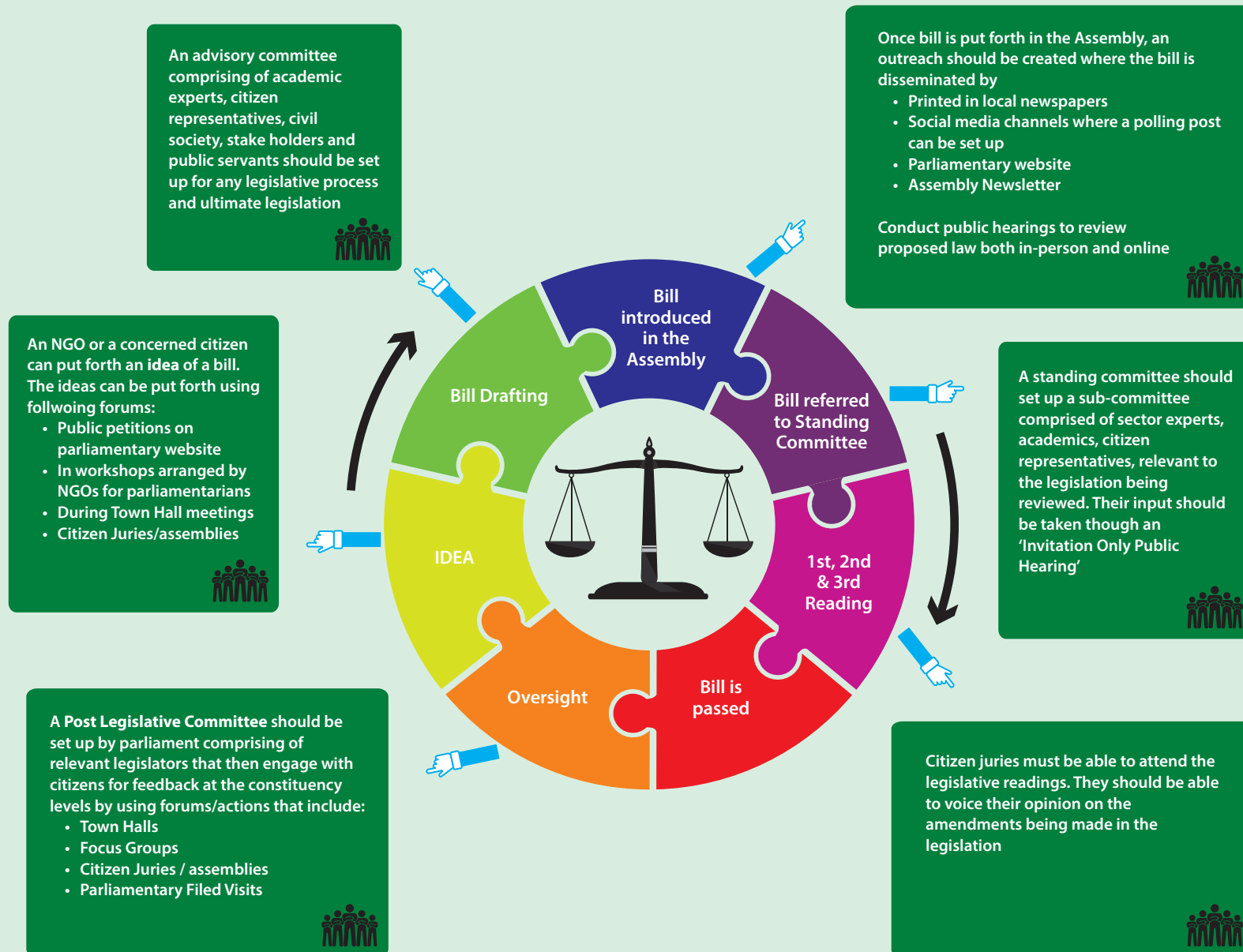
PUTTING TOOLS INTO ACTION

This part organizes the participatory tools for use at two levels of constituent- legislator engagement – the Constituency and the Parliament. The division is based on relevance and effectiveness of each tool in constituency and parliamentary spaces. In addition to this, this part also creates a connection of specific participatory tools with the various stages in the legislative process

CITIZEN PARTICIPATION IN THE LEGISLATIVE PROCESS



CITIZEN PARTICIPATION IN THE LEGISLATIVE PROCESS



PARLIAMENTARIANS ASK: HOW CAN I ?

How can I know the most pertinent problem my constituents are facing?

- Conduct **Focus Group** discussions
- Open floor for specially discussing common problems faced by constituents during Town Hall Meetings

How can I gather trust of my constituents informed

- Keep the constituents regarding affairs being discussed in the assembly via **Social Media**
- Be available in the **Constituency Office** at least twice a week

How can I get input and support of my constituents in a bill that I/Party is preparing

- Discuss the bill during **Town Hall Meetings**
- Get input of **Civil Society Organizations** that work on the issue that the bill is addressing.
- Conduct **Online Polling**



How can I get feedback on the legislations that are being implemented

- Conduct **Physical Survey** of the relevant government departments and the constituency
- The legislator can also form a **Post Legislative Committee** which would gather data via survey conducted within the constituency

How can I inform constituents of my plan and achievements?

- Conduct **Physical Survey** of the relevant government departments and the constituency
- The legislator can also form a **Post Legislative Committee** which would gather data via survey conducted within the constituency, give and compile reports

How can I analyze data/research for effective law making?

- The legislator can conduct **Focus Group** discussions comprised of experts.
- The legislator can do **Internship and Fellowship Program** in which students can do research

SECTION

3

CHARTING ROADMAPS FOR PARTICIPATORY LEGISLATIONS

This part references from two (2) works of Shehri-CBE.

1. Research and advocacy for influencing decision making for gender sensitive mobility planning in Karachi city
2. Advocacy for strengthening the Right to Information legislation in Sindh province.

These works are referenced to create an understanding on how a 'demand driven' public policy making process can be constructed and how based on stakeholder monitoring and feedback, an existing legislation can be amended to strengthen its viability and effectiveness.

CHARTING ROADMAPS FOR PARTICIPATORY LEGISLATIONS

GENDER SENSITIVE MOBILITY PLANNING – TOWARDS DEMAND DRIVEN POLICY MAKING

Benefits of urban planning exercises are best optimized if planning is bottom up, inclusive and demand driven. Gender specific focus has now been streamlined in various aspects of urban planning which also includes urban mobility. Gender mobility now brings with it an understanding that requires policies, plans and actions to be taken that are gender specific. This is because the mobility patterns of women and the challenges they face as pedestrians, using public or private transport have been found different from men and as such require to be addressed in very different and often innovative ways.

IDENTIFYING THE PROBLEM

This realization although has begun to find a space in our mobility planning but it seems more in response to fulfilling requirements of gender mainstreaming in donor funded projects rather than becoming part of a holistic, policy driven framework for action. As such, actions initiated remain superficial in nature and not adequately responsive to ground realities. When it comes to cataloging challenges of female mobility in a city like Karachi; a mix of social, cultural, logistical and infrastructure-based factors are indicated that quite often are interfaced and therefore require structuring a multi-faceted approach to problem solving. Within our planning context there is a serious lack of focus on addressing this issue in a holistic manner.

Limited research that has been conducted on this subject has raised concerns that this lack of focus is contributing to increased poverty, social exclusion and reduced presence in the labor market for women in Pakistan.





IDENTIFYING THE PROBLEM

Shehri-CBE has been working on gender empowerment initiatives and brought out a research publication – Mobility from the Lens of Gender: Case Study Karachi. The Study, documented multiple aspects of gender mobility within our context and extensive secondary and primary research engaging with direct and indirect stakeholders led to the framing of a set of strategic policy, planning and implementation based recommendations aimed to address all related aspects in a holistic and comprehensive manner. The process of understanding the problem involved a series of steps that are critical to placing the foundations of inclusive, demand and data driven policy making. They included:

- Creating a knowledge base on the key determinants of gender mobility. Why patterns and associated challenges of women’s mobility are different from those faced by men and how they are being addressed globally in the context of policy, planning and project-based interventions – Global Best Practices



Make Karachi Safe for Women Mobility

1,148 have signed. Let's get to 1,500!



- Reviewing authenticated secondary research done on an urban scale in Pakistan, particularly in Karachi on gender mobility – documenting challenges, opportunities and recommendations
- Generating primary data – surveying public and private mobility modes in Karachi’s female users of public used by blue and white collar working women and students. A comprehensive survey instrument – questionnaire – was designed and findings evaluated
- Stakeholder mapping done and relevant experts and government agencies, civil society organizations contacted to compile a holistic stakeholder perceptions and recommendations database
- A comprehensive set of recommendations developed
- Recommendations translated into a Policy Paper
- An extensive social media campaign run to mobilize support for the recommendations – human stories and communication messages prepared, and an online petition generated to garner the support for influencing decision making

RIGHT TO INFORMATION LEGISLATION IN SINDH – PUBLIC OVERSIGHT FOR STRENGTHENING LEGISLATIONS

For governance to be viable and for a state to construct a trust based social and political contract with the citizens, functions of the state have to be transparent and state institutions socially accountable. Many mechanisms have been developed to make this possible. These include participatory budgeting, citizens’ report cards, community score cards, public expenditure tracking to name a few. An important legislative tool for facilitating freedom of information is Right to Information (RTI). Right to Information is a UN-mandated universal human right. UN General Assembly, 1946: ‘Freedom of Information is a fundamental human right and is the touchstone of all other rights to which the UN is consecrated’.

CONTEXT OF RTI LEGISLATIONS IN PAKISTAN

The Constitution of Pakistan ensures Freedom of Information through the Article 19-A of the Constitution of Pakistan under the 18th Amendment. It is stated, 'Every citizen shall have the right to have access to information in all matters of public importance subject to regulation and reasonable restrictions imposed by law'. RTI legislations in Pakistan started with the passing of the Federal Freedom of Information Ordinance 2002. Since then, a number of related legislations have been passed at the federal and provincial levels. In Sindh province, the RTI legislation was enacted with the passing of the Sindh Freedom of Information Act 2006.

What is Right to Information?



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

Constitutional right guaranteed in Article 19-A of the Constitution of Pakistan under 18th amendment.

Importance of RTI

- It brings transparency,
- It brings accountability,
- It helps to increase efficiency in governance & service delivery.
- Promotes Political Participations.
- Improves Government Functioning.
- It also encourages citizens to understand that they are the true owners of Pakistan.

YOUR RIGHT TO KNOW

YES! YOU TOO CAN GET ANSWERS TO THESE AND OTHER SUCH QUESTIONS

ARTICLE 19-A OF THE CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN GIVES YOU THIS RIGHT.
"Every citizen shall have the right to have access to information in all matter of public importance subject to regulation and reasonable restrictions imposed by law".

"Write to know"
Five steps for obtaining information / records.

Step 1 Applicant determines the information / record that is required. The request should be in a question form.	Step 2 Identify the correct public body which must be approached for obtaining the required information.	Step 3 Applicant fills the Application Form and attaches a copy of National Identity Card.	Step 4 Applicant deposits a Challan of Rs. 50/= in any branch of National Bank of Pakistan Account No. 1391221.	Step 5 Applicant submits the application (along with Challan and CNIC) to the concerned Public Body.
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CONSULTATIVE COONSTITUENT OVERSIGHT OF RTI LEGISLATION IN SINDH

Shehri-CBE has been playing a proactive role in the implementation of this legislation by conducting training sessions and capacity building workshops for public officials and stakeholders on filing RTI applications and monitor progress of their queries and set up a special Help Desk in the office to facilitate citizens in filing applications. Shehri-CBE also interacted with government organizations for appointment of Public Information Officers (PIO's) to facilitate the processing of applications. However, Shehri-CBE's oversight indicated that the law was not effective. The lack of implementation had a lot to do with the absence of strong provisions in the law. Citizens were losing trust and confidence in the process and idea of an RTI legislation. An urgent need was therefore felt to engage with civil society organizations and other stakeholders, get their feedback and based on those amendments to the law and influence government to bring out a stronger legislation.

Shehri-CBE then helped form the 'Coalition for Transparency and Access to Information (C-TAI); a civil society alliance (comprising of 22 Sindh based civil society organizations). Core objectives of the Coalition were:

- To increase the awareness and usage of this law by filing FOI requests under the present law so as to urge the government functionaries to become responsive to the law
- To use the collective resources of the coalition to interact with the legislators and impress upon them the need to move for the enactment of a new access to information law
- Extensive consultations followed and it was felt that the principle shortcoming of this law is the ineffectiveness of the enforcement mechanism for non-provision of the information by the government departments. Other federal and provincial legislations were referenced and it was assessed that Khyber Pukhtunkhwa (KP) and Punjab provinces had come out with very strong, effective and enforceable laws known as 'KP RTI Act' and the 'Punjab Transparency and RTI Act'. Even the Federal RTI Bill was an improvement on the previous federal FOI 2002 Ordinance, which is an exact replica of the Sindh FOI 2006. It was therefore felt that the Sindh Government also should come up with a much improved and effective access to information legislation on par with KP and Punjab.

CONSTRUCTIVE CONSTITUENT – ELECTED REPRESENTATIVE ENGAGEMENT

Consultations with the Coalition led to the drafting of an amended law. Shehri-CBE then entered into discussions with both the ruling government and opposition parties to inform them about this amended draft and build consensus for approval as law. Finally, these efforts bore fruit, and The Sindh Transparency and Right to Information Act, 2016 was passed by the Sindh Assembly on March 13, 2017.

This whole process brings out critical learnings on how legislators themselves can construct processes where through oversight of the outcomes of legislative interventions and getting feedback from all relevant stakeholders, post legislation oversight can lead to further strengthening of existing legislations.

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She is currently working as a volunteer at Shehri-Citizens for a Better Environment, performing as a research analyst, communication expert, assistant editor of Shehri-CBE magazine and project coordinator of programs that are executed in collaboration with Friedrich Naumann Foundation (FNF)

SHEHRI-CITIZENS FOR A BETTER ENVIRONMENT (SHEHRI-CBE)

Shehri-Citizens for a Better Environment was formed in 1988 (based in Karachi City), as a non-political, noncommercial, non-governmental organization (under the Societies Registration Act XXI of 1860) by a group of concerned citizens to provide the citizens with a platform to effectively voice their concerns in determining their future and taking action in arresting the deterioration in their living environment and propose reform with a view to improve the same. Shehri-Citizens for a Better Environment is now fighting at the forefront of various issues of public concern related the environment. The organization is actively engaged in areas of work like public advocacy and public interest litigation, right to information, good governance, community policing, police reforms, urban mobility, climate change and last but not the least institutional reforms

OBJECTIVES

- Establishment of an aware and pro-active civil society, good governance, transparency and rule of law
- Promotion of research, documentation, dialogue and influence of public policies
- To provide technical assistance and guidance to local area citizens groups on their local area and environment
- Setting up an effective and representative local government system, e.g., capacity building and training
- Preparation of a proper master plan/zoning plan for Karachi and effective implementation of the same

HOW IS SHEHRI RUN

A volunteer Managing Committee, duly elected by the General Body for a term of two years, there-by functioning in an open and democratic manner. Membership is open to all who subscribe to its objective and memorandum

SUSTAINABLE DEVELOPMENT GOALS (SDGs) FOCUS

Shehri-CBE brings a focus in all its works on the 17 Sustainable Development Goals (SDGs) that define the global development agenda for today. This Publication 'Engaging Constituents in the Legislative Process - A Parliamentarians Toolkit for Inclusive Legislation', creates strong linkages with the targets of Goal 16 (Peace, Justice and Strong Institutions), other than finding cross linkages with the remaining goals as well



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