

Khyber Journal of Public Policy



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Khyber Journal of Public Policy (KJPP)

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The journal's focus on original research papers, reflective studies, and analyses related to international relations, Pakistan affairs, and faith & society reflects a commitment to addressing critical issues and proposing viable solutions to these issues. By bringing together researchers, experts, and policy practitioners, the journal provides a platform for a diverse range of perspectives and experiences, allowing for a more comprehensive and nuanced understanding of complex issues.

The focus on public policy further underscores the journal's commitment to making a tangible impact on national and international issues. By providing a space for research and analysis, the journal helps to inform policymakers and practitioners, who can then use this information to develop more effective policies and programs. Additionally, the focus on viable solutions emphasizes the importance of actionable recommendations that can be implemented in the real world.

Overall, the journal's focus on research, analysis, and practical solutions reflects a commitment to advancing knowledge and making a positive impact in the fields of international relations, Pakistan affairs, and faith & society. By providing a platform for diverse perspectives and experiences, the journal contributes to a more comprehensive understanding of complex issues and the development of effective policies and programs.

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- Manuscript should be ideally around 5000 words;
- An abstract of about 150 words should be included;
- Five to six keywords should be provided;
- American English should be used;
- APA Manual of Style should be followed for Endnotes. In-text citations and bibliography are not required.;
- All the tables, charts, graphs and figures included in the manuscript should be in an editable, MS Word form.

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Message of the Capt. (Retd) Usman Gul,

*Director General National Institute of Public Administration, Peshawar
on the eve of Inaugural Issue of the Khyber Journal of Public Policy:*

I am delighted to announce the inaugural issue of the Khyber Journal of Public Policy, an initiative led by Dr. Muqem, Chief Instructor of NIPA Peshawar and supported by Dr. Ijaz Munir, Rector NSPP. The journal covers social science and related concepts to significant political, economic, and social issues, exploring the ways in which public policies are made. Its articles deal with topics of concern to public policy scholars and practitioners alike, often cutting across disciplines such as environmental issues, international political economy, international relations, regulatory policy, and other critical issues facing Pakistan.

The Khyber Journal of Public Policy has been developed to provide a platform for policy researchers, academics, and practitioners to share their insights and solutions to critical challenges faced by the nation.

As Director General of the National Institute of Public Administration Peshawar, I am proud to support this initiative and congratulate Dr. Muqem and his team for their efforts in bringing this journal to fruition. I encourage all concerned to contribute to the journal and engage in the ongoing dialogue surrounding public policy issues. With the support of esteemed researchers and practitioners, I am confident that the Khyber Journal of Public Policy will become a leading resource in the field.

Thank you and congratulations once again on this milestone achievement

Capt. (Retd) Usman Gul,
Director General
National Institute of Public
Administration, Peshawar

Preface

of the Special Issue of Khyber Journal of Public Policy

We are pleased to present the first issue of the Khyber Journal of Public Policy (KJPP), a publication of the National Institute of Public Administration (NIPA), National School of Public Policy (NSPP), Peshawar. The KJPP is a valuable addition to the existing publications on public policy, serving as a platform for dissemination of policy research outcomes by the officers who have undergone the intensive training courses at NSPP.

The mid-career and senior level officers from various organs of the government undertake these courses, focusing on all aspects of public policy, including the critical analysis of policy design, implementation, and impact. The officers' research outcomes propose viable solutions to the pressing issues faced by the country, and are thus of great value to practitioners, professionals, and academicians.

The KJPP aims to fulfill the intent of its act by providing a forum for disseminating these precious outcomes as a ready reference for practitioners and academia in the field of public policy. The journal follows the prescribed procedure of printing and publishing, as described by the Higher Education Commission (HEC), and we are confident that it will soon receive recognition from HEC and other concerned international agencies.

We extend our sincere gratitude to the authors who have contributed their research outcomes for the first issue of the KJPP. We hope that the KJPP will serve as an excellent source of knowledge and insights for public policy practitioners and academicians, enabling them to adopt and implement the policy recommendations and novel solutions to the crucial problems faced by the nation.

Dr. Muqem Islam Soharwardy
PhD(Public Policy & Governance)
Editor ,
Khyber Journal of Public Policy

In this Issue

In the first paper author focuses on environmental issues of the Hind-o-Kush region. Hindu Kush Himalaya (HKH) provides essential resources and services to millions of people living downstream, but is being affected by unplanned land management, urbanization, and climate change. The buying and selling of land plays a significant role in land use patterns, which in turn affects the environment. To address these issues, the research suggests adopting a comprehensive approach to sustainable development projects in mountain regions of Gilgit Baltistan, with community participation. The study used a cause-and-effect method, analyzing available data to conclude that implementing a systematic land use policy can ensure sustainable development.

The second paper reviews the preferential trade agreement between turkey and Pakistan. Pakistan and Turkey have signed a Preferential Trade Agreement (PTA), strengthening their political and economic relations. The agreement is expected to have a positive impact on bilateral trade and domestic economic situation in both countries. However, potential issues and challenges need to be addressed, and recommendations have been made for optimizing the benefits of the PTA. The agreement reflects the cultural, religious, and historical ties between the two nations.

Third article highlights the emergence of digital diplomacy as an effective tool for diplomacy, with Pakistan's Ministry of Foreign Affairs recently incorporating it into its core functions. It covers the academic dimension of digital diplomacy and its integration with other tools by leading countries. The article also identifies the issues and challenges faced by Pakistan and makes recommendations to optimize the use of digital diplomacy.

Fourth study analyzes the factors responsible for Pakistan's dependence on imported edible oil, which has reached 92%. The lack of promotion of oilseed crops, liberal import policies, stagnant custom duties, and competition with major crops are among the factors. The study finds that minor crops like sunflower and canola are more profitable than major crops. India's vibrant import duties have helped protect local growers and meet 35% of their edible oil requirement from local production. Pakistan needs to encourage local production of oilseed crops to reduce dependence on imported oil, which is a serious threat to public health.

Fifth research paper focuses on the export of skilled, semi-skilled, and unskilled labor as a way for developing countries like Pakistan to address chronic problems like overpopulation, unemployment, low per capita income, and poverty. The study highlights the multifaceted market for labor exports and the contribution of foreign remittances to the growth of foreign reserves, which amounted to 31.2 billion USD in 2022. However, the research also identifies the challenges faced by Pakistan in the recruitment, placement, and exploitation of emigrants, as well as the smuggling of aspiring emigrants. The study aims to propose solutions to the gaps and weaknesses in the regulatory framework that give rise to illegalities and irregularities in the emigration structure, which could create distrust among overseas Pakistanis.

Last research paper of this issue highlights the challenges faced by Pakistan in addressing cybercrimes and the shortcomings of the Prevention of Electronic Crimes Act (PECA), 2016. The author argues that Pakistan needs to shift its policy orientation from being security-centric to citizen-centric, make amendments to PECA, and invest in capacity building of citizens and state agencies to effectively combat cybercrimes. The research emphasizes the need for a social contract between the state and citizens in the cyberworld, and the importance of indigenization of IT applications for socioeconomic empowerment. The author suggests that the state needs to exercise adequate control in the cyberworld while respecting digital rights.

Comparative Analysis of Solar Energy Initiatives of Pakistan, India and Germany: Lessons for Pakistan

Yasir Ali Khan¹

Dr. Muqeem Ul Islam Soharwardy²

KJPP

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Abstract:

Solar energy, introduced in the 1980s, has emerged as a pivotal component of the global energy mix, offering renewable, sustainable power harnessed directly from sunlight through technologies such as photovoltaic and thermal collectors. Solar installations entail minimal operational costs and boast a lifespan of nearly three decades, contributing to reduced emissions and mitigated greenhouse effects. The sun's radiation, available universally albeit variably, holds immense potential, with just one and a half hours of sunlight capable of meeting global energy needs for a year. Despite these advantages, Pakistan remains in the early stages of solar adoption, heavily reliant on fossil fuels. To overcome this energy dilemma, robust legislative support is essential to facilitate a transition towards solarization. Policy interventions should prioritize subsidies, technology transfers, and streamlined procedures to attract both local and foreign investment. Drawing lessons from successful models in India and Germany, Pakistan should focus on comprehensive energy reforms, integrating solar power into its national agenda to ensure sustainability and economic stability.

Key words:

solar energy, renewable energy, Pakistan, energy policy, solarization

¹ Currently posted as Director Finance, Pakhtunkhwa Energy Development Organization (PEDO), Peshawar

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Introduction

Solar energy was introduced in the 1980s into the world energy mix. Solar energy is renewable and generated from the sun. Technologies are available for harvesting it directly from sunlight. Active technology includes photovoltaic and thermal collectors. Once the solar technology is installed for the generation of electricity, it does not require fuel for operation, and the maintenance cost is almost negligible. The lifespan of solar panels is nearly three decades. It reduces toxic material emissions; the greenhouse effect is diminished. Solar energy is radiation from sunlight. It is also known as electromagnetic radiation. These are emitted by the sun during the day around the globe. Earth receives these radiations at all locations with varying amounts. It depends on various factors, i.e., geographic location, weather patterns, day and night timings, etc. The amount of sunlight that reaches Earth in one and a half hours is sufficient for the world's energy requirement for one year. This is the potential of solar energy. The only requirement is to install its equipment efficiently and make use of this natural renewable source of energy. Solar technologies convert sunlight into electrical energy either through PV or through mirrors that concentrate solar radiation. Solar energy provides electricity, heat, cooling, and lighting for various applications. It is the most abundant of all the renewable sources in the world. The cost of solar panels has decreased over time. The technology has been upgraded due to research and development on solar panels and thermal collectors. Solar energy is contributing to electricity generation; it is cost-effective and contributing to economic growth. It is effective in small and large-scale installations.

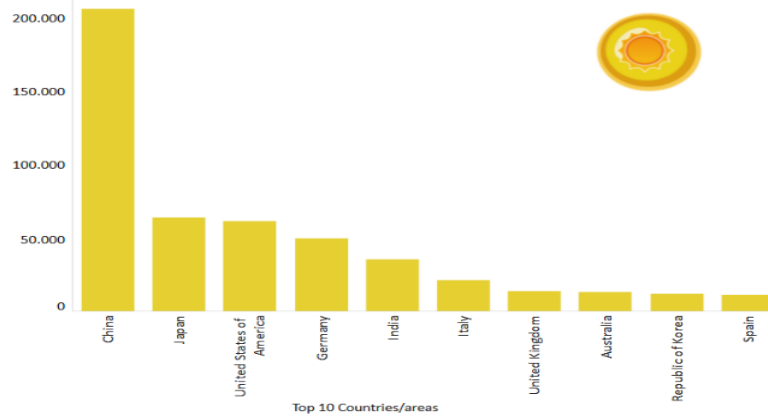


Figure 1: Installed Capacity of Solar Energy in World

Statement of the Problem

Solar energy generation has increased worldwide as energy production from renewable sources is not fulfilling the requirements, and prices are increasing globally. All countries are trying to enrich their energy baskets with renewable sources, especially solar. Pakistan's energy mix is dominated by traditional fossil fuels, which are expensive and the main cause of the energy crisis in the country, while solar production is very negligible. Countries like Germany and India have increased production from solar energy, but Pakistan is still struggling, despite having great potential for solar energy generation. What are the reasons that solar energy generation trends have not been followed by Pakistan in the last decades? How can this deficiency be overcome, and solar energy generation increased in Pakistan by critically analyzing gaps and suggesting ways forward?

Methodology

This study uses a quantitative analysis and secondary data, strengthened by some primary data in the form of interviews with key stakeholders in the Planning and Finance departments of the Government of KP and the Economic Affairs Division of the federal government. Available literature on the history, evolution, nature, and effects of foreign aid is studied. Experiences of different countries and the impact of FA on the economic health of recipient countries are examined. Pakistan's experience with FA is probed, followed by an overview of KP's foreign aid portfolio over the last ten years. The focus then shifts to the FA portfolio for FY 2021-22, to analyze the terms and conditions attached to foreign aid and to carry out a cost-benefit analysis. A true cost-benefit analysis was not possible for several reasons, including the portfolio being ongoing with no evaluation conducted, having sixty projects from different donors aimed at several sectors with entirely different outcomes and procedural requirements, which could be identified in project documents available for some projects, whereas in most cases they could be guessed from the nomenclature of the projects. Literature is silent on the modalities of conducting a cost-benefit analysis including Net Present Value, Internal Rate of Return, Economic Rate of Return, and Sensitivity Analysis of a diverse mix of projects in one place. As such, there was no analytical framework available for conducting a cost-benefit analysis of a mix of projects. Moreover, most of the project documents made available by the Planning & Development Department Khyber Pakhtunkhwa do not contain any kind of cost-benefit analysis.

As a way out, this research paper considers all the projects financed through foreign assistance, including both grants and loans, and analyzes their nature and sectors of intervention. Based on the available project documents, this study tries to obtain the targeted activities and outcomes to form an opinion

if both grants and loans entail costs and, if there are costs, to juxtapose these with the planned benefits. For loan-based projects, this research will try to ascertain if the loans are utilized in productive sectors with the potential for generating economic growth and the ability to pay back the principal amount and interest involved, and the cost of these loans as compared to domestic borrowing. In addition, this study also tries to ascertain the financial status of the province vis-a-vis these loans.

Scope of study

The scope of the study is to analyze the existing potential of solar energy in Pakistan in comparison with India and Germany. It aims to highlight the initiatives taken by India and Germany that led to success in the solar energy sector and identify the gaps regarding Pakistan's failure to tap into its solar potential. The paper also critically scrutinizes the issues and challenges faced by Pakistan in solar energy expansion in comparison with India and Germany.

Literature review

The main reliance for the research was on the energy policies of the three countries. The study examined how these policies were framed, the reasons and vision of the governments for investing in solar technology, and the implementation phases of these policies, with a special focus on the challenges faced by each country. Key initiatives were investigated to understand how the shift from thermal and oil-based energy generation to solar generation was achieved. Lessons learned were studied in comparison with the poor performance of the Pakistani system.

Organization of the Paper

The paper is organized into sections and subsections. It is divided into three main sections. Section I deals with solar energy initiatives in Pakistan. Section II focuses on solar energy initiatives in India. Section III provides an overview of solar energy initiatives in Germany. These three sections are followed by a conclusion and recommendations.

Solar Energy in Pakistan

In Pakistan, the total installed capacity of electricity is 41,557 MW. However, the installed capacity for solar energy is only 600 MW. The breakdown of installed capacity by fuel type is as follows: Hydel accounts for 24.7%, RLNG for 23.8%, RFO for 14.3%, Coal for 12.8%, Gas for 8.5%, Nuclear for 8.8%, Wind for 4.8%, and Bagasse for 0.9%. In Pakistan, the total installed capacity

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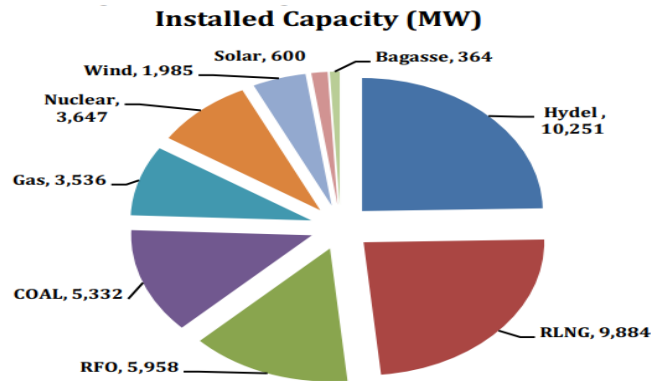
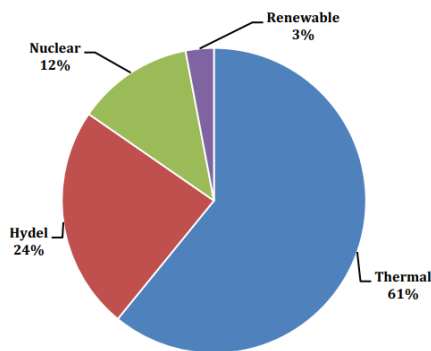


Figure 2: Installed Capacity (MW) in Pakistan from Survey of Pakistan 2021-22

Electricity Generation

Electricity generation in Pakistan is dominated by thermal sources, followed by hydel, nuclear, and a very small share from renewable sources. The detailed breakdown of each source's share in electricity generation in Pakistan is as follows:



Source: Ministry of Energy, (Power Division)

Figure 3: Electricity Generation patterns in Pakistan

As reflected, the renewable share is only 3%, which is significantly lower compared to other countries worldwide. Pakistan possesses abundant potential for solar energy generation, with ample sunlight available, yet this potential remains largely untapped.

Energy Crisis in Pakistan

Pakistan is facing an energy crisis characterized by increasing energy demand that exerts pressure on the national economy. With limited resources, particularly in light of Pakistan's heavy reliance on oil for energy generation, the recent surge in oil prices has severely impacted the economy. The oil import bill surged by 100%, exceeding US\$ 17 billion in the previous financial year alone, depleting Pakistan's foreign exchange reserves. The country is experiencing a red alert due to energy insecurity. It is imperative to reduce dependence on fossil fuels and transition to renewable sources such as solar and wind energy. The current energy mix and distribution systems are beset with issues stemming from neglect in energy planning. Consequently, Pakistan faces energy shortages, expensive electricity, hindrances to industrialization, escalating imports, negligible exports, and a rising unit price that has surpassed Rs 22 for domestic and commercial use. These factors collectively threaten Pakistan's economy and national well-being, stalling economic growth and industry while contributing to deficit budgets.

Solar Potential

Pakistan boasts enormous potential for solar energy generation, estimated at over 100,000 MW. According to a World Bank report, Pakistan utilizes a mere 0.071% of its land for solar production. Southern Punjab, Balochistan, and Sindh regions exhibit particularly high solar potential, receiving approximately 10 hours of sunlight daily. In these areas, a 100m² space can generate between 45-85 MW of solar energy per month.

Major Issues

- Thermal power plants reliant on imported fuel.
- Inadequate development of alternative energy sources like hydel, solar, and wind.
- High cost of electricity generation.
- Rising international oil prices.
- Accumulation of circular debt in the power sector, reaching up to 2.5 trillion.
- Power distribution system losses due to aging infrastructure.
- Electricity theft.
- Take-or-pay contracts with Independent Power Producers (IPPs).
- Insufficient local gas availability for industry and new power plants.
- Inefficient electricity usage.

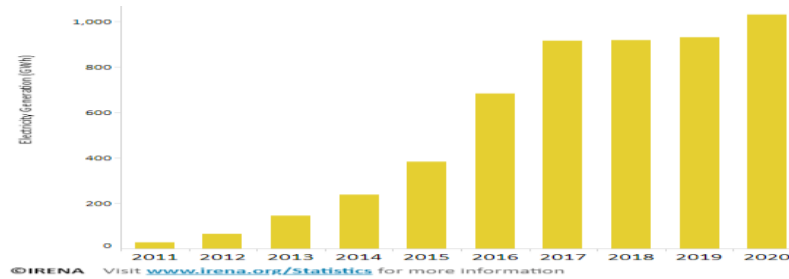


Figure 4: Electricity Generation Trends

Renewable Energy Policies

To promote renewable energy (RE), Pakistan introduced the Alternate and Renewable Energy Policy in 2020, aiming to shift 20% of energy generation to RE sources by 2025 and 30% by 2030. Achieving these targets requires substantial investment in the energy sector. As of December 31, 2021, there were 17,950 net-metering based solar installations with a cumulative capacity of 305.79 MW.

Integrated Generation Capacity Expansion Plan (IGCEP)

Prepared by NTDC in line with Grid Codes and approved by the Council of Common Interest (CCI), IGCEP is a dynamic document for Pakistan's future energy needs. It undergoes annual reviews to adapt to the country's evolving energy dynamics. IGCEP outlines increasing generation capacity to 61,112 MW by 2030, encompassing power generation, tariff determination, power evacuation, and distribution. It serves as a comprehensive policy document and a vision for the power sector, emphasizing structural changes in planning and execution to prioritize least-cost factors for RE generation. IGCEP focuses on solar, wind, and hydel power, leveraging local resources aligned with international best practices. With 73 approved projects and 148 on the waiting list, IGCEP targets 7,932 MW from solar and 5,005 MW from wind projects by 2030. The plan aims to reduce reliance on imported oil, coal, and gas, lowering energy production costs through affordable and renewable sources, thus conserving foreign exchange reserves.

India's Solar Energy Initiatives

India ranks fifth globally in installed solar capacity, with a total installed capacity of 56.951 GW. The country holds immense potential for solar energy

generation. A significant initiative in this realm is the National Solar Mission (NSM) launched in 2010. NSM urged states to address the country's energy needs amidst environmental changes sustainably, focusing on energy security by shifting to solar energy. Initially targeting 20 GW by 2022, India achieved this milestone in 2018, subsequently raising the target to 100 GW by 2022. The mission aimed to attract US\$ 100 billion in investments to the sector.

To assess its solar potential comprehensively, India invested significantly in solar resource assessment (SRRA), introducing a Solar Radiation Atlas for data collection, storage, and analysis. States like Andhra Pradesh, Delhi, Gujarat, Haryana, Karnataka, Kerala, Madhya Pradesh, Maharashtra, Rajasthan, Tamil Nadu, and Telangana exhibit substantial solar energy potential. India's waste lands alone could potentially generate 748 GW of solar energy, covering only 3% of such areas. Notably, India ranked third globally in the Renewable Energy Attractive Index 2021, with investments in the renewable energy sector reaching US\$ 14.5 billion in FY 2022.

Year	Installed RE Capacity (in GW)	% Share of RE in total Installed Capacity	Generation from Renewable Sources (in BU)	Total Generation from all sources (in BU)	% Share of RE in Generation
2014-15	39.55	14.36	61.78	1110.18	5.56
2015-16	46.58	15.23	65.78	1172.98	5.60
2016-17	57.90	17.68	81.54	1241.38	6.56
2017-18	69.77	20.24	101.83	1303.37	7.81
2018-19	78.31	21.95	126.76	1375.96	9.21
2019-20	87.07	23.52	138.32	1390.93	9.95
2020-21	92.54	24.53	111.92	1017.81	11.00
	(Up to Jan, 2021)	(Up to Jan, 2021)	(Up to Dec, 2020)	(Up to Dec, 2020)	(Up to Dec, 2020)

Figure 5: India RE Sector at a glance

One Sun One World One Grid

India has taken the lead in utilizing solar energy globally and proposed the International Solar Alliance (ISA) for solar development. The alliance, headquartered in India, elaborates the concept of One Sun One World One Grid. Its goal is to harness the potential of solar energy economically for electricity generation, advocating for a World Solar Bank on a global scale. The alliance includes over 120 countries, highlighting India's commitment to solar energy development. Following the implementation of the NSM policy in 2010, India attracted more than \$64.2 billion in FDI in this sector from 2014 to 2019. The installed capacity of solar energy has rapidly increased since 2010, detailed as follows:

Year	Installed Capacity in (MV)
2010	161
2011	461
2012	1,205
2013	2,319
2014	2,632
2015	3,744
2016	67,63
2017	12,289
2018	21,651
2019	28,181
2020	34,627
2021	40,085
2022	56,951

Policy Measures

The Government of India has introduced numerous schemes for solar energy development, such as tax-free loans, Solar Parks, Rooftop installations, Smart Cities initiatives, Canal Top projects, the Green Energy Corridor Scheme, and improvements in transmission and evacuation infrastructure. Policy steps were taken to encourage investors, including exemptions for Interstate Transmission System (ISTS) from loss charges, imposition of Renewable Purchase Obligation (RPO), streamlined procurement processes for solar projects, and protection of investments through must-run status. Competitive bidding processes were implemented, and laws were amended to mandate solar installations on rooftops of new buildings. Long-term loans were sanctioned for higher capacity solar plants. These measures have led to achieving grid parity in solar tariffs, reducing the unit price from ₹6.47/KWh to less than ₹2/KWh. The installed solar capacity has increased more than elevenfold in the past five years. In 2013, an autonomous institution was established to implement solar policies, while initiatives like discouraging kerosene lamps and promoting solar lanterns and home lights were also undertaken. India has committed to the Paris Agreement (2021-2030) and aims to reduce CO₂ emissions by 33-35% while ensuring 40% of electricity generation comes from renewable sources.

Off-Grid Initiatives

India, the seventh-largest country by area and the second-most populous with around 1.4 billion people, faces electricity shortages in rural areas where extending on-grid systems is challenging due to terrain and logistical constraints. To address this, the government initiated solarization of villages, establishing small solar grids to provide affordable electricity and alleviate poverty. More than 2.5 million solar lighting systems and 3.2 million solar lamps/lanterns were distributed, benefiting commercial activities and enhancing living standards. Solar energy is also used for irrigation systems through solar pumps, replacing expensive diesel pumps used previously by farmers. The government provided interest-free loans under the PM scheme "Kisan Urja Suraksha Evam Utthan Mahabjiyan (KUSUM)" to promote solar pumps, which surpassed 3.5 million installations by 2022. The National Solar Mission planned three phases for off-grid areas: the first aimed at 200MW from 2010-2013, the second targeted 500MW from 2013-2017, and the third aimed for 118 MW.

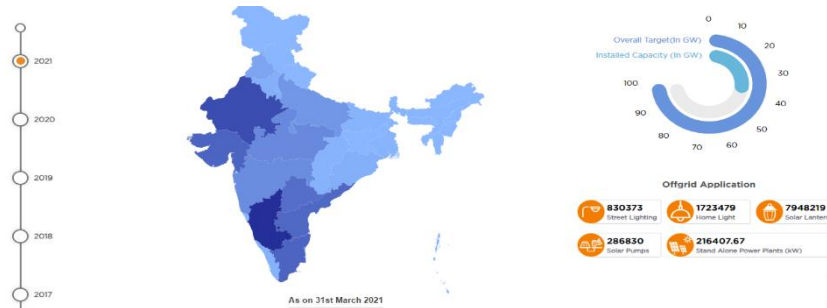


Figure 6: Off Grid Applications data in India

On-Grid Initiatives

The solar power sector in India is playing a crucial role in alleviating the energy crisis by supplying electricity to the national grid at a low cost. India has established manufacturing capabilities for solar PV cells and modules with capacities of around 3GW and 10GW, respectively. The Ministry of Information Technology provides a 20-25% subsidy to investors in electronic systems manufacturing, and manufacturing units receive reimbursements on excise duties. The cost of electricity production per megawatt from solar is globally competitive in India. Currently, thermal power plants operate round-the-clock to provide electricity, which is costly. The government is working to convert these plants into storage-type plants to lower generation costs and stabilize the grid. Hybrid solar plants are integrated into the grid to provide cheaper electricity during daylight hours. Net metering is actively promoted, with small and medium solar systems connected to the grid. Large solar parks have been established and connected to the grids, with the solar park scheme expanded from 20GW to 40GW by the government in 2017. A total of 50 solar parks are planned for construction. The current cost of solar-generated electricity is less than 18% of the average generation cost from other

sources in the country, benefiting Indian industries by reducing production costs and ensuring reliable electricity supply.

The government has implemented a 12,000MW grid-connected scheme for personal, government, or distribution company use. It is mandatory to install locally manufactured solar PV systems under this scheme, which has been allocated Rs 48,000 crores, amounting to Rs 4 crore per MW.

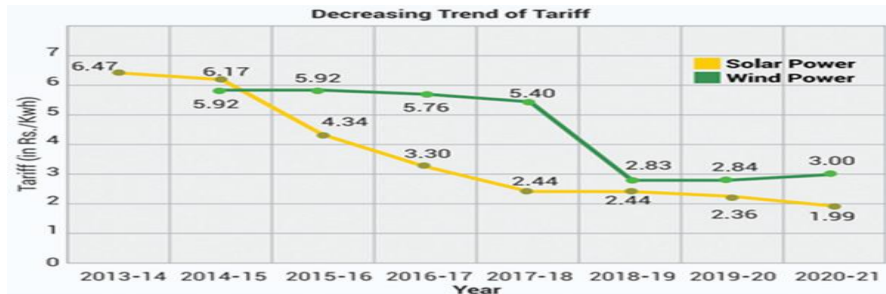


Figure 7: Decreasing trend in Tariff in India

Challenges

The cost of land is prohibitive for installing large solar systems, as it requires 1 square kilometer for a 40-60 MW system. Alternatives include installing solar PV on canals, lakes, reservoirs, etc., which not only utilizes otherwise unused spaces but also enhances the generation capacity of solar panels and ensures sustainability. Water naturally cleans these panels. Indian Railways is also planning to install solar panels on its tracks.

PM KUSUM Scheme

Through the PM KUSUM scheme, the Government aims to achieve a target of 30.80GW of solar energy through several initiatives under financial assistance programs. It is mandatory to use locally manufactured solar PV in these subsidized schemes. The initiatives include:

- Providing 3.5 million farmers with agricultural solar pumps.
- Connecting solar power plants with a cumulative capacity of 10GW, with each power plant up to 2MW connected to grids.
- Installing 2,000,000 solar pumps and solarizing 1,500,000.

Rooftop Scheme

Introduced in 2015, the Rooftop Scheme has achieved a target of 3.7GW of solar energy generation through subsidies. More than 2.6GW capacity has been committed and is due for installation as per the incentives of this scheme.

Target Sector	Subsidy (Percentage)
Systems up to 3Kw	40%
Systems beyond 3KW and up to 10KW	20%
Group Housing Societies	20%

Solar Park Initiative

The government has planned to achieve a target of 40GW through this scheme, establishing 50 solar parks across all states of the country. These are mega schemes aimed at benefiting all states. They operate on a plug-and-play model, allowing the private sector to enter into Joint Ventures (JVs) with the Union government under a Public-Private Partnership (PPP) model for development. Solar parks have capacities exceeding 500KW, ideally requiring 4 to 5 acres of land. The government has announced financial assistance based on project indicators: the first tranche provides Rs 25,00,000 for feasibility studies, followed by Rs 12,00,000 per MW for development, and finally Rs 8,00,000 for power evacuation from the solar park.

Green Energy Corridors

Launched in 2015, this initiative aims to evacuate 20,000 MV of energy from renewable sources across 8 states with significant potential for energy production from renewables. These states include Tamil Nadu, Rajasthan, Karnataka, Andhra Pradesh, Maharashtra, Gujarat, Himachal Pradesh, and Madhya Pradesh. The scheme involves installing a 3200 km transmission line, encouraging potential investors to invest in projects feasible for power evacuation. Such investments attract foreign direct investment (FDI) and include sub-grids.

Power Balancing by Distribution Companies

To address transmission issues, the Indian government introduced bundling to ensure round-the-clock power supply to distribution companies. Renewable energy (RE) sources are integrated with other sources to balance required power and prevent voltage issues.

Hybrid Projects in Renewable Energy (RE)

Projects totaling 1440 MW in Rajasthan and Tamil Nadu are in the construction phase, uniquely combining solar and wind power for generation. In states where wind is abundant at night when solar generation is limited, these projects complement each other, ensuring stable power supply while optimizing land and transmission systems collectively.

Manufacturing Facilities

To reduce imports, India supports domestic manufacturing of solar PV

panels. Local plants are encouraged to manufacture panels, and to protect the local industry, import duties have been increased and the market kept captive. A special cell facilitates investor facilitation, and tax exemptions are provided to local manufacturers.

Solar Power Projects in Cantonments

Estimated in 2015, around 5000 MW of potential exists in cantonments and approximately 950 MW in ordnance factories in India. These solar systems are to be installed on rooftops and free lands, with each project not less than 1 MW. They are constructed under the Engineering Procurement and Construction (EPC) mode, with a fixed tariff of Rs 5.50 per unit for investors for 25 years.

Solar Energy Initiatives of Germany

Germany embraced solar energy in its early years, focusing on grid-scale PV power since 2004. Alongside Japan, Germany installed 1 GW of PV solar energy in 2004. Since then, Germany has consistently worked to improve its energy mix by transitioning to renewables, particularly solar. Germany implemented the German Renewable Sources Act to reduce the cost of PV, which succeeded in cutting PV costs by up to 50% within a few years. By 2011, Germany was generating 18 TWh of electricity from solar, constituting 3% of its total energy mix.

From 2010 to 2013, the installation of solar PV systems peaked, and Germany's installed capacity reached 22.5 GW, accounting for almost 30% of global installations at that time. During these years, over 7 GW of solar energy was installed in Germany. By 2015, solar production had reached 22.5 GW, spread across all 16 federal states of Germany. Most installations are concentrated in southern states, with nearly half of the installations located in Bavaria and Baden-Württemberg.

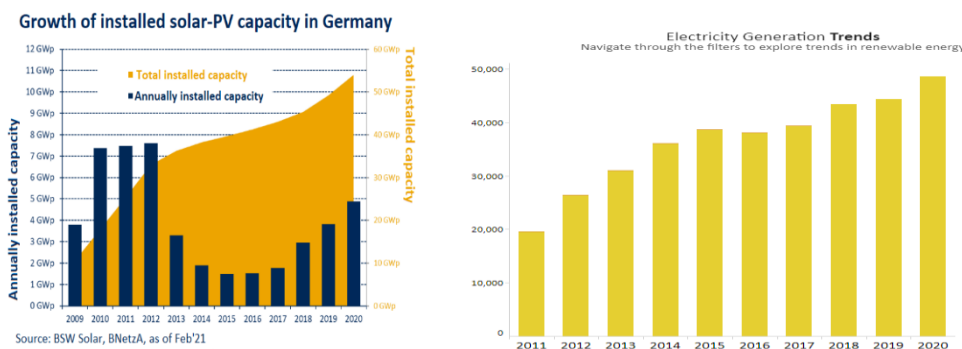


Figure 8: Germany solar PV installed Capacity

Figure 9: Electricity Generation Trends in Germany

Feed-in-Tariff Policy

Government policies played a crucial role in Germany's solar power development. The government introduced a feed-in-tariff policy to promote solar power generation in the country. Feed-in-tariffs provide guaranteed returns to investors on their solar sector investments, also known as CLEAN contracts. This policy incentivized significant investment in solar energy generation.

Compared to high tax credits, the cost of installation under feed-in-tariffs is relatively low. Tax credits are distributed over several years among all consumers. These incentives compelled investors to enter the solar power energy generation business, helping the government achieve its renewable energy goals, particularly from solar sources.

Initially planned to support up to 52 GW of solar energy generation, the German government later removed this limit and continued the policy, aiming for annual growth of 2.5 GW to 3.5 GW. Legislative reforms were introduced to ensure that 40-45% of energy comes from renewable sources by 2025, and 55-60% by 2035. These reforms simplified processes, deregulated utilities, and provided incentives for establishing small-scale solar energy systems. Government policy also reduced fees on licensing, permitting, and distribution, underscoring its commitment to renewable energy. As a result, Germany's installed capacity of solar PV steadily increased, showing significant growth.

Year	Capacity (MW)	Net Annual Generation (GWh)	% of gross electricity consumption	Capacity Factor (%)
1995	18	7	0.0001	4.4
2000	114	60	0.01	6.0
2005	2056	1282	0.21	7.1
2010	18006	11729	1.9	7.4
2015	39224	37330	6.5	11.3
2019	48914	44334	8.2	11.1

Source: Federal Ministry of Economic Affairs and Energy, Germany

Solar PV Obligation

In 2022, two states announced the implementation of Solar PV obligations for certain construction projects, making it mandatory to install solar PV systems. Other states are following suit by enacting laws that require rooftop solar systems for new buildings, termed as a rule. These steps are positioning Germany as a global leader in adopting and utilizing renewable energy sources.

The German government is also allocating more agricultural lands to encourage investors to install large-scale commercial solar units in the country. Many citizens are attracted to these initiatives; according to the Renewable Energy Agency (AEE), one out of three households in Germany is considering using solar systems for power and heat generation in their homes.

A 2017 study by the Transport and Infrastructure Country indicated that only 300 square kilometers were occupied by solar PV in Germany, generating 43 GW of energy. Increasing this to 1000 square kilometers would increase solar PV installed generation capacity to 143 GW, utilizing just 2% of the country's entire land area.

Companies are offering solutions to store excess solar energy at home and reducing the prices of storage technology to enable homeowners to sell it to their neighbors. This trend is promoting self-sustainability and initiating widespread solar investment in the country.

Farmers are also participating in alternative energy generation methods. The government's policy emphasizes that the solution to energy transformation toward renewables is decentralized and achievable through individual contributions and transitions. This approach is expected to bring about social and economic changes, as farmers are encouraged to install rooftop solar systems to increase their income by utilizing otherwise unusable land. This initiative aims to reduce electricity costs and ensure long-term profitability.

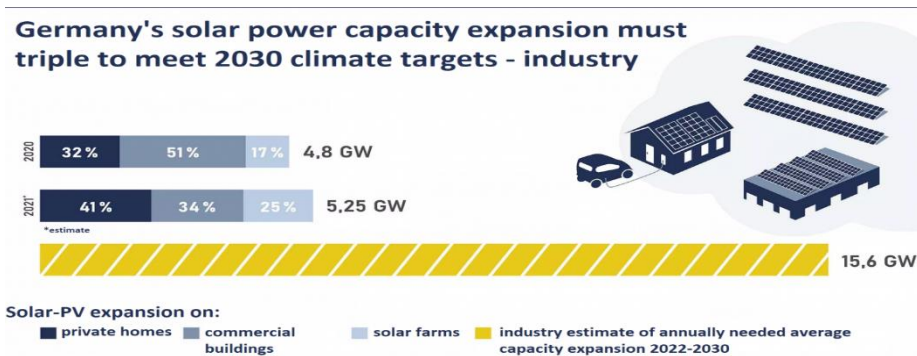


Figure 10: Germany's Solar power expansion diagram

Challenges

Strict labor and environmental laws in Germany lead to increased production costs for solar PV. Consequently, solar panels are imported from China due to lower costs. A study indicates that only 2% of panels installed in the European Union (EU) are domestically produced. Following the government's Renewable Energy Act 2000 (EEG) incentives, the solar energy sector experienced a boom until 2012, creating over 150,000 jobs. However,

between 2013 and 2015, the market declined, reducing jobs to 45,000, with major German companies like Q-Cells, Solon, and Conergy forced to close operations.

Cost Management

In 2018, the EU Commission introduced trade limitations, leading to increased production of solar panels in Germany and the EU. Solar panels emerged as a cheaper mode of electricity generation in Germany, with costs decreasing by about 90% to 3.7 eurocents per kW, making them more affordable than coal and gas power generation. This shift has contributed to the growth of renewable energy plants, potentially displacing existing non-renewable sources. The reduction in prices of domestically manufactured panels has also fostered sustainability in the renewable energy sector, opening avenues for research and development. As a result, 2021 was termed a productive year for Germany's solar production industry, with 60% of installations driven by small households seeking energy independence from high market prices. The country is advancing technologically, with record numbers of households installing solar systems coupled with batteries.

Lessons Learned from Germany:

- Germany boasts the world's largest solar PV market, driven by Feed-in-Tariff or clean contracts, ensuring reasonable returns for energy producers.
- The transparent and effective Feed-in-Tariff policy has been pivotal in solar energy development.
- Germany's policy mandates the installation of solar PV on rooftops.
- Support for local renewable energy producers is a cornerstone of Germany's renewable energy policy.
- German farmers have significantly contributed to solar energy production, earning 25% of their income from selling renewable energy to grids.
- Community empowerment and grassroots-level energy generation have been prioritized.
- The government has fostered an enabling business environment in the solar energy sector through streamlined processes, deregulation, and incentives.
- Government initiatives have reduced soft costs such as licensing, permitting, inspection, and interconnection.
- Germany has pursued an aggressive energy shift from non-renewable to renewable sources through its "Energiewende" policy, reflecting national commitment.

Lesson Learned from India:

- Over 3.5 million agriculture solar pumps have been solarized.
- By 2022, India achieved over 40,000 MW of installed capacity of solar energy from rooftops.
- The policy aims to designate one city in each state as a solar city to promote solar energy development.
- Incentives have been provided to encourage domestic manufacturing of solar equipment, particularly PV panels, despite current manufacturing capacity meeting only 9-10 GW of a 30 GW requirement.
- The Indian government launched programs to train labor in solar manufacturing, installation, and maintenance.
- The national budget allocated \$2.57 billion USD to enhance high-grade solar panel manufacturing domestically, aiming for higher efficiency and reduced dependence on imported panels.
- Research and development in solar technology are supported through centers of excellence.
- The government is distributing 70,000 solar study lamps across 5 states to discourage kerosene lamps, subsidized so each student pays only Rs. 100.
- Quality control of solar panels is ensured through the Approved List of Models and Manufacturers (ALMM) issued in 2019.
- India is focusing on manufacturing electric vehicles and allows investors to claim 40% depreciation in the first year.
- A 15% subsidy is available for rooftop systems up to 500 kW.

Conclusion

It has been established that solar energy generation in Pakistan is in its initial stages. The solar potential has not been utilized in the country for cheap, clean, and affordable energy production. The energy mix is still dominated by fossil fuels, with very little reliance on solar energy, which is a dilemma. There is a need for proper supporting legislation in Pakistan to facilitate a realistic energy shift towards solarization. Concrete practical steps in law-making through policies are necessary. It is the government's responsibility to create an environment that attracts local and foreign investors to invest in the solar sector by providing guarantees and assurances for profitable returns.

Subsidies should be provided, and technology transfers should be ensured to avoid imports and conserve foreign reserves. In India and Germany, the governments had plans that included ease of doing business, training labor, and installing manufacturing plants. For Pakistan, it is essential to simplify procedures, provide subsidies on technology transfers, train labor, and ensure that the solar business receives full government support to overcome the energy crisis. On-grid and off-grid installation of solar PVs should be ensured, making solarization a national agenda and goal.

Recommendations

During the past decades, there has been underinvestment in the solar energy sector in Pakistan. Due to the increase in population and industrial growth, the demand for energy has been rising. Surprisingly, power generation was tackled with emergency capacity development in the 1990s. Inefficient and expensive thermal power plants were installed with take-or-pay payment methods, and capacity payment agreements were signed. This development led to economic disaster, affecting industrialization, GDP growth, and depleting foreign exchange reserves due to oil and gas imports for expensive electricity generation. The unit price of electricity has increased, leading to an imbalance in imports and exports, resulting in budget deficits and increased debt. Now, the time has come to avoid such mistakes and shift to renewable generation, especially solar. These are no-regrets solutions for energy generation from solar.

The government must provide an environment for investment in the solar sector by framing policies. Policy-making is even more important than government investment. Both India and Germany have increased solar energy generation through effective planning, policy-making focused on solar expansion, ease of doing business, and executing policies with technology transfer and labor training. Decision-makers must ensure drastic changes in energy generation patterns, exploring alternative sources. Affordable and renewable sources would lead to sustainability and economic stability. Conventional electricity generation sources should be replaced with renewable ones. Pakistan has an estimated potential of 2900 GW from solar energy. The timelines and road map given in IGCEP regarding changing energy mix patterns should be followed effectively, balancing the energy mix by including solar generation. Energy conservation and efficiency improvement mechanisms should be adopted.

The abundant solar potential across the country should be exploited. The government should take immediate steps to promote solar energy initiatives, requiring more investments in the solar sector. Operational changes are necessary for system security, quality of power supply, and system strengthening. Solar expansion should be pursued through competitive bidding to decrease prices. Rooftop solarization should be a compulsory part of building plans, and the net metering mechanism should be simplified, with all government taxes waived. Waste lands with solar energy potential should be identified, and solar parks should be installed. A public-private partnership model of development should be adopted in the solar sector. For mega solar projects, LOIs should be issued to local and foreign investors for potential sites, with government-provided facilities in terms of financing and attractive energy purchase agreement tariffs.

The government should conduct proper studies to plan distribution networks and grid connectivity for solar energy evacuation and interconnections in the national grid. Irrigation system pumping should be shifted to solar. Solar manufacturing plants should be established within the country to provide solar panels, with the government ensuring quality control and utilization of these locally made panels in subsidized schemes, as was successfully done in India, with the sole purpose of boosting the local manufacturing industry.

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Critical Analysis of Car Theft Practices in Khyber Pakhtunkhwa and State's Response to Curb the Menace

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Abstract:

This paper explores the critical issue of car theft in Pakistan, which poses significant challenges to state authority and citizen prosperity. Contributing factors include political instability, regional conflict, and the complex nature of organized crime. Despite the serious implications, law enforcement agencies (LEAs) in Pakistan struggle to effectively combat car theft due to inadequate resources, lack of advanced technology, and systemic inefficiencies. The absence of specialized Anti-Car Lifting Cells (ACLCs) in several districts and inadequate legal frameworks further complicate the issue. Recommendations for addressing these challenges are proposed, encompassing short, medium, and long-term measures. These include enhancing resource allocation, establishing new ACLCs, improving inter-organizational coordination, and implementing advanced technological solutions such as the Safe City Project and GIS-based crime analysis.

Key words:

Car theft, Law enforcement, Organized crime, Pakistan, Crime prevention

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Introduction

Like many developing countries, Pakistan faces the overwhelming menace of a significant incidence of crimes against property, such as robbery, stealing, and car theft (Hussain et al., 2015). Furthermore, not only has a rise in the crime rate been witnessed in Pakistan in recent years, but it has also been observed that the modes and means adopted by criminals for the commission of crimes have become more complex and advanced (Khalid et al., 2015).

Among the category of crimes against property, car theft poses very serious challenges to the state's authority by endangering the prosperity of its citizens (Hedayati, 2008). Different destabilizing factors, such as political instability and war in neighboring countries, have contributed to the high ratio of car theft in Pakistan (Hussain et al., 2015). There is also empirical evidence to support the assertion that there has been a marked rise in the incidence of car snatching in some of the biggest cities in the country (Ahmad et al., 2013). According to government statistics regarding the extent and magnitude of organized criminal activities, around eleven thousand vehicles are stolen annually in the country, with an approximate cost of two billion Pakistani rupees (Capital Territory Police Safety Plan, Islamabad, 2015).

Though, in many cases, organized criminal gangs attempt to resell the stolen vehicles to the owners, the menacing nature of car theft in Pakistan is further intensified by the fact that stolen vehicles are also used in the commission of heinous crimes such as murder, drug smuggling, and kidnapping for ransom (Hussain et al., 2015).

Notwithstanding the serious implications of the high incidence of car theft, Pakistani LEAs tasked with curbing property crimes such as car theft have not been able to tackle this menace effectively, owing to deficient human and physical resources as well as the absence of the much-needed advanced technological equipment (Khalid et al., 2015).

Literature Review

Definitions

Crime is a legally punishable act due to statutory prohibition and being harmful to public welfare (Schneider and Kitchner, 2004), while crime prevention refers to all policies and measures aimed at reducing the different types of damage caused by criminal acts (Mahavene, 2012). Theft denotes the act of illegally taking away property from its possessor (Steenkamp, 1999), while carjacking is the unlawful act of forcing the owner of a vehicle to give up its possession (Mahavene, 2012). The felonious taking of property from a person by violence or force is defined as robbery (Pakistan Penal Code, 2021). Under Pakistani law, it changes to the crime of dacoity when committed

jointly by five persons or more.

Crime Prevention Approaches

In the context of car theft, two vital crime prevention approaches include situational crime prevention and social crime prevention (Clarke, 1997). Situational crime prevention focuses on limiting the chances of committing crime, such as installing surveillance equipment in car parking lots to prevent car theft, while social crime prevention stresses the need for transforming the social environment and the offenders' motivation (Clarke, 1997).

Stakeholders' Involvement

The complex nature of car theft necessitates that a wide range of stakeholders be involved in crime prevention rather than solely relying on the police: the general public has a major role in following precautions relating to car safety; car manufacturers have to contribute by installing reliable anti-car theft devices, while the management of car parking lots must fulfill their responsibility regarding the provision of foolproof security against car theft (Mahavene, 2012).

Motivations for Car Theft

Researchers have identified three major motivations for car theft. Older criminals usually resort to car theft for gaining profit. Car theft for securing transportation is habitually committed by younger criminals, while occasionally, adolescents indulge in car theft for recreation and thrill (Suresh and Tewksbury, 2012).

Harmful Consequences

Car theft seriously challenges the authority of the state by undermining its central role of protecting the person and property of the citizens (Alar, 2010). It not only inflicts enormous monetary harm on the victims but also imposes psychological damage upon the whole society by creating a deep sense of insecurity (Gillani et al., 2011).

Crime Hotspots

Most research studies on car theft indicate that the crime tends to be committed predominantly in urban hubs as compared to rural areas (Copes, 2006).

Need for Greater Research

The dearth of academic literature on car theft as a major category of property crime indicates that it is one of the most minimally developed bodies of research on types of crime (Mahavene, 2012). Thus, there is a dire need for

more empirical studies to explain, predict, and eventually prevent car theft with the application of scientific theories of crime control (Mahavene, 2012).

Problem Statement

In the province of Khyber Pakhtunkhwa, crimes such as car theft have witnessed a surge due to the destabilizing impact of the unceasing turmoil in Afghanistan (Ullah, Bashir, Hakim & Baig, 2009). The crime trends in the last decade also indicate a rise in car theft cases in KP (Bureau of Statistics, Government of KP, 2014). Because of the huge monetary loss inflicted on the victim, car theft is rightly considered to be the costliest property crime (Hussain et al., 2015). In the wake of the enormous losses caused by terrorism, car theft in KP also has another sinister dimension due to the connection between stolen vehicles and terror financing (Hussain, 2012). Stolen vehicles are either resold to their owners in the black market or used in heinous crimes such as dacoity and murder (Islamabad Safety Plan, 2015).

Unfortunately, the increase in the incidence of car theft is matched conversely by the declining trend in the conviction of cases related to car theft in KP. As per the statistics provided by the Crimes Branch of KP Police, the number of convictions in car theft cases fell from 95 in 2010 to only 65 in 2012 (Hussain et al., 2015). The declining conviction trend evidently indicates that the response by KP Police in curbing the menace of car theft leaves much to be desired. Despite the gravity of the crime of car theft in KP, both in terms of its widespread incidence and its rising frequency, very few research studies have been carried out to investigate the incidence of this grave crime and critically analyze the response by the Government of KP to curb this menace. This serious gap highlights the immediate need for empirically analyzing the prevalence of car theft in KP and scientifically evaluating the governmental response, with the aim of facilitating informed decision-making for effectively responding to this ever-challenging property crime.

Scope of the Study

This study aims to identify and examine the different techniques adopted by criminals for perpetrating the crime of car theft in KP in order to understand and assess the modes and means involved in the commission of car theft. It also attempts to explore the frequency of car theft in KP over the last three years to ascertain whether there is a rising or declining trend in the incidence of car theft.

Additionally, the study attempts to critically analyze the response by the Government of KP in terms of curbing car theft, with the aim of determining the efficacy of this response. In this connection, different aspects of the crime

prevention paradigm in KP relating to car theft, such as prevention, deterrence, and interdiction, are analyzed in detail.

Research Questions

Based on the scope of the study, the following research questions were formulated:

1. Has the incidence of car theft increased or decreased in KP in the last three years, i.e., from 2019 to 2021?
2. What are the different car theft techniques adopted by criminals in KP?
3. How effective has the response by the Government of KP been in controlling car theft?
4. Are there any gaps in the response by the Government of KP in controlling car theft?
5. If there are any gaps in the response by the Government of KP in controlling car theft, how can these gaps be filled?

Limitations

Due to time, access, and resource constraints, the study could not focus on the following areas:

- Identifying the socio-economic factors contributing to the rise in car theft, e.g., unemployment, political unrest, economic depression, etc.
- Exploring the extent and magnitude of monetary losses due to car theft and their effect on economic development.
- Investigating the nexus between car theft and terror-financing.
- Gathering firsthand information from victims of car theft.
- Analyzing the role of Pakistan Customs, Excise Department, and Motorway Police in supporting KP Police to control car theft.

Research methodology

For the purpose of data collection, a combination of quantitative and qualitative techniques was adopted. Quantitative longitudinal data regarding the frequency of car theft in KP from 2019 to 2021 was obtained from the ACLCs.

In order to examine the response by KP Police to control the crime of car theft, the following quantitative data was collected from the crime records available with ACLCs:

- The number of cases registered against car theft from 2019 to 2021
- The number of untraced stolen and snatched cars from 2019 to 2021
- The number of recovered stolen and snatched cars from 2019 to 2021

For a profound understanding of the crime of car theft from the phenomenological perspective and to determine the efficacy of the state's response, key informant interviews were conducted with persons falling into the following categories:

- Seasoned officials of KP Police serving in the ACLCs
- Management of security companies providing security guards for deployment in commercial car parking lots
- Car mechanics specializing in car locking systems
- Administration of private car parking facilities
- Representatives of major Bazaar Unions in Peshawar

For further critical analysis of the Government's response to car theft, the following four modes of analysis were adopted:

- i. Situational analysis
- ii. Institutional analysis
- iii. Legal analysis
- iv. Comparative analysis

Organization of the Paper

The paper has been organized into three main sections, as per the following details:

- Section 1 provides a situational analysis of car theft in KP and the response by the Government of KP to tackle this grave crime.
- Section 2 focuses on the institutional analysis of the organizational setup, capacity, strengths, and weaknesses of the ACLCs, besides examining the symbiotic linkages between organized criminal gangs involved in car theft.
- Section 3 deals with the legal analysis of the criminal laws in KP for countering car theft and the scrutiny of the non-criminal legal measures that are essential for preventing car theft.
- Section 4 concentrates on the comparative analysis of some effective measures for preventing car theft in other provinces of Pakistan and some foreign countries with the prevailing practices in KP.
- Conclusions and recommendations are finally submitted, based on the findings and discussion in the study.

Situational Analysis

This section provides an overview of the dynamics of car theft as a property crime in KP, as well as the response by the Government of KP to tackle this

serious crime. Firstly, a detailed description of the specific car theft practices adopted by car thieves in KP is given. Secondly, vital statistics regarding the incidence of car theft and the performance of KP Police in countering car theft are discussed.

Analysis of the Car Theft Techniques

A detailed analysis of car theft techniques is essential not only for understanding the complexity of car theft as a property crime in KP but also for assessing the vital requirements for ensuring an effective response by the government. Based on the information gathered from the key informant interviews of the personnel of the ACLCs, the car theft practices prevalent in KP can be broadly bifurcated into two categories: stolen vehicles and snatched vehicles. Both of these are discussed in detail under the succeeding headings. The situational analysis of the car theft practices in KP evidently reveals the overwhelming complexity of the property crime of car theft, both in terms of its multifaceted nature and its combination of different crimes like theft, robbery, criminal intimidation, grievous hurt, murder, attempt to murder, and possibly dacoity, besides the use of advanced technical means.

Stolen Vehicles

This category of car theft refers to all situations where the owner of the vehicle or its user is deprived of their movable property, including any type of vehicle (i.e., motorcar, jeep, Light Traffic Vehicle, Heavy Traffic Vehicle, or motorcycle) by means of stealth, without the use of force. This mode of car theft has the following variants:

Unlocked Vehicles

This sub-category involves the theft of vehicles that the owners leave unlocked inadvertently or due to negligent behavior, either by not locking the doors of the vehicle or by leaving the windows open. Since the vehicle is unlocked, the car thieves do not have to use any tools, gadgets, or equipment to steal the vehicle. However, vigilant reconnaissance of the targeted vehicle and its owner is carried out to ensure that the theft is carried out without any interruption or resistance by the owner, police patrols, or private security guards.

Opening Manual Car Locks

This mode of car theft involves breaking or opening the manual locking system of the vehicle. Unlike the case of unlocked vehicles, in this sub-category, the vehicle is stolen despite being properly locked by the owner through its manual locking system. This type of car theft involves the use of manual tools to overcome the manual locking system. The most common technique adopted by car thieves is the opening of the rear door quarter window glass using a screwdriver and subsequently using the opening to

insert their hand to pull open the door locks.

Defeating Keyless Locking Systems

The keyless locking systems can be of two types. In the first instance, the Remote Keyless Central Locking System (RKCLS) is provided by the original manufacturer of the car, which can be operated by pressing a few buttons on the car's key. In the second type, which is more predominant in terms of use in KP, RKCLS is not provided by the original manufacturer of the vehicle, and the owner of the vehicle installs it by purchasing it from the open market. In such cases, a separate electronic remote locking key is provided, separate from the car's manual key, usually having the following options:

1. Centrally locking the vehicle's doors
2. Centrally opening the vehicle's doors
3. Opening the vehicle's boot
4. Arming the theft alarm
5. Disarming the theft alarm

In advanced systems, additional options may also be provided. Car thieves use two techniques to defeat the RKCLS. The first technique involves a combination of remote signal jammers and manual tools to defeat the keyless locking system. Firstly, jammers available in the black market, such as Karkhano Bazaar in Peshawar, are used to make the RKCLS dysfunctional, as it cannot function without signals, followed by manually breaking open the car locks. In the second technique, after making the RKCLS dysfunctional using jammers, a digital frequency matching system is used to make a duplicate remote. The duplicate remote overrides the original remote so that even if the car's owner or user tries to operate the original remote, it ceases to function. The duplicate remote is then used to open the car's locks before it is driven away by the car thieves. RKCLS or anti-car theft systems provided by the original manufacturers are more difficult to overcome than the ones bought from the open market.

Overcoming the Digital Tracking System

Many owners of expensive vehicles get a tracking system installed in their vehicles for added security. The GPS Tracking System (GTS) not only provides GPS tracking of the vehicle but also acts as an effective check against its theft, as the owner has the option to stall or immobilize the vehicle by calling the vendor of the system, who then stops it by activating the secretly installed digital stalling system. Such systems are quite difficult to defeat or override because of the complexity of the digital devices used and the secret location of the tracker installed in the vehicle.

In order to defeat the digital tracking system, the involvement of a mechanic who has previous experience working with a vendor offering digital tracking

systems is crucial. Such mechanics know the secret locations where the digital tracking devices are normally installed in the vehicles. After detecting the tracker's location, the electric wires that provide power to the tracker are detached so that the tracker stops functioning. Once the vehicle is taken away and parked at a secret location by the car thieves, the tracker is then taken out and physically destroyed. Interestingly, in cases where the registration documents are not found inside the stolen car, the brand of the tracker is used by the car thieves to get information about the owner of the vehicles, who is then contacted by them to negotiate the resale of the stolen vehicle.

Another highly deceptive practice involves the installation of a second tracker in the car. This is perhaps the most elaborately planned car theft technique adopted by organized criminal gangs. The vehicle is lawfully bought, and in addition to the tracker already installed in the vehicle, a second tracker is also installed. The vehicle is then legally sold to a buyer, who is not informed about the installation of the second tracker. Besides, the buyer is also not provided with the second remote of the RKCLS, with the false pretext that the second remote has somehow been lost. After some time of the sale of the vehicle, the second hidden tracker is used to locate the vehicle, and the second remote of the RKCLS is used to unlock the vehicle. After the vehicle is stolen, the first GTS is removed from the car and physically destroyed.

Vehicle Stolen by a Group of Criminals

This most prevalent sub-category of stolen vehicles involves the commission of the offense by more than one person. In most of the reported cases, three persons are involved. The first one is the driver of the vehicle, which is used by the car thieves to follow their target. The second one discreetly follows the owner or the user of the targeted vehicle once they park and get out of the vehicle. The third one opens the targeted vehicle's locking system. The second person informs the third one if the owner or the user of the targeted vehicle returns to the vehicle.

Snatched Vehicles

This category, also referred to as carjacking, is much more serious as it involves the element of criminal use of force or the threat of using criminal force to snatch the vehicle from its owner. Car snatching falls into the category of heinous crimes as it not only involves loss of property but also threats to life in terms of bodily harm or even death of the victim. As the vehicles are snatched by force, the use of manual tools and gadgets is not involved unlike in the case of stolen vehicles, and deadly weapons such as firearms are used instead by the perpetrators. The sub-categories are discussed as follows:

Snatching Moving Vehicles

This sub-category involves snatching vehicles that are plying on the roads or are on the move. It is obvious that the commission of an offense falling under this sub-category necessitates first that the vehicle has to be stopped by any of the following means:

- By deception;
- By a threatening posture; or
- By creating a physical hurdle on the road.

The use of deceptive means normally employed includes signaling by a woman or a child to stop the vehicle, apparently in a distressful condition. Once the targeted vehicle is stopped, the second party immediately emerges from a nearby hidden spot to snatch the vehicle by force. Other reported instances of deception include taking the driver of a taxi to an isolated location, where he is drugged deceptively, and the vehicle is then snatched.

Snatching Static Vehicles

The mode of theft in this category does not require stopping the vehicle first, since the targeted vehicle is already static. The location of such snatching is usually at a relatively isolated place such as outside a house or in a deserted street. Normally, cars with a lone occupant are selected for snatching in such instances, to minimize the risk of any resistance by the occupants of the vehicle. Snatching with Threat of Using Force

In most cases, only the threat of the use of deadly force suffices to pressurize the owner of the vehicle to hand it over to car snatchers. Most police personnel specializing in countering car snatching are of the opinion that car snatchers are not usually inclined to the use of actual force and prefer to use threatening measures only. However, the possession of a firearm and its threatening display is necessary to incite palpable fear of its deadly use in the victim.

Snatching with Use of Force

In some unfortunate cases, the actual use of force is used by car snatchers to snatch the vehicle. This might be in the form of physical force to beat up the victim and to forcefully remove him from the vehicle, or in more serious cases, the victim is fired upon by the car snatcher. As per the expert opinion of ACLC personnel, firing in most cases proves fatal mainly because of two reasons. Firstly, the victim is shot while normally trying to quickly escape from the scene of the crime, and the criminal firing at him shoots instantly so that he does not have time to aim for a less vulnerable area of the body. Secondly, only the upper body of the victim occupying the vehicle is visible

to the car snatcher, and that is where he aims. As the upper body has all the vital organs, the chances of a fatal injury are optimal.

LEAs' Response for Countering Car Theft

In order to analyze the performance of the LEAs, i.e., KP Police tasked with countering the crime of car theft, the following data for the last three years was obtained from the ACLCs:

- Number of First Information Reports (FIRs) registered
- Total number of stolen or snatched vehicles that could not be traced
- Total number of stolen or snatched vehicles that were traced and recovered

FIRs registered

As per the data provided by the ACLCs, 246 FIRs relating to car theft were registered in 2019, 330 FIRs were registered in 2020 and 396 FIRs were registered in 2021. Figure 1 shows the same data through a bar chart, indicating a constant rise in the number of car theft cases as each FIR is registered in consequence of an incident of car theft.

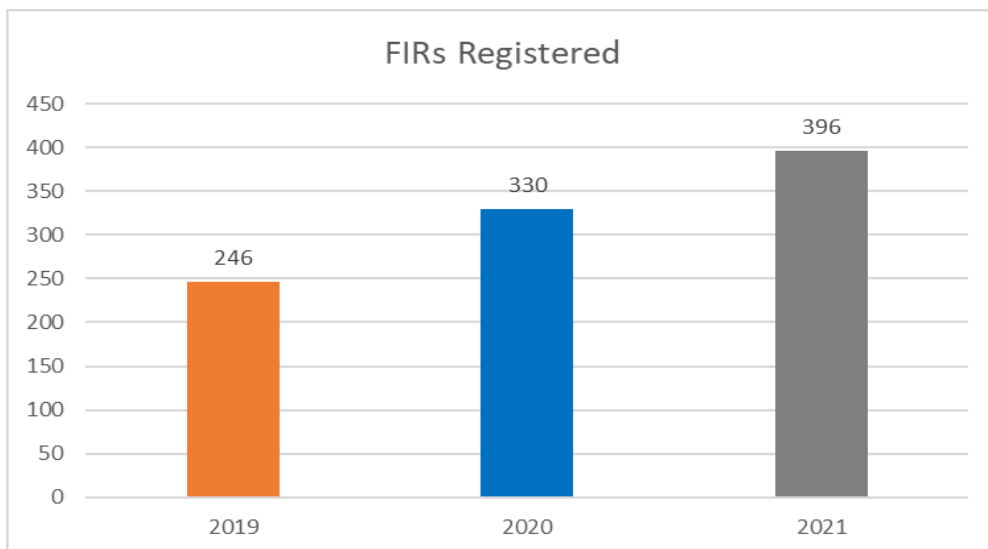


Figure 1. FIRs registered by ACLCs in the last 3 years in KP

Untraced Vehicles

According to ACLC statistics, in 2019, 155 out of a total of 246 stolen or snatched vehicles remained untraced. In 2020, 208 out of 330 stolen or snatched vehicles could not be traced. In 2021, as many as 250 out of 396 stolen or snatched vehicles were untraced. Figure 2 shows that the ACLCs could not trace 613 out of a total of 972 vehicles stolen or snatched in the last three years. Hence, 63 percent of the stolen or snatched vehicles remained untraced.

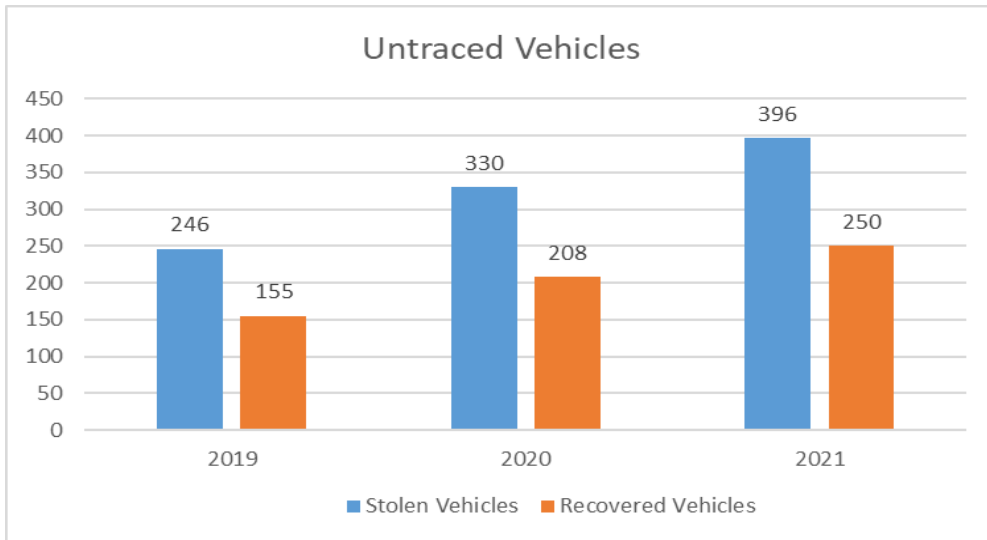


Figure 2. Untraced stolen cars in the last 3 years in KP

Recovered Vehicles

The figures regarding the stolen or snatched vehicles recovered by the ACLCs reveal that in 2019, 91 out of a total of 246 stolen or snatched vehicles were recovered and handed over to their owners. In 2020, 122 out of the total of 330 stolen or snatched vehicles were recovered. In 2021, 146 out of the total of 396 stolen or snatched vehicles were recovered. As illustrated by Figure 3, the ACLCs could only recover 359 out of the total of 972 stolen or snatched vehicles in the last three years. Thus, only 36 percent of the stolen or snatched vehicles were recovered.

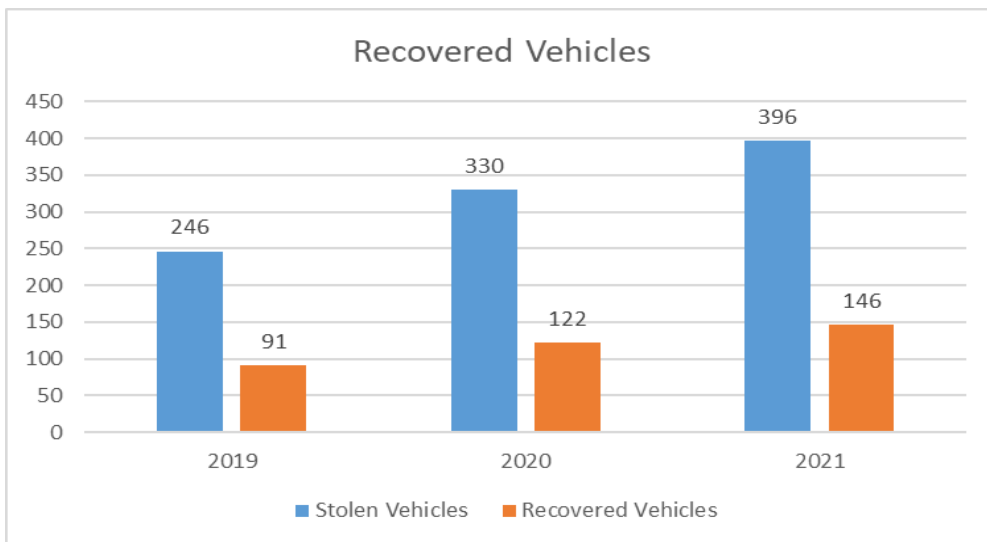


Figure 3. Stolen vehicles recovered by ACLCs in the last 3 years in KP

The results of the situational analysis of the Government's response to counter car theft clearly indicate that the performance of ACLCs of KP Police is far

from satisfactory. Moreover, the complex nature of car theft and the use of advanced means by car thieves substantiate the assertions cited in the Literature Review regarding the need for involvement of a variety of stakeholders for effective crime prevention of car theft. Therefore, strict adherence to car safety precautions by the general public, installation of strong anti-car theft devices by car manufacturers, and provision of a safe security environment by the management of car parking facilities are direly needed.

Institutional Analysis

The institutional analysis in this section focuses not only on the organizational setup, capacity, strengths, and weaknesses of the ACLCs but also on the symbiotic linkages between organized criminal gangs involved in car theft.

Organizational Orientation of ACLCs

The establishment of ACLCs in KP Police reflects the commitment of the Government of KP to address car theft as a priority, given that ACLCs have a specialized mandate for recovering stolen and snatched vehicles.

In terms of territorial jurisdiction, ACLCs are district-based, meaning that each district in KP should ideally have an operational ACLC. Regarding rank, each ACLC is headed by officers ranging from the rank of Sub-Inspector to Deputy Superintendents of Police (DSPs), who report directly to the respective District Police Officer (DPO).

District-wise Coverage of ACLCs

Despite their mandate, ACLCs face a serious capacity issue in terms of district coverage. Figure 1.4, illustrating the district-wise presence of ACLCs, reveals that 27 districts in KP do not have ACLCs established. These districts include major cities such as Nowshera, Charsadda, Haripur, Mansehra, Kohat, and DI Khan, where a significant number of car theft cases are reported.

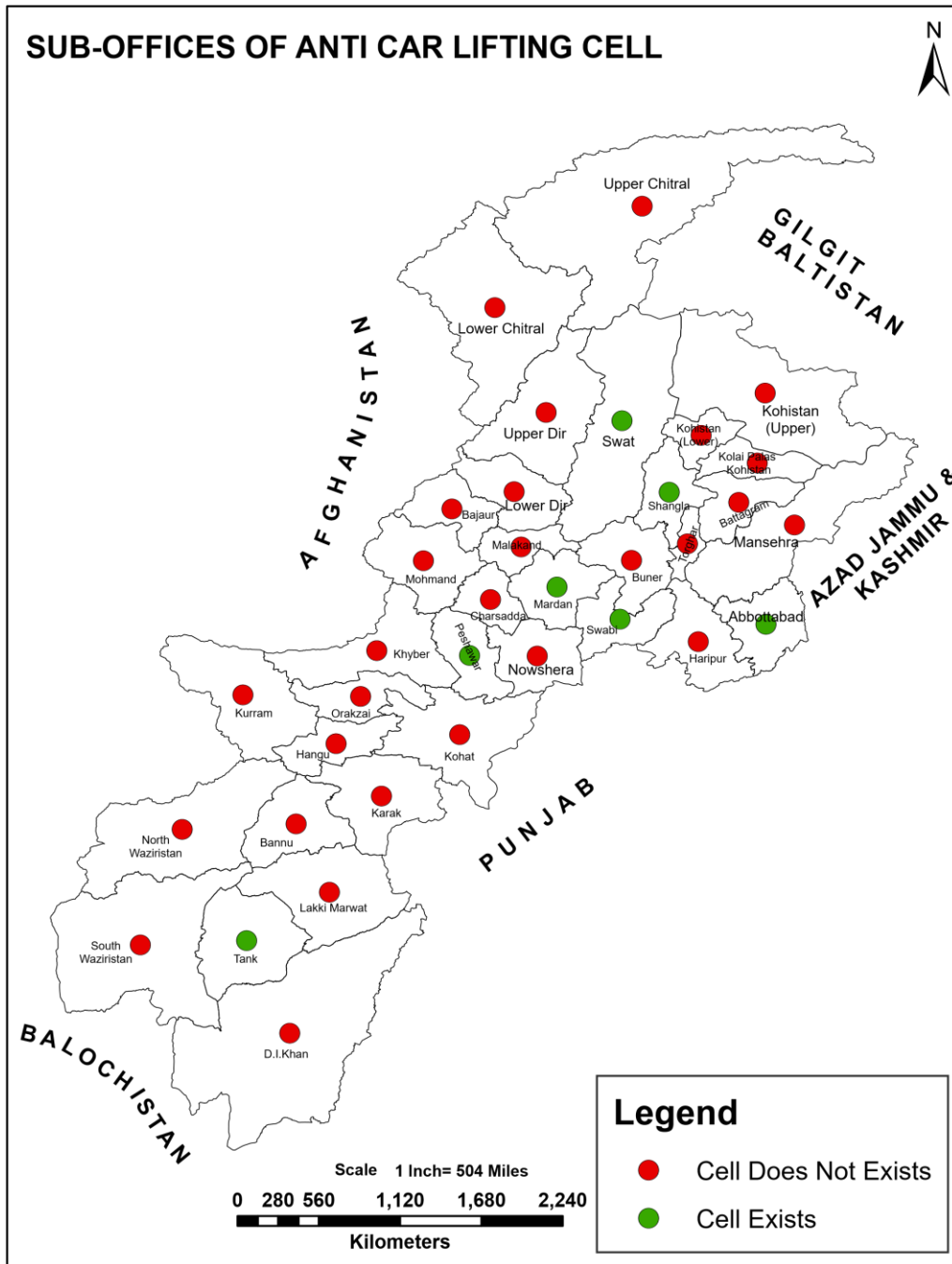


Figure 4. District-wise coverage of ACLCs in KP

Operational Focus

To effectively counter car theft, a combination of crime prevention and response-based measures is required (Mahavene, 2012). However, ACLCs focus primarily on response-based measures such as lodging FIRs, conducting investigations, and emphasizing the recovery of stolen or snatched vehicles. Critical preventive actions such as patrolling car theft

hotspots, inspecting security at parking lots, and surveilling crowded urban areas are notably absent.

Crime Reporting Mechanism

Immediate reporting of car theft is crucial for ensuring swift responses like alerting all police check posts to intercept stolen vehicles. However, negative public perceptions, often linked to the "Thana Culture" in Pakistan, discourage timely reporting (Abbas, 2009). Moreover, there is no helpline or user-friendly app to facilitate quick police reports on car theft cases without the usual complexities of approaching law enforcement.

Resource Constraints

The unsatisfactory performance of ACLCs can also be attributed to severe resource constraints. Officials unanimously lamented inadequate resources such as patrol vehicles, fuel shortages, lack of technological aids like tracking devices, and specialized training programs for ACLC personnel.

Integrity Issues

Beyond the Thana Culture, concerns about police corruption, collusion with criminal gangs, and human rights abuses contribute significantly to public reluctance in reporting car thefts (Hussain et al, 2015). There is no effective vetting mechanism, such as vetting by neutral agencies like the Intelligence Bureau (IB), to ensure that ACLC personnel have unblemished service records.

Operational Linkages

Efficient operational linkages could mitigate resource mobilization issues by pooling resources from partner organizations for a coordinated response. For instance, actionable intelligence sharing between ACLCs and prime agencies like the IB and Inter-Services Intelligence (ISI) could fill intelligence gaps, but current coordination forums are lacking. Similarly, joint operations could be enhanced by utilizing street patrol units like the Ababeel Force for swift responses, yet institutional arrangements for such joint operations are absent within ACLCs.

Symbiotic Criminal Linkages

Interviews with ACLC personnel reveal symbiotic relationships between car-lifting gangs and those illegally selling stolen vehicles. Separate gangs specialize in car-lifting and resale, with stolen vehicle images quickly shared among receiver gangs. These receiver gangs set prices and, upon agreement, acquire stolen vehicles for resale, often resorting to fraudulent registration

documents for vehicles unsold to owners. Smaller vehicles may be dismantled, with parts sold in markets like Shuba Bazaar, Peshawar.

Tables detailing major car-lifting and receiver gangs in KP were compiled from ACLC investigation officer interviews.

Car-lifting Gangs

Sr No.	Name	Base	Area of criminal operations
1	Bilal Sabit Gang	Pishtara, Peshawar	All over KP
2	Najeeb Gang	Mathra, Warsak Raod,	All areas except Peshawar, especially Hazara and Swat Division
3	Alizar Gang	Charsadda	Peshawar and surrounding districts
4	Ilyas Gang	Prang, Charsadda	Peshawar

Receiver Gangs

Sr No.	Name	Base	Area of criminal operations
1	Sakheemullah Gang alias Sakhat	Bannu	Bannu, Lakki Marwat and Karak
2	Taj Muhammad alias Kohat Haji Gang	Darra Adamkhel	Entire Kohat Division
3	Asghar & sons Gang	Darra Adam Khel	Kohat, Peshawar, Charsadda and Mardan
4	Nosherwan alias Baba Gang	Batkhela, Malakand	Swat and Hazara Divisions

Comparative Analysis

In this section, effective measures for preventing car theft in other provinces of Pakistan and foreign countries are compared with prevailing practices in KP to assess their feasibility for replication.

Evidence-based Crime Prevention

Complicated crime scenarios such as car theft cannot effectively be countered through outdated crime prevention techniques characterized by resource mobilization based on administrative needs rather than empirical evidence

(Khalid et al., 2015). Interviews with ACLC personnel in KP police reveal a similar tendency towards resource mobilization for car theft prevention based on administrative compulsions rather than scientifically verifiable data. An attempt to shift towards evidence-based crime prevention was piloted in Faisalabad in 2015 through the use of cartographic techniques for spatio-temporal analysis of car theft hotspots (Khalid et al., 2015). This initiative employed GIS-based analysis to mark frequent crime locations, identify areas with high crime rates and density, and map crime hotspots. The data gathered was utilized for Network Analysis to develop need-based plans for resource allocation and deployment, replacing previous practices based solely on administrative setup rather than actual crime prevention needs (Khalid et al., 2015). This evidence-based crime prevention paradigm could be replicated in KP by piloting it initially in Peshawar, with technical support from the Strategic Analysis Wing (SAW) of the Home Department, KP, renowned for its expertise in cartographic techniques.

Safe City Project

Similarly, Safe City Projects in Islamabad and Lahore have significantly contributed to car theft prevention through meticulous video surveillance of potential car theft hotspots and intelligent detection systems for tracing stolen and snatched vehicles. Although a Safe City Project is included in the Annual Development Plan (ADP) of KP for the Current Financial Year (2022-2023), its expedited implementation is crucial as it could greatly assist ACLCs in effectively preventing and intercepting car theft.

Smart Car Parking Systems

Relying solely on anti-car theft devices installed in vehicles is inadequate due to the availability of advanced theft gadgets. Therefore, additional preventive measures related to secure parking environments are essential (Mahavene, 2012). Car parks offering fully facilitated and secure parking facilities incentivize drivers to choose designated areas less vulnerable to theft compared to open parking (Khan et al., 2013). Smart Car Parking Systems (SCPS), successfully implemented in the United States, China, Sweden, and Brazil (Ahad, Khan & Ahmad, 2016), offer integrated solutions including automated detection of vacant parking slots, automated token issuance, and robust security arrangements (Khan et al., 2013). Local institutions like the University of Engineering and Technology (UET) Peshawar possess the expertise to develop Wireless Sensor Network (WSN)-based intelligent car parking systems (Khan et al., 2013), supported by the KP government for piloting in commercial hubs such as Sadar Bazaar in Peshawar. To encourage private sector adoption, municipal subsidies could be offered to parking facilities adopting SCPS.

Conclusion

Based on the results of the situational, institutional, legal, and comparative analyses, the following conclusions have been drawn:

1. Due to the absence of ACLCs in as many as 27 districts of KP, the Government's capacity to effectively respond to car theft cases in terms of district-wise coverage is seriously compromised.
2. The disjointed sections of PPC being applied in FIRs for penalizing car theft do not provide comprehensive legal cover against the multifaceted and complex nature of the crime of car theft.
3. The absence of a crime prevention unit in the ACLCs for much-needed deterrent activities such as patrolling of car theft hotspots undermines the ACLCs' capacity for proactive response. This results in a predominant focus on reaction-based or post-crime responses such as the registration of FIRs and subsequent investigation of car theft cases.
4. Police deployment and resource allocation for countering car theft are based on the administrative needs of KP police rather than the actual requirements for countering car theft.
5. Public reluctance to report car theft, owing to widespread perceptions of incompetence and corruption in the police and the Thana culture, prevents the objective determination of the actual magnitude of car theft in KP. This inhibits informed policymaking for preventing car theft.
6. Due to the lack of sufficient parking facilities with easy access and a secure environment, car drivers prefer the less safe option of parking on roads, making their cars more vulnerable to theft.
7. Collusion between unscrupulous police personnel and car theft gangs grants car thieves access to personal data about targeted cars and prior information about police actions such as raids, seriously undermining anti-car theft initiatives.
8. The absence of city-wide centralized networks of video surveillance forces ACLCs to rely entirely on manual checks to intercept stolen or snatched vehicles.
9. Lack of human, physical, and technological resources severely restricts ACLCs' ability to curb the menace of car theft, especially in light of the highly advanced technological gadgets used by car thieves.
10. Operational linkages between ACLCs and other LEAs are absent, leaving a resource gap unfilled as resources from other organizations cannot be pooled for joint operations against car theft.
11. Disconnect between investigative agencies specializing in countering car theft such as ACLCs and intelligence agencies such as IB and ISI prevents the former from obtaining actionable intelligence crucial for recovering stolen or snatched vehicles.
12. The absence of legislation mandating the provision of anti-car theft security devices by car manufacturers leaves cars more vulnerable to theft,

as anti-theft devices available in the open market are often unreliable and easily overcome by car thieves.

Recommendations

Here are the corrected recommendations structured into short, medium, and long-term measures:

Short Term:

1. To prevent the entry of unscrupulous police personnel into ACLCs, personnel should undergo thorough background checks conducted by neutral intelligence agencies such as the IB, to filter out corrupt individuals.
2. Immediate provision of necessary physical and human resources to ACLCs should be ensured, including patrolling vehicles, tracking devices, surveillance equipment, and specialized training for Investigation Officers to enhance their capacity in countering car theft.
3. Implementation of the Safe City Project, already reflected in KP ADP 2022-2023, should commence immediately by piloting it in divisional headquarters with intelligent features for detecting stolen or snatched vehicles.

Medium Term:

4. To improve district-wise coverage of car theft, ACLCs should be established promptly in all 27 districts where they are currently absent.
5. A dedicated preventive unit should be integrated into ACLCs, focusing on deterring car theft through actions such as identifying hotspots, patrolling vulnerable areas, inspecting security arrangements in private parking facilities, and conducting aerial surveillance of crowded urban hubs using drone cameras.
6. Replicate the evidence-based crime prevention paradigm from Faisalabad in KP, utilizing cartographic techniques for GIS-based spatio-temporal analysis to identify car theft hotspots. This approach ensures resources are allocated based on empirically identified crime prevention needs, supported by the GIS expertise of the Strategic Analysis Wing (SAW) within the Home Department, KP.
7. Address public reluctance in reporting car theft by developing a user-friendly computer application named "Car Muhafiz." This app allows victims to swiftly report car theft incidents to ACLCs, facilitating

immediate dissemination of information to all police checkpoints for stolen vehicle interception.

8. Narrow the resource gap of ACLCs by establishing formal Inter-Organizational Coordination (IOC) avenues, fostering operational linkages between ACLCs and other law enforcement entities such as the newly established mobile Ababeel Force of KP Police. This collaboration aims at pooling organizational resources for joint operations against car theft.
9. Establish a regular forum for intelligence sharing between major agencies such as IB and ISI with ACLCs. This initiative enables targeted Intelligence-Based Operations (IBOs) against organized car-lifting gangs, enhancing recovery efforts for stolen vehicles.

Long Term:

10. Introduce specialized anti-car theft legislation akin to the US Anti-Car Theft Act. This legislation strengthens investigation and prosecution of car theft cases by providing comprehensive legal cover and prescribing more severe penalties.
11. Develop an effective Smart Car Parking System (SCPS) in collaboration with UET Peshawar. SCPS offers an integrated solution to parking issues with features like automated vacancy detection, token issuance, and robust security via Wireless Sensor Network (WSN) technology. Local subsidies can incentivize private parking lot managers to adopt SCPS.
12. Enact legislation mandating all car manufacturers to install standardized anti-car theft security devices. Modeled after laws in the US and major European countries, this legal framework ensures compulsory installation of effective anti-theft devices, enhancing overall car theft prevention measures.
13. These recommendations aim to address the identified issues comprehensively and provide practical remedial measures in a logical sequence, catering to short, medium, and long-term needs for countering car theft effectively in KP.

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Comparative Analysis of Women Protection and Participation Laws in Pakistan, India and Bangladesh: Lessons for Pakistan

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Abstract:

The United Nations Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) was adopted in 1979, aiming to protect women's rights globally. Despite its comprehensive measures, including protection from abuse and exploitation, and the promotion of civil rights, health, and education, significant gaps persist in its implementation, especially in South Asia. This research examines the effectiveness of CEDAW's implementation, highlighting the lack of commitment to certain articles and the persistent invisibility of women's voices. The study finds that although there is a growing awareness and gradual improvements in women's empowerment and tertiary education enrollment, efforts by South Asian governments are fragmented and often disconnected from ground realities. Recommendations for better implementation include developing national strategies, enforcing legislative measures, enhancing regional cooperation, focusing on prevention, improving data collection, professional training, establishing care standards, creating effective reporting systems, defining referral mechanisms, and promoting community-based sentencing alternatives.

Key words:

CEDAW, Women's Rights, Implementation Gaps. South Asia

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Introduction

A flood is an overflow of water onto dry land adjacent to a river or lake that is not normally covered by water. It can cause material loss, affect human health, and even lead to fatalities (Yaqub et al., 2015). Pakistan spans a crow-fly distance of 1,500 kilometers from Gilgit Baltistan to Karachi, with the Indus River, fed by its watershed and tributaries, flowing throughout the length of the country. Consequently, the impact of heavy rainfall in the upper reaches is felt nationwide, wreaking havoc along its path, ultimately culminating in the province of Sindh. In recent decades, climate change phenomena have further exacerbated floods in Pakistan during monsoon seasons. The increase in the frequency and intensity of floods and their associated impacts have affected all aspects of Pakistan's governance. National rainfall for August 2022 was excessively high (+243%) above average and stands as the wettest August on record since 1961 (Pakistan's Monthly Climate Summary, 2022).

In Pakistan, there are more than 60 small and large rivers, with the Indus River being the largest. It originates in the Kailas Mountains and flows from north to south throughout the entire country, covering a distance of 3,200 kilometers and carrying 207 billion cubic meters of water per annum. The other major tributaries of the Indus River include the Jhelum River, Chenab River, Ravi River, Sutlej River, and Kabul River, among others, as shown in the map below. The Indus River collects water from all these rivers and eventually empties into the Arabian Sea near Karachi, a highly populated city in the province of Sindh (Yaqub et al., 2015). Pakistan has been grappling with the issue of floods since its inception, but the scale of damage resulting from the changing frequency and intensity of monsoon rainfalls is staggering. This can be attributed to climate change, with carbon emissions being a major contributor. It is worth noting that while Pakistan's global rank in carbon emissions is quite low, its impact is among the highest (Waseem & Rana, 2023). The country's weak economic position exacerbates the situation, as it hampers both prevention efforts and post-flood relief operations (Mustafa, n.d.).

Pakistan is among the most vulnerable countries to floods and water-related disasters, thanks to having the most glaciers outside the Arctic Circle. Climate changes and the monsoon season have significant impacts on socio-economic degradation, particularly on agricultural production and livestock (Manzoor et al., 2022). There are typically five forms of flooding frequently occurring in the country: flash floods, river floods, tidal floods, marine floods, and pluvial floods. Pakistan ranks seventh in the world as one of the most vulnerable countries to climate change and eighteenth out of 191 on the Global Risk Index (GRI) (Shah et al., 2022).

Problem Statement

Pakistan suffered from devastating floods in August 2022, but it's not the first time, as it happened in preceding years as well. The flood devastations are attributed to an abrupt change in climate, and the government's strategy is focused on disaster management, essentially making it a governance problem, focusing on the traditional rescue, relief, and rehabilitation model. The incidence of floods and abrupt rainfall has impacted the economy in many ways, in addition to the flood-related damages. Agriculture sector damages have created a crisis of food security. This paper aims to critically analyze the issues and challenges of floods in Pakistan and recommend governance responses that can alleviate the risk and damages of floods.

Research methodology

The methodology adopted in compiling this research paper revolves around various articles, publications, research papers, and the literature available on the subject on the internet. The study is based on a chronological method along with quantitative, descriptive, and analytical methods.

There is a shortage of books available on Women Participation & Protection Laws in Pakistan, and the research depended more on online public documents and printed documents of government and international organizations, including various INGOs and UN agencies dealing with the subject. The main data has been obtained from the internet, and its qualitative and quantitative genuineness is ensured by citing the sources and references with conscientiousness to avoid plagiarism.

Methodology/ Tool used for the Comparative Analysis

While it is considered a viable option to construct new reservoirs with the aim of not only controlling floodwaters downstream but also conserving water and harvesting it for agriculture in the plains downstream, consensus cannot be reached on the construction of dams due to a difference of opinion among the upstream and downstream provinces (The Express Tribune, 2018). Furthermore, relief efforts are marred by political interferences from parties seeking to garner votes in return for relief provision.

This paper makes a comparative analysis, in light of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW), of the existing laws and policies enforced in South Asia. A number of indicators have been used in this study, which have already been used in similar studies in the past.

The experts developed three distinct indicators to be monitored to ensure effective implementation of the basic principles and comparability among different regions. They are categorized as:

- Structure indicators
- Process indicators
- Outcome indicators

Structure Indicators

Structure Indicators examine the ratification and adoption of women's rights provisions, as well as the institutional and budgetary mechanisms implemented to facilitate their realization. Structural indicators propose a commitment to action and refer to constitutions, laws, institutions, and policies. A structure indicator answers these questions:

1. Are there any policies in place?
2. How are policies implemented?
3. To ensure the quality of delivery and professional standards, what policies are in place?
4. Is data collection part of a policy commitment?
5. How can women be encouraged and supported?
6. Is high professional training a requirement, as well as a mix of men and women?

Process Indicators

States and regions use process indicators to measure implementation. Policy, programs, and training initiatives promote women's rights. This allows them to measure progress towards goals over time. Commitments serve as guidelines for efforts made, actions taken, and resources allocated for promoting young women's rights. Process indicators answer the following questions:

1. What efforts have been made to develop the following aspects of various settings and services?

- a) Levels of attendance and equitable access to programs and services
 - b) Reporting of affordability
 - c) Mode or settings for delivery
 - d) Quality of and resourcing for programs and services
 - e) Adequate structure criterion
2. What efforts have been made to monitor and evaluate the impact using available indicators, such as:
 - a) Retention rate
 - b) Performance data
 - c) Registration and dropout rate
 3. What processes are in place to evaluate and improve human resources, especially through:
 - a) Salary benchmarking
 - b) Recruitment and retention, qualifications, and gender mix
 4. Is there any in-service training?

Outcome Indicators

Women's rights are measured individually and collectively through outcome indicators, as well as the impact of interventions and programs (Agency, 2007). Women's rights outcome indicators are based on measurable changes either in the environment or in the women themselves. Here are the outcomes indicators:

1. What improvements have been made in implementing evidence-based principles?
2. Have there been increasing rates of access to any service?
3. Have there been reduced dropout rates from vulnerable groups of women?
4. Is there increased transparency in the reporting of any particular service to affordability and access?

Convention on the Elimination of all forms of Discrimination Against Women (CEDAW)- International Law

The Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), adopted in 1979 by the UN General Assembly, is often

described as an international bill of rights for women. Consisting of a preamble and 30 articles, it defines what constitutes discrimination against women and sets up an agenda for national action to end such discrimination. By accepting the Convention, states commit themselves to undertake a series of measures to end discrimination against women in all forms, including:

To incorporate the principle of equality of men and women in their legal system, abolish all discriminatory laws, and adopt appropriate ones prohibiting discrimination against women;

To establish tribunals and other public institutions to ensure the effective protection of women against discrimination; and

To ensure the elimination of all acts of discrimination against women by persons, organizations, or enterprises.

The Implementation of CEDAW

The Convention provides the basis for realizing equality between women and men through ensuring women's equal access to, and equal opportunities in, political and public life - including the right to vote and to stand for election - as well as education, health, and employment. States parties agree to take all appropriate measures, including legislation and temporary special measures, so that women can enjoy all their human rights and fundamental freedoms.

Impact of CEDAW

CEDAW's substantive equality provisions offer theory and normative tools to counter neoliberal exploitation and neo-traditionalist cultural patriarchy. Essentially, this convention conveys different laws and policies that must be considered for women belonging to every field of life. Any country, especially South Asian countries such as Pakistan, India, or Bangladesh, has to obey the clauses of the convention to facilitate women at each step. Law and philosophy alone cannot fulfill the promise of de jure and de facto equality for women. In order to secure women's participation, equality, and autonomy in the family, it is necessary to translate the formulation and commitment into political, economic, and social action. Hence, democratic citizenship for women is a condition precedent for a viable democracy for both men and women (Raday, 2012).

Ways and Means of Expediting the Work of CEDAW

CEDAW-relevant facts are included in this study. This section contains information about UN human rights activities, such as the General Assembly, the Commission on the Status of Women, the Commission on Human Rights, and the Secretary-General's proposals for reforming UN human rights (CEDAW, 2006).

Pragmatic Evaluation

Human rights initiatives can be beneficial or harmful in particular cases, under specific circumstances, at specific times, and so on. The cases, conditions, and times may be very specific or very general, but they must be articulated and demonstrated in concrete terms. People who violate human rights and potential victims may incur costs as a result of things that happen on the ground. Rather than being a private matter, it is a subject of public interest, a subject of law rather than one of politics, and a subject of politics rather than one of economics. Moreover, government and local NGOs should also take appropriate steps in this matter (Kennedy, 2003).

Ratification of CEDAW in Bangladesh, India, and Pakistan

Bangladesh ratified CEDAW in 1984. During the 48th UN CEDAW Session held in 2011, during which the 6th and 7th combined periodic reports of Bangladesh were reviewed, the Committee issued Concluding Observations on Bangladesh's progress. According to the report, the state has submitted its eighth periodic report to the Committee on Economic, Social and Cultural Rights (Bangladesh, 2016).

CEDAW was signed by India on July 30, 1980, and ratified on July 9, 1993, with certain reservations. The Optional Protocol to CEDAW has not yet been ratified by India. The CEDAW Committee considered India's fourth and fifth periodic reports at its 58th session on July 2, 2014. GR 30 was not included in the Indian periodic reports because they were submitted before GR 30 was adopted.

The Government of Pakistan ratified the Convention on December 3, 1996. It submitted the 5th Periodic Report to the Committee on the Elimination of Discrimination against Women on October 9, 2018. The report covers measures adopted by Pakistan to give effect to the provisions of the Convention and progress made.

A Comparative Analysis of Women Rights in Pakistan, India & Bangladesh-Implementation of CEDAW

This is a comparative analysis of Pakistan, India, and Bangladesh with regard to the implementation of the United Nations Convention on the Elimination of All Forms of Discrimination Against Women, based on the indicators explained in Section I of this research study. The indicators are as follows:

- Structure indicators
- Process indicators

- Outcome indicators

STRUCTURE INDICATORS

Structural indicators propose a commitment to action and refer to constitutional and legal provisions, institutions in place, and policies for the realization of women's rights. International experts on Women Rights have devised a set of six questions to capture the implementation of the Structure indicators. This study uses three for the comparative analysis:

- a) Are there any policies in place?
- b) How are policies implemented?
- c) To ensure the quality of delivery and professional standards, what policies are in place?

Structure Indicator 1: Are there any policies in place?

In this section, the National Policies for the advancement and development of women are reviewed. All three countries have National Policies in place.

Bangladesh

The National Women Development Policy was approved in 2011. The Policy provides strategies for implementation, as follows:

- a) All ministries will take responsibility to implement the national women development policy.
- b) All ministries will focus on this sector to establish equal rights for women.
- c) There will be a time limit to implement this policy.
- d) The progress of these programs will be reviewed periodically.
- e) Trained personnel need to be recruited for planning and programming.
- f) There shall be awareness-raising programs, including:
 - a. Removing anti-women laws
 - b. Raising awareness among different ministries and government officials
 - c. Including women-related subjects in textbooks
- g) Law enforcement organizations, the justice department, and government and non-governmental organizations should pay special attention to these programs.
- h) Women harassment protection programs must be prioritized, with various organizations coming forward to implement these programs.

Republic of India

The Government of India developed a National Policy for the Empowerment of Women in 2016. The objectives of the Policy are:

1. Creating a conducive socio-cultural, economic, and political environment to enable women to enjoy de jure and de facto fundamental rights and realize their full potential.
2. Mainstreaming gender in all development processes, programs, projects, and actions.
3. Adopting a holistic and life-cycle approach to women's health for appropriate, affordable, and quality healthcare.
4. Improving and incentivizing access of women/girls to universal and quality education.
5. Increasing and incentivizing women's workforce participation in the economy.
6. Ensuring equal participation in social, political, and economic spheres, including institutions of governance and decision-making.

Islamic Republic of Pakistan

The Government of Pakistan formulated the National Policy for the Development and Empowerment of Women in 2002. The aims of the Policy were:

1. To remove inequities and imbalances in all sectors of socio-economic development and to ensure women's equal access to all development benefits and social services.
2. To ensure the full participation of women in all national development and decision-making processes in the community and society.
3. To ensure full participation of women in all political processes and to enhance women's representation in all elective bodies.
4. To safeguard and ensure the protection of women's human rights, including economic, legal, political, and social rights, especially the rights of minority women, rural and poor women, girls, women with disabilities, elderly women, and women in vulnerable circumstances.
5. To provide women and girls access to quality healthcare services and other prerequisites for enjoying full health, including reproductive and mental health.

As a follow-up to the above policy, the Government of Pakistan developed the "National Gender Policy Framework" in 2022. The framework is developed using the following indicators divided into five broad themes. These themes have been maintained for situational analysis and policy

framework propositions, with the addition of gender-transformative governance and data systems:

- Employment & Economic Opportunity / Participation
- Equality and Quality in Education
- Health & Well-being
- Agency, Legal Protection, and Political Empowerment
- Safety & Security

***Structure Indicator 2: How are policies implemented?
Bangladesh***

As the nodal agency for women and children, the Ministry of Women and Children Affairs (MoWCA) implements policies related to women and children, women's empowerment, preventing oppression, ensuring workplace security, and ensuring women's complete socioeconomic development. To monitor the implementation of various policies, programs, and laws, the National Council for Women's Development and the Inter-ministerial Coordination and Evaluation Committee provide institutional mechanisms through which reputed individuals and organizations can participate.

Republic of India

The National Policy for Women 2016 provides an implementation framework. The specific actionable points under the policy are as follows:

- i. Translating the policy framework into specific, achievable, and effective strategies for implementation at the national, state, and local government levels, as well as in PSUs, corporations, businesses, trade unions, NGOs, and community-based organizations.
- ii. Formulating action points concerning the policy prescriptions as an inter-ministerial Action Plan, with specific targets, milestones, timelines (short-term, medium-term, and long-term), and outcome indicators.
- iii. Monitoring the Action Plan through an interministerial committee.

Islamic Republic of Pakistan

The National Gender Policy Framework provides an implementation framework and a monitoring and evaluation mechanism. The broad contours of the implementation mechanism are as follows:

- The Ministry of Planning, Development, and Special Initiatives will establish a Gender Transformation Accelerator to initiate, drive, and track gender-related progress.
- This accelerator will work closely with federal and provincial commissions on the status of women, women development departments, the Ministry of Human Rights, relevant development partners, and the proposed project planning, monitoring, and evaluation unit in the Ministry of Human Rights.
- Establishing a sub-advisory committee for the gender development agenda to maintain oversight on the implementation of priority interventions highlighted in the National Gender Development Roadmap.
- Providing an activity plan for the Sub-Advisory Committee.

Structure Indicator 3: To ensure the quality of delivery and professional standards, what policies are in place?

Bangladesh

Following the development of the National Women Development Policy, the Ministry of Women and Children Affairs outlines comprehensive measures to implement the National Policy for Women's Advancement in the Fifth Five Year Plan. The Goals and Objectives of WID during the Fifth Five Year Plan are to:

- a) Achieve equality between men and women in the sharing of power and decision-making at all levels.
- b) Raise awareness and ensure the establishment of women's rights recognized nationally and internationally.
- c) Establish effective mechanisms with necessary resources and authority at all levels to promote the development of women in all spheres of life.
- d) Alleviate poverty and ensure food security and minimal nutritional requirements of 1,800 k-calorie per person per day for all, with an emphasis on women.
- e) Promote economic self-reliance for women, including access to economic resources such as land, capital, and technology.

Republic of India

The Government of India has formulated an inter-ministerial Action Plan with action points concerning the policy prescriptions in the Policy document, with definitive targets, milestone activities, timelines (short-term, medium-term, and long-term), and outcome indicators, along with the ministries or departments responsible for implementing the actions. As part of the Plan of Action, resources and responsibilities have been identified, and institutional mechanisms and structures for monitoring have been strengthened.

Islamic Republic of Pakistan

The Government of Pakistan is cognizant of and working on addressing women's issues. Women's issues have been mainstreamed through sectoral policies. Women are mentioned as a target group for poverty reduction in the "Human Development and Poverty Reduction Strategy" (1999). The National Climate Change Policy 2021 provides a gender framework. To redress the gender imbalance, Pakistan's Government recognizes the economic potential of women and aims to provide them with greater opportunities through credit and skills development.

Process Indicators

Efforts to implement structural provisions at the state and regional levels are measured by process indicators, as explained in Section I of this study. Policy measures are implemented to achieve women's rights, programs are developed, training is conducted, campaigns are conducted, and other activities are undertaken. The following questions are developed to ascertain various actions:

1. What efforts have been made to monitor and evaluate the impact using available indicators, such as:
 - a) Retention rate?
 - b) Performance data?
 - c) Registration and Dropout rate?
2. What processes are in place to evaluate and improve human resources, especially through:
 - a) Salary benchmarking
 - b) Recruitment and retention, qualifications, and gender mix
3. Is there any in-service training?

Process Indicator 1: What efforts have been made to develop the various settings and services for any particular women's right(s)?

During this subsection, process indicator 1, i.e., the efforts made to develop various settings and services for any particular women's right to education, will be examined in South Asia. To analyze the data, three questions will be selected from the six questions (provided in Section I). The following three questions will be examined in detail:

- a) Levels of attendance and equitable access to programs and services?
- b) Reporting of affordability?
- c) Mode or settings for delivery?

Women in higher education is taken as a process indicator to draw a comparison between Bangladesh, India, and Pakistan. The following section provides a contextual analysis regarding this:

Bangladesh

In Bangladesh, there are a total of 87 universities, only 32 of which are public, and only 9 award PhDs. There is an 11% gross enrolment rate, described by UNESCO Bangkok as one of the lowest in the world. They also report that only 31% of students at public universities are female. Islam (2012) provides statistical data on HE staffing by

institution for one year only (2010), and data is obtained for another year from UGC (2012). These data are disaggregated by gender for each Bangla HEI but not by staffing category. The percentages of male and female students in public universities are not equal in female education. According to the statistical yearbook of 2010, the percentages of male and female students in public universities are 59.99% and 40.01%, respectively. Bangladesh's National Higher Education Equity Policy includes:

- Monetary Benefits:
 - Stipends for low-income students (Prime Minister's Education Support Trust Fund Stipends)
 - Stipends for female students
- Non-Monetary Policy Instruments:
 - Universities in Bangladesh cannot discriminate against students based on race, religion, caste, socio-economic conditions, and physical disabilities. Such institutions will not be established and conducted for profiteering. They cannot advocate anything against freedom, the spirit of the war of liberation, and Bengali culture and must refrain from doing so.
 - Encourage access to higher education from all ethnic and minority groups by placing admission quotas in universities and other higher education institutions.

India

According to the recent All India Survey on Higher Education (AISHE) 2019-20, India's Gross Enrolment Ratio (GER) increased to 27.1% in 2019-20 from 26.3% in 2018. The GER for higher education reflects the proportion of the population attending college or university out of the eligible population aged 18 to 23. In 2019-20, women had a GER of 27.3%, while males had a GER of 26.9%. This suggests that more qualified women than men attend college and university in India. Female students accounted for nearly 49% of total enrolment in 2019-20. One of the primary goals of the new National Education

Policy (NEP) is to increase the GER. Through several changes contained in the NEP, the Modi government hopes to achieve a 50% GER by 2035.

Pakistan

According to constitutional and legal provisions in Pakistan, women enjoy a unique status of equal rights, but they have come a long way to achieve it on practical grounds. Education is a fundamental right in Pakistan for every child, boy or girl. Education plays an important role in the transformation of women's lives. It would not be wrong to say that "Education is empowerment." However, in Pakistan, the female literacy rate is not equal to that of men. Lack of access to education is considered a broader landscape of gender inequality, leading to anti-women practices, violence, honor killings, and other violations of women's rights. The low literacy rate in Pakistan has several other negative impacts on women's lives, including the socioeconomic and cultural development of society. In Pakistan, it is crucial to focus on women's education and empowering them, particularly in marginalized areas that are continuously neglected. Education is perceived as a prominent indicator of elevating the status of women and social change and empowering them in all facets of life. Still, the situation of women's literacy is very dire in Pakistan.

	Public			Private			Total		
	Male	Female	Total	Male	Female	Total	Male	Female	Total
ICT	274,467	282,493	556,960	20,580	13,089	33,669	295,047	295,582	590,629
Punjab	189,821	187,218	377,039	85,705	52,411	138,116	275,526	239,629	515,155
Sindh	107,571	66,878	174,449	58,850	30,322	89,172	166,421	97,200	263,621
Khyber Pakhtunkhwa	71,418	26,201	97,619	35,574	10,082	45,656	106,992	36,283	143,275
Balochistan	21,873	9,460	31,333	484	108	592	22,357	9,568	31,925
Azad Jammu & Kashmir	11,368	13,392	24,760	1,021	1,357	2,378	12,389	14,749	27,138
Gilgit Baltistan	2,160	2,184	4,344	0	0	0	2,160	2,184	4,344
Pakistan	678,678	587,826	1,266,504	202,214	107,369	309,583	880,892	695,195	1,576,087

Source: Higher Education Commission

As a result of a lack of financial resources, women are unable to participate in academic endeavors. According to a survey conducted by (Mehmood and Hussain 2018) provided in the following table, 85.7 percent of individuals believe that the higher tuition and lodging expenses in universities and colleges prevent girls from poor and deprived families from enrolling. potential to cause further damages in the future (Hussain et al., 2020). Deforestation in the watershed areas makes the soils prone to erosion, taking away the fertile layer of soil and depositing it in reservoirs in the form of silt, reducing their span of life. Moreover, the felled tree materials transported by floodwaters wreak havoc on the infrastructure with which they collide.

Gender	Financial Limitations	Early Marriages	Sexual Harassment	Domestic Responsibilities	Total
Male	104	91	34	83	312
Female studied / studying in Pakistan	111	72	18	58	259
Female studied / studying Abroad	8	11	2	9	30
Total	223	174	54	150	601

Legal

Before the earthquake of 2005, calamities in Pakistan were dealt with through the Calamities Act of 1958. Moreover, the Civil Defense Act was promulgated in 1952, dealing with the participation of citizens in dealing with national disasters. However, the National Disaster Management Ordinance was issued in 2005, followed by the National Disaster Management Act of 2010 (Rahim, n.d.). However, these are related to post-calamity relief activities, while the pre-flood or flood preventive legal regime is exercised by various departments in federal and provinces. For instance, provincial irrigation departments have their own statutes for catering to watch and ward of water bodies, reservoirs, and canals. Likewise, District administration is also

empowered through section 144 of CrPC, provisions of the Anti-Encroachment Act for the removal of encroachments from waterways and streams, which recently has become a big nuisance during the flood season. However, the exercise of these legal powers is subject to scrutiny of courts, and most often operations are marred by stay orders and injunctions.

Process Indicator II: Monitoring & Evaluation Mechanisms

To analyze the structure indicator II, i.e., "What efforts have been made to monitor & evaluate the impact of any particular women's right(s)?" the following questions have been taken:

- a) Retention rate?
- b) Performance data?
- c) Registration & Dropout rate?

Bangladesh

According to a report prepared by UNESCO, Bangladesh's women's participation rate in tertiary education has improved over the years. However, only 6.6% of Bangladeshi students enroll at the tertiary level. Bangladesh has another statistic that says that each year 0.25 million students graduate from universities and 1.2 million enroll, with a difference of 0.95 million between them. Either they are still completing their graduation or they are dropouts (Hossain and Naeema, 2013).

Based on a study of a private university in Bangladesh, Islam and Pavel (2014) attempted to understand why students drop out, but they did not consider public universities and/or their affiliated institutions. Family problems were found to be the main (53.3%) reason for dropouts at the tertiary level, and the incidence of dropouts was higher among female students, even in northern areas.

Republic of India

With 4.3 million students enrolled in 196 university-level institutions, India's higher education system is massive and structurally diverse. In 2011-12, 47.74% of the women's population was eligible for higher education, but that number increased to 48.21% in 2015-16. In 2011-12, the percentage of women enrolled was 44.29%, but it increased to 45.91% in 2015-16. The states with lower women enrolment in 2015-16 were Andhra Pradesh, Bihar, Delhi, Gujarat, Haryana, Madhya Pradesh, Orissa, Rajasthan, Tripura, and West Bengal. In India, for the year 2015-16, approximately 5% of women's higher education institutions are professional (medical, agriculture, law, technical, veterinary), and 67% are general education institutions.

Islamic Republic of Pakistan

Enrollment of females in tertiary education in Pakistan has improved over the years. According to the Annual Report of the HEC, enrollment at universities/degree-awarding institutions (excluding affiliated colleges) was 276,274, 331,745, 423,236, 471,964, 521,473, 640,061, and 741,092 students during the years 2001-02, 2002-03, 2003-04, 2004-05, 2005-06, 2006-07, and 2007-08 respectively. The increase in enrollment for both male and female students was consistent over the years. There was a 168.48% increase in the total enrollment of students in the universities and DAIs in 2001-02. The ratio between male and female students showed a slight change in favor of female students.

Women's participation in higher education is increasing in all the countries under review in this study. Women's enrollment in higher education is also increasing. However, the rate of increase is slow but consistent. Enrollment is dependent on women teachers, family pressures, and social stigmas. Thus, the establishment of higher educational institutes for women, especially in rural areas, is still too low, and women's enrollment is small compared to men's enrollment.

Process Indicator III: What processes are in place to evaluate & improve human resources, especially through

- a) Salary benchmarking
- b) Recruitment & retention, qualifications & gender mix

Bangladesh

A major part of Bangladesh's recent economic success has been led by women in the labor force. In addition to wages and salaries, the Household Income and Expenditure Survey 2010 also includes data on the ready-made garment (RMG) sector, the country's flagship export-oriented industry. Wages for women were 84% of men's, whereas salaries for women were only 54% of men's.

Bangladesh's female labor force participation remains extremely low by international standards, and even though women are now able to attend high school and higher education, well-educated women face terrifyingly high unemployment rates, much higher than men with comparable education.

India

According to the Periodic Labor Force Survey (PLFS) 2020, only 18.6% of working-age women participate in the labor force in India, three times lower than men. India has the largest gender gap in median earnings of full-time

employees in 2015, according to the Economic Survey of India 2018. Indian women typically earn low wages working in highly insecure jobs. According to the International Labour Organization (2018), 88% of women work in industries and 71% in services. In addition, even though women are more competent workers and supervisors, they don't rise to higher positions.

Pakistan

According to ILO (2018), women around the world are paid 20% less than men. This gap significantly differs across countries from as high as 45% to almost negligible. However, the gender pay gap has shown a declining trend in some regions compared to others. According to gender pay gap statistics (2018), the wage gap is less in developed economies than in developing economies.

As a developing country, Pakistan displayed a gender pay gap of 34%, which is more than double the global average and is one of the highest wage disparities in the world, identified by ILO's Global Wage Report (GWR) 2019. Women, severely underrepresented in the labor force in Pakistan, face discrimination in the job market that eventually leads to a border of their potential (Hyder & Reilly, 2005; Mahajan & Ramaswami, 2017). According to the estimates, women constitute about 90% of the bottom 1% of the total labor force. Most women affiliate with the agricultural sector and a huge labor supply that contributes to their low level of wages.

Outcome Indicators

Outcome indicators are indicators that capture individual & collective attainments that reflect whether women's right(s) have been realized in a given context, as well as the extent to which women have benefited from interventions and programs of action. The following three questions have been taken to review outcomes:

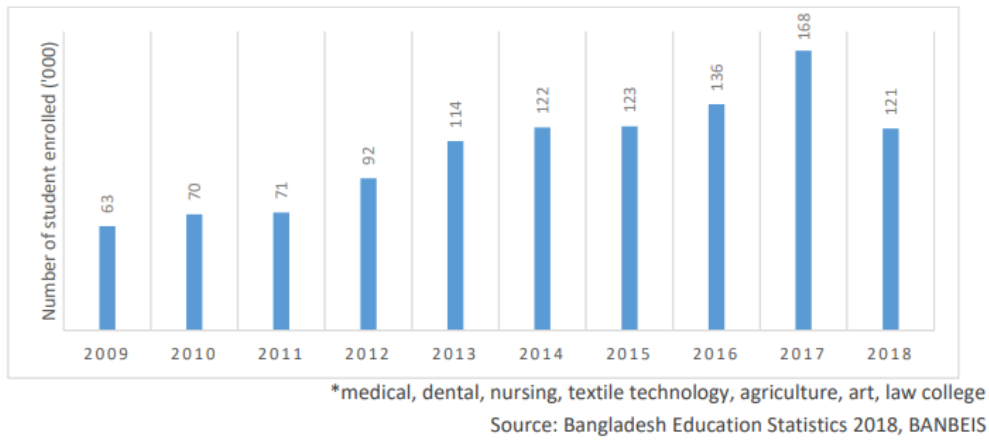
1. What improvements have been made in implementing evidence-based principles?
2. Have there been increasing rates of access to any service?
3. Have there been reduced dropout rates from the vulnerable groups of women?

Evidence for Improving Trends

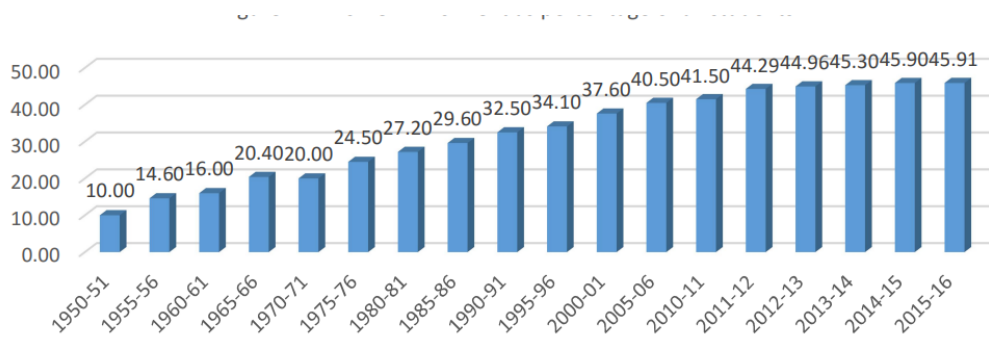
Is there evidence for improving trends for any particular service of any particular women's right(s)?

Though the social, religious, and ethnic barriers are hindering gender neutrality and women empowerment, there have still been considerable advances with regard to the participation of women in tertiary education.

In Bangladesh, the Net Enrollment Ratios (NER) for boys and girls have improved over the years and are diverging between 2009 and 2018. The following graph provides a graphical representation of the increase in enrollment of boys and girls from 2009-2018 (BANGLADESH, 2020).



According to a study, in India, women's participation in higher education is increasing in almost all states. However, the rate of increase is slower. Enrollment is dependent on various factors, including the dearth of higher educational institutes for women, especially in rural areas, thus women's enrollment is still low compared to men's enrollment. The following table provides a graphical representation of the increase in women's enrollment from 1950-2016, taken from the study by Ghara (2016).



In Pakistan, the enrollment of women is improving over the years. Despite socio-religious hindrances, there is a positive trend of increasing women's enrollment. A recent study suggests that women's enrollment (573.53 percent) is significantly higher than men's enrollment (409.77 percent) at HEIs during the last 15 years. The possible reasons for the increase, as per the assessment of higher education policy, include decreasing discrimination against girls in families, women's own aspirations to obtain tertiary degrees, and the feminization of the teaching profession and learning environment, which are more conducive to girls' social and cognitive disposition. The following table

provides a graphical representation of women's enrollment over a 15-year period (Noor Fatima, 2020).



Institutions and/or Training Professionals

Has there been an increase in the institutions and/or training professionals for any particular service of any particular women's right(s)?

It supports rural women's organizations who are fighting for gender equality, leadership, and human rights. Bangladesh Women's Foundation (BWF) is a non-profit organization that supports rural women's organizations. In addition to technical skills education, vocational education in higher secondary schools and apprenticeships form part of the formal institutional structure (Federation of Indian Chambers of Commerce and Industry, 2015). Informal training is managed by state skills development missions and other government agencies (Maitra & Maitra, 2018). In rural and indigenous areas, the government funds a number of nongovernmental organizations (NGOs) and private institutions to offer training programs. (Dagar, 2021).

It is important to provide women with skills, resources, and equal access to economic institutions in order to make them more capable of contributing to their families, societies, and national economies. Women and men should be provided equal opportunities and rights by reforming the institutions. Economic development needs be promoted in order to achieve equality of resources and opportunities. (World Bank, 2001).

Women Protection and Participation Laws/Policies in Pakistan, India and Bangladesh

Women Protection and Participation Laws/Policies in South Asia

Women's laws have evolved over the years in South Asia. This chapter analyzes the laws and systems in place for the participation and protection of women in various fields of life in Pakistan, India, and Bangladesh.

Women Protection and Participation Laws/Policies in Pakistan Federal Ombudsman Secretariat for Protection against Harassment (FOSPAH)

According to Act No-IV of 2010, FOSPAH is an autonomous quasi-judicial statutory body that protects against workplace harassment. The Women's Property Rights Act, 2020 also allows FOSPAH to decide cases pertaining to women's inheritances.

National Level Laws/Policies in Pakistan

The Constitution of Pakistan, as per Article 25 (2), makes it binding that there will be no discrimination on the basis of sex. In pursuance of this, planning and policies for ensuring gender equality, women's rights, and empowerment have gradually evolved, considering their significant contribution to sustainable socio-economic development.

The Punjab Commission on the Status of Women (PCSW)

From 2012 to 2017, the Punjab Government introduced and implemented several significant measures to counter gender-based discrimination, violence against women, and economic and social empowerment for women. As part of the Government of Punjab's commitment to education, positive steps have also been taken to encourage and promote women's participation in the political process and in the workforce.

Recent Policy Initiatives for Women Empowerment in Punjab

In Punjab, women's rights are protected by the Constitution and other legislative measures taken by the Provincial Assembly of Punjab.

- Punjab Women Empowerment Package 2012 (PWEP)
- Punjab Women Empowerment Initiatives 2014 (PWEI)
- Punjab Women Empowerment Package 2016 (PWEP)
- Punjab Women Development Policy, 2018

Laws for the Protection of Women in Punjab

- Punjab Women Protection Authority Act, 2017
- Punjab Protection of Women against Violence Act, 2016
- Punjab Muslim Family Laws (Amendment) Act, 2015

- Punjab Family Courts (Amendment) Act, 2015
- Punjab Marriage Restraint (Amendment) Act, 2015
- Punjab Partition of Immovable Property (Amendment) Act, 2015
- Punjab Land Revenue (Amendment) Act 2015
- Punjab Fair Representation of Women Act, 2014
- Punjab Protection against Harassment of Women at the Workplace (Amendment) Act, 2012

Constitutional Provisions Regarding Fundamental Rights

The Constitution of the Islamic Republic of Pakistan provides equal rights, and the chapter on Principles of Policy underlines the principle of equal rights and equal treatment for all citizens/persons without any distinction, including on the basis of sex.

Following articles of the Constitution of the Islamic Republic of Pakistan broadly cover women's rights:

- Article 3 calls upon the State to eliminate all forms of exploitation.
- Article 4 provides for the right of individuals to enjoy the protection of the law and to be treated in accordance with the law.
- Article 25 ensures equality before the law and equal protection of the law and states that there shall be no discrimination on the basis of sex alone.
- Articles 25(3) and 26(2) allow the state to make special provisions for the protection of women and children.
- Articles 26 & 27 provide for equal access to public places and equality of employment in the public and private sectors.
- Articles 11 & 37 (g) prohibit trafficking in human beings as well as prostitution.
- Article 32 makes special provisions for the representation of women in local government.

Women Protection and Participation Laws/Policies in India

Several organizations, bodies, and policies are working in India for women's protection and participation, some of these are:

1. National Policy for The Empowerment of Women (2001)
2. EmpowHER India (Empowering Women Transforming Villages)

National Policy for The Empowerment of Women (2001)

The principle of gender equality is enshrined in the Indian Constitution in its Preamble, Fundamental Rights, Fundamental Duties, and Directive

Principles. The Constitution not only grants equality to women but also empowers the State to adopt measures of positive discrimination in favor of women.

The women's movement and a widespread network of non-governmental organizations with strong grassroots presence and deep insight into women's concerns have contributed to inspiring initiatives for the empowerment of women.

Women Protection and Participation Laws/Policies in Bangladesh

Bangladesh has several special laws specifically prohibiting certain forms of violence against women, including:

- The Penal Code, 1860
- The Anti-Dowry Prohibition Act (1980)
- The Cruelty to Women Ordinance (1983)
- The Suppression of Immoral Traffic Act (1993)
- The Prevention of Repression against Women and Children Act (2000)
- The Criminal Procedure Code of 1898
- Gender Violence: Laws under the Penal Code 1860
- Citizenship Act

Women's Rights in Law in Bangladesh

Under the 1972 Constitution of Bangladesh, women's rights are protected under the broad and universal principles of equality and participation. These principles are found in the following Articles in the Constitution:

- Article 10 of the Constitution provides that steps shall be taken to ensure the participation of women in all spheres of national life.
- Article 27 specifies that all citizens are equal before the law and are entitled to equal protection of the law.
- Article 28 (1) provides that the State shall not discriminate against any citizen on grounds only of religion, race, caste, sex, or place of birth.
- Article 28 (2) more directly and categorically says that women shall have equal rights with men in all spheres of the State and public life.
- Article 7 of the Constitution declares that any existing law of the state which is inconsistent with any provision of the Constitution shall be void.

Conclusion

To safeguard the rights of women, considerable effort is still required by the South Asian governments. There is a positive trend towards improving women's empowerment. Indicators show that the enrolment of women in

tertiary education is slow but gradually improving. There is now a growing consciousness at the national and sub-national levels that women have the right to protection from their families, the State, and society, regardless of their status as minors. The governments are attempting to develop policies and laws for the implementation of CEDAW. However, these policies and laws are often disjointed from the reality on the ground. Though efforts are underway, there is still room for additional changes.

Recommendations

The results of the above-discussed indicators show a large gap between the formulation of the law and the implementation of CEDAW in South Asia. While governments understand their responsibility to implement UN CEDAW, they do not contribute effectively to ensuring its effective implementation. Many initiatives appear to be disjointed or ad hoc. The following initiatives are recommended for properly implementing CEDAW:

Develop a National Strategy

To implement Articles of the UN CEDAW, countries should develop and implement comprehensive national strategies, policies, or plans of action. All stakeholders involved in the implementation process should be considered, including the judiciary, prosecution, police, and lawyers.

Develop & Enforce Legislative Measures

Establish laws preventing, prohibiting, and eliminating all forms of violence against women, ensuring their alignment with other international and regional laws.

Reinforce Regional Cooperation

Regional cooperation is crucial for sharing experiences and good practices, as well as providing mutual assistance among members on the implementation of the UN CEDAW articles throughout the South Asian region through the active participation of the Pakistani government at all levels of the UN office.

Prevention

Addressing the root causes of violence requires more focused efforts on prevention, considering immediate risks and protective factors by actively engaging with the police and other law enforcement agencies of the provincial social welfare departments.

Data Collection

A systematic national research and data collection system for violence against women should be developed by the Social Welfare departments in collaboration with the Home Departments of the provinces. By examining the evidence generated, members can take the most effective actions, allocate resources for ending violence against women, and measure progress over time.

Professional Training & Learning

All professionals who work with or for women should build their capacity to prevent, detect, and respond to violence against women, especially those working in the police and prison system.

Women Care Standards

Ensure that standards are developed for caregivers and alternative care arrangements, especially in pre-arrest institutions, Shelter Homes, and Safety Houses. Independent bodies should monitor and regulate institutions providing care, education, and protection for women under the supervision of the provinces.

Reporting

A proper reporting system is required that is safe, well-publicized, confidential, accessible, and women-friendly with the help of social welfare, the police, the judiciary, prisons, and prosecutions. Women and their representatives should be able to report any form of violence against women.

Referral Mechanism

Clear procedures should be drafted and defined for the referral of women victims of violence under articles of UN CEDAW for all departments involved in the process of women in conflict with the law through a unified database system and modalities for inter-agency cooperation concerning the assessment and follow-up of each particular victim.

Promote Community-based Sentencing Alternatives

Legislative amendments should introduce a broader range of sentencing options, including admonishments, community service work, guidance and supervision orders, compensation, and suspended sentences, for women in conflict with the law.

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Comparative Analysis of Role of Local Government in Metropolis Amongst Canada, India, Pakistan and China

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Abstract:

Governance of metropolitan cities is a significant challenge for countries globally. This research examines the role of local governments in Canada, China, India, and Pakistan, focusing on their successes and struggles in metropolitan and district-level governance. The study analyzes finance (tax collection, revenue generation), governance (decision-making and civic engagement with public accountability), service delivery (health, sanitation, police, firefighting, transportation, housing), and administration (public participation in locally elected administrations). It explores how developed countries like Canada and China manage local governance challenges through historical efforts, providing equal opportunities, financial and administrative autonomy, and public participation. In contrast, developing states like Pakistan face issues due to ineffective local governance systems, frequent political changes, and corruption. The research highlights alternatives and policy recommendations by comparing governance models, suggesting that Pakistan adopt principles from developed nations, emphasizing financial and administrative autonomy, a focus on metropolises, and public participation for improved services and governance.

Key words:

Metropolitan governance, Local government, Civic engagement, Public service delivery

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Introduction

The rise of the modern nation-state paved the way for laissez-faire governance at both central and local levels, allowing substantial self-government locally. New socio-political and economic pressures from globalization, rapid urbanization, and migration, as well as growing large metropolises, have led policymakers to review how to overcome these challenges (Rouse, 2006). Modern democratic systems demand public awareness, transparency, and participation in decisions affecting citizens' lives. These responsibilities and functions of the state gave birth to a new form of government called local self-government, aimed at making service delivery more effective. Almost all nations worldwide have adopted local self-government to extend the response and voice of the state at the grassroots level through legislation and executive orders to deliver services (Shah et al., 2006). Democracies emphasize local self-governing authorities to address local community issues at the grassroots level, supporting federal governments (Sisk, 2001).

States have adopted devolved government setups according to their demands and needs (Osiander, 2001; Shah et al., 2006). Developed states like Canada and China have successfully transitioned from centralized to local government models with fiscal decentralization, accountability, and true representation, best fitting local needs. In contrast, developing countries like Pakistan and India are still striving to cope with the challenges of fiscal decentralization, accountability, and service delivery. Despite extensive research by scholars and policymakers from both developing and developed countries to establish ideal local government parameters, there is no exact criterion for an ideal government (Shah et al., 2006; Donaldson, 2016).

Almost all modern nation-states have decentralized local governments to meet public demands at the doorstep. Moreover, in an era of globalization and complex interdependence, equitable economic growth depends on the quality of public service delivery. Countries like the USA, Canada, and Sweden have decentralized systems to reduce economic disparity and inequality, reduce poverty, ensure economic growth, and provide better living standards and employment opportunities for all (Manor, 1999). This is achievable only when power is shared between the center and lower levels for sustainable policy outcomes at the grassroots level (Malik & Rana, 2019). Local government is defined as solving public problems locally (Prof Laski). Local self-governance strengthens democracy by extending government to the doorstep and providing better problem-solving through public engagement in decision-making (Manor, 1999). "Local self-governance represents the rights and capability of local authorities to manage public affairs under the constitution for the community's welfare" (European Charter of Local Self-Government, Part I, Article 3).

The aims and objectives of this study are to highlight the comparative analysis of Canada, China, India, and Pakistan under three main circumstances: the evolution and sustainability of territorial structure, responsibilities and power-sharing between the center and grassroots level, management and finances, and local democracy along with the election process. Additionally, this research aims to highlight the governance of large metropolises in Pakistan, addressing emerging challenges such as financing and decision-making issues due to rapid urbanization, health and sanitation, drinking water supply, communication, law and order, and housing (deSouza, 2003).

Problem Statement

The role of the local government system in providing essential public services at the grassroots level is crucial worldwide (Shah, 2006). Developed countries like Canada and China have decentralized their governance structures, granting significant financial and intergovernmental autonomy from the central government. Conversely, developing nations such as Pakistan and India face ongoing challenges including fiscal constraints and heavy dependence on federal financial support. Scholars and policymakers have conducted numerous studies across different countries to define ideal parameters for effective local governance, yet due to diverse state natures and geographical variations, a universal criterion remains elusive (Shah et al., 2006). This study aims to establish comparative parameters for understanding the local government systems of Canada, China, India, and Pakistan, each tailored to their specific governance needs and structures. Key principles underpinning successful local governance—such as service delivery, public policy formulation, financing, and governance structure—are examined (Donaldson, 2016). The research focuses on four main indicators to assess the effectiveness and sustainability of local governments in both developed and developing contexts, emphasizing lessons that Pakistan can learn from Canada and China. It explores how these countries manage public service delivery, administration, policy-making, and local finances, particularly in governing large urban centers and local communities.

Significance of the Study

This study addresses a pressing issue in today's political landscape: the increasing demand for doorstep public service delivery across all political systems. It seeks to investigate the decentralization processes in both developed and developing countries, focusing on specific parameters to assess the effectiveness of local governments. Local governments have become pivotal in enhancing the quality of life within their communities. This research elucidates the key features of successful local governance that strengthen democracies, while also highlighting significant

challenges in Pakistan's decentralization efforts. The study aims to provide policymakers with insights to address critical issues within the local government system and formulate successful policy outcomes. Its objective is to highlight challenges faced by Pakistan's local government system, urging policymakers, local authorities, parliamentary members, and administrative officials to consider adopting effective policy options from models seen in developed countries.

Research methodology

This research employs a qualitative, descriptive, and historical approach to explore the evolution of local government in both developing and developed countries. The study aims to highlight challenges faced by local self-government and analyze governmental responses. Data were gathered from secondary sources, including scholarly articles, books, government websites, interviews with officials, and newspaper articles. The researcher also examined ongoing developments and historical experiences of local government under various civil and military regimes.

Literature Review

Local government system in China

China's political structure is rooted in the socialist system introduced by Mao Zedong, characterized by centralized government control. The National People's Congress (NPC) serves as the highest decision-making body at the central level, overseeing an administrative system divided into four tiers: provincial, municipal, county, and township (Zhong, 2015). Delegates to the People's Congress are chosen indirectly by the population, with central government appointing members (Swift, 2004). The administrative hierarchy includes the central government, provincial governments (23), municipalities (4), counties, and townships.

Joseph and Xiang (2014) note that both metropolises and county-level administrations are governed by the central government through the People's Republic of China (PRC), with specialized agencies handling various functions such as transportation and family matters. Local administrative structures in provinces are organized into counties, wards, and town municipalities, with city governments in small and large cities acting as intermediaries between provincial and central authorities. Major cities like Shanghai, Beijing, Wuhan, and Hong Kong are focal points for economic development, attracting foreign investment and aiming for high living standards (Joseph & Xiang, 2014). While local governments in China implement central policies, they wield significant autonomy in decision-making (Joseph & Xiang, 2014).

China's decentralized fiscal system has proven effective in generating and implementing economic projects directly benefiting the population. Local revenues are primarily derived from taxes on agricultural income, real estate, collective enterprise income, and individual goods and services (Joseph & Xiang, 2014). However, criticism persists regarding the lack of public rights, as local governance in China restricts freedoms of speech, religion, and security, a concern frequently raised by Western critics. Despite these challenges, China remains the world's second-largest economy with one of the fastest GDP growth rates, driven by strategic economic initiatives, infrastructure development, and adherence to legal frameworks (Lardy, 1994; Swift, 2004). County-level governments in China are entrusted with responsibilities spanning health, education, security, legal affairs, rural development, finance, ethnic affairs, and family planning, with authority to make decisions and discipline administrative members who violate national regulations.

Local government system in India

The Democratic Republic of India is divided into three tiers:

- Central government.
- States and Union territories (28).
- Local level.

The local government in India is further subdivided into various districts, sub-districts, and blocks with specific names given below:

- | | |
|--|-----------------------|
| • Rural | Urban |
| • (Village) Gram Panchayats | Municipal council |
| • (Sub-districts and block) Panchayat Samiti | Municipal committee |
| • (District) Zila Parishad | Municipal corporation |

At the local level, urban areas have municipalities and rural areas have Gram Panchayats, guided, motivated, and supported by the central government. These entities are directly supervised by the state government through the Ministry of Housing and Urban Affairs and the Ministry of Panchayati Raj, respectively. At the state level, a ministry oversees acts, laws, by-laws, manuals, and guidelines for localities (Mattahi, 1915). In urban areas, municipalities are classified into those transitioning to urbanization, municipal councils for larger towns, and town Panchayats for smaller towns. The functions of these local authorities include financial matters, revenue collection, tax collection, water supply, sewerage, waste disposal, etc. (Iqbal, 1976).

Non-elected officials such as the Commissioner are responsible for policy execution, while the Mayor serves as the political head of the district. At the village level, Gram Panchayats address issues such as water supply, schools, garbage collection, and community legal matters. A Gram Panchayat typically consists of approximately 420 households (Lee, 2021) and represents all village residents, constituting the lowest tier in the PRI system hierarchy.

Gram Sabha functions as the smallest unit, overseeing village-level legislative functions. The executive body of the Gram Panchayat consists of Panch and Sarpanch (depending on population), with the Sarpanch serving as the head of the Gram Sabha. The Panchayat Secretary oversees all correspondence at the village level. Gram Sabhas manage drinking water, sanitation, agricultural welfare functions, and a total of 29 subjects covered by these local bodies. Members are elected for four-year terms, with the Sarpanch elected as the head of all villages by the Panch members of each village (Joseph & Xiang, 2014).

Panchayat Samiti or Zila Parishad operates at the district level, where elected council members oversee legislative affairs. The Sarpanch, elected from several villages, formulates laws and policies for the district. The executive head, such as the AIS officer or Commissioner at the district level, manages budget estimates and oversees the District Planning Committee, which bridges the gap between central and state-level governments, receiving funds from the central government. While local revenue collection falls under the jurisdiction of the Collector for states, both India and Pakistan suffer from low tax ratios, highlighting a major shortcoming. In contrast to developed countries, where public policies are formulated from the bottom up, many legislative bodies and decisions in India are made at higher levels, often resulting in ineffective policies (Lee, 2021).

In major cities, the Maha Nagar Municipal Corporation oversees municipal functions. Municipalities were constitutionally incorporated into India in 1992. City governments in India are categorized into three levels: small, medium, and large, with the Mayor serving as the head of the municipality. Executive functions are managed by AIS officers such as Municipal officers and Commissioners, alongside elected legislative members and technocrats who contribute to the legislative process but do not participate in decision-making. Cities are divided into ward constituencies, with the political role of the Mayor being honorary. Municipal budgets are prepared under these local bodies, with councilors deliberating on matters related to roads, public health, and other topics

overseen by the election commissioner at the Nagar Panchayat city government (Lee, 2021).

Local government System in Canada

Canada operates under a parliamentary democracy with a bicameral legislature consisting of the Senate (105 members) and the House of Commons (338 members), with the Prime Minister as the head of government. Further decentralization extends to local government systems within each province. Powers are constitutionally divided between the federal government and the provinces, comprising 10 provinces each governed by various legislative acts (Plunkett, 1961). The Canadian Constitution, through Section 92(8) of the Constitutional Act of 1867, empowers provinces to legislate and formulate policies for their respective jurisdictions.

Local governments within each province in Canada operate under various models at the grassroots level, organized into 143 regions and 3,700 to 4,500 local communities including counties and wards, with elected terms typically lasting four years. The Canadian local government is structured into unique systems:

- Single-tier government: A single municipality responsible for all municipal services within defined boundaries, common across Canada for both large cities and small rural villages.
- Two-tier government: Found in regions like British Columbia, Ontario, and Quebec, where a higher-level government agency oversees lower-level municipal authorities, sharing responsibilities (Local Government System in Canada, 2021).
- Multi-tier government: Similar to two-tier, but with additional layers providing national and local services respectively (Spicer, 2022).

Each tier of local government in Canada manages essential functions such as revenue and tax collection, policing, public transportation, fire protection, sanitation, and sewerage systems (Dawson et al., 1989). The financial commissioner serves as the executive officer in each municipality. Canada's constitutional history of local governance dates back to the Municipal Government Act of 1994 and the City Regulation Charter of 2018 (Taylor et al., 2020).

Provincial governments in Canada oversee domains including education, health, direct taxes, prisons, property, and civil rights, while municipal governments manage services like safe drinking water, libraries, parks, local police, roadways, garbage collection, registration fees, licenses, permits, and parking (Statistics Canada, 2022). The Canadian system is notably successful due to its bottom-up policy-making approach: community issues are addressed through public participation and

decision-making processes tailored to local needs. For instance, waste management involves specific collection units like blue (recyclables), black (general waste), green (organic waste), and brown (garden waste), ensuring effective household waste management as scheduled by municipal governments. Property taxes constitute the primary local income source, reinvested into community development.

Local government System in Canada

Pakistan has a protracted political history marked by frequent regime changes since its inception in 1947, including three constitutional setups in 1954, 1962, and the current constitution of 1973, which features a parliamentary bicameral legislature comprising the Senate (100 members) and the National Assembly (342 members). The Prime Minister holds the official head of state position with delegated powers defined by the constitution. The government structure is organized as follows (Musarrat & Azhar, 2012):

- Federal government
- Provincial governments (four units, including FATA merged into KP and PATA Azad Kashmir)
- Divisional government
- District government
- Tehsil government
- Village-level government

The first local government was introduced by General Ayub Khan (1959-1969), followed by a second setup initiated by Zia-ul-Haq, who introduced Local Government Reforms from 1979 to 1985 through the promulgation of Local Government Ordinances (LGOs). Subsequently, General Pervez Musharraf introduced the Local Government Ordinance of 2001, establishing a three-tiered local government structure comprising provincial, district, tehsil/town, and union council administrations. More recently, new municipal government setups were introduced at the grassroots level in 2013, 2015, and subsequent revisions in all provinces have brought significant changes to previous local government acts. However, the government has yet to achieve the true spirit of local governance, which is a fundamental indicator for sustainable and effective governance (Arif et al., 2010).

Fundamental features of an effective local government system

For successful local governance, we require sustainable government at the grassroots level. Following revolutionary changes in political systems during the 1990s, the need for local governance became central for all

communities. Local governments worldwide flourished due to rapid urbanization, increased migration to metropolises, improved health facilities, and education.

Financial Management

The developed states provide financial transparency and accountability at the local level. The government of Canada, in this context, operates autonomously and possesses sufficient economic resources at the regional level. The Canadian government generates revenue through property taxes, while the central government functions independently at the federal level. Despite its highly centralized system, the Chinese government has adopted a policy of less interference in local finance and budget matters (Jabeen et al., 2016).

Good Governance

Good governance refers to how governments respond to public issues through their institutions. At the state level, good governance pertains to how administrations effectively run government machinery (Khan, 2020) and gauge public satisfaction with governmental responses in modern societies (Guess, 2005). Local governance encompasses local and marginalized communities, resolving problems through effective administration and ensuring public satisfaction in all democracies.

Service Delivery

One of the most crucial functions of a welfare state is meeting public demands and needs through optimal service delivery (Agagu, 2004). Understanding the role of local government in service delivery and governance has gained momentum in scholarly circles (Shah et al., 2006). Scholars, policymakers, and development experts from both developed and developing nations endeavor to establish necessary infrastructure for achieving ideal local government states, concurrently enhancing governance and service delivery. Canada and China strive to enhance income and employment opportunities at the local level (Donaldson, 2016).

Administration

Administration primarily concerns the formulation of policies, plans, and their implementation across all government institutions from top to bottom. Effective administration ensures the success of an enterprise (Khan, 2020). Locally elected administrations make decisions and policies with public participation. Fiscal decentralization, a key factor achieved through power transfer, is evident in Canada's political system, as well as in the USA and Australia. In contrast, the old British bureaucratic system persists, where authorities are often resistant to change. For instance, the Zia and Musharraf governments in Pakistan struggled to implement basic administrative reforms (citation needed).

Comparative Analysis of China, India, Canada & Pakistan

Different Modes of Governance (A Conceptual Perspective)

The basic difference among all the countries lies in their modes of governance. Canada operates with a parliamentary system featuring a bicameral legislature (Senate and House of Commons), further decentralized into local municipalities. China maintains a highly centralized government with the President as the top administrator, overseeing both central and local leadership. India's political structure includes the President and a bicameral legislature (Council of States and Lok Sabha), while Pakistan follows a parliamentary form of government with a bicameral legislature (Senate and National Assembly) (Lopes & Farooq, 2020). Canada and China have effectively managed metropolises like Beijing, Shanghai, and Toronto through specialized municipalities, promoting better urban and rural life. Conversely, India and Pakistan face challenges in integrating governance models at the local level, with their local governments often politically immature and subordinate to bureaucratic control.

Canada: Municipal Management and Local Governance - A Service Delivery Perspective

The Canadian government provides extensive municipal services across various regions through public-private partnerships. As previously discussed, Canada's governance structure is organized into smaller units such as villages, towns, wards, counties, and metropolitan municipalities. Each province and region operates under various tiers including single-tier, two-tier, and multi-tier governments. Locally elected representatives, known as councilors, select executive heads like Mayors and Deputy Mayors, along with boards of directors and elected and non-elected members. These municipalities manage functions such as recreational parks, transportation, policing, land management, schooling, parks, sewage, and sanitation systems. Regional districts coordinate larger services such as land use planning and waste management, overseen by boards of directors and electoral area directors, with the chair elected by the council. Property taxes form the primary revenue source, ensuring fiscal autonomy and administrative self-sufficiency. Canadian municipalities report activities frequently for accountability and transparency to the federal government, covering security services, road maintenance, water supply, sanitation, waste disposal, park maintenance, land management, and property taxation. The Canadian approach emphasizes community engagement in policymaking, employing a bottom-up approach for effective results (Spicer, 2022).

China

China operates under a highly centralized unitary government structure. The Chinese constitution delineates governance into five tiers: provincial governments, autonomous regions, municipalities, special administrative zones, and prefectures. Local governments further divide into smaller units such as counties, townships, and village municipalities. Major cities like Beijing, Tianjin, Shanghai, and Chongqing are directly controlled by the central government. From March 1998 to 2000, China undertook significant administrative reforms aimed at enhancing grassroots service effectiveness. The government established special economic zones in major cities to drive socioeconomic growth and alleviate poverty, particularly since the 1960s. Municipalities are led by mayors under central government supervision, with ultimate organizational authority resting at the municipal level. Local governments generate revenue through property, agricultural, and individual income taxes, as well as through finance department-managed joint ventures. While local governments determine their budgets, they receive substantial allocations from the central government (Joseph & Xiang, 2014).

India

India, the world's largest democracy by population, operates under a political system divided into central and state governments. The central government manages functions such as finance, defense, railways, and other nationwide concerns. The power division allows states to handle issues inaccessible to the central government directly, leading to the creation of local governments addressing water supply, drainage, sewerage, public transport, birth registration, and marriage registration. Local governance in India aims at political decentralization, direct democracy, and devolution of powers to local communities. The Panchayat system, integral to the Indian constitution, operates at the village level, with the Gram Sabha serving as the smallest legislative unit. Executive bodies like Gram Panchayat members, Panch, and Sarpanch (depending on population size) oversee drinking water, sanitation, and agricultural welfare, among other functions. These bodies are elected for four-year terms, with the Sarpanch as the highest local leader implementing policies (Aijaz, 2008). At the district level, Panchayat Samiti or Zila Parishad serves as the legislative authority, with elected representatives making laws and policies. An AIS officer, such as the District Commissioner, serves as the executive head, managing budget estimates and overseeing the District Planning Committee's role in bridging central and state governments. While local revenue collection remains a state responsibility, India and Pakistan face low tax ratios compared to developed countries, largely due to top-down policymaking approaches, hindering policy effectiveness (DeSouza, 2003; Biswas, 2020).

Metropolitan Municipal Corporations in large Indian cities, incorporated into the constitution in 1992, operate under a three-tiered government system, with mayors leading municipalities and executive functions managed by AIS officers such as municipal officers and commissioners. Legislative bodies include elected members and some technocrats, although technocrats do not participate in decision-making (Biswas, 2020).

Pakistan

Pakistan's political history features frequent regime changes and varying local government structures, with constitutional setups in 1954, 1962, and 1973. General Ayub Khan introduced the first local government in 1959-1969, followed by General Zia-ul-Haq's Local Government Reforms (LGOs) in 1979-85 and General Musharraf's LGO 2001, establishing three-tier local governments comprising central, provincial, district, tehsil/town, and union council administrations. Contemporary governments have introduced new local government acts in 2013 and 2015, with provinces recently enacting vigorous changes to previous local government legislation. Despite these efforts, Pakistan has struggled to achieve the quality of good governance essential for sustainable development (Arif et al., 2014). The 2021 Local Government Act introduced two-tier governments by each province according to their needs, with KP recently adopting a system comprising Village/Neighborhood Councils and Tehsil governments. Village council members are directly elected, with chairpersons leading Village/Neighborhood Councils and serving as part of the Tehsil government. Tehsil mayors are directly elected through adult franchise, overseeing municipal functions and services (Javed et al., 2020). Municipal services include tax collection, regional and local development, birth, marriage, and divorce registration, sanitation, sports, and cultural events. Unlike China and Canada, Pakistan's local governments rely heavily on provincial funding, with most legislative powers subject to provincial approval (Cheema et al., 2010).

Success Stories of Metropolises in Canada and China

Canada: The global cities index shows that more than four cities in Canada are among the top 100 cities in the world. The survey report is based on their current conditions and policies, including living standards, security, healthcare services, employment, housing, etc. Toronto is a mosaic cultural city, ranking 18th in the world best city index (Batool, 2014). According to the Gallup World Poll survey, in comparison with developed countries, Canadians are more optimistic about the government and their institutions. Regarding education and health services, 3 out of 4 citizens show satisfaction, with 71% considering the quality of education the best. Living standards have improved by 14% over the last two decades. The city of Ottawa ranked 43rd

on the global prosperity index and 11th in better education. The Canadian government frequently reviews policy programs based on regional council responses. For accountability to the federal government, external evaluations are conducted through Auditors-General and private consultants to highlight inefficiencies within each project, based on their current conditions and policies, such as living standards, security, healthcare services, employment, and housing (Musarrat & Azhar, 2012).

China: China is one of the fastest-growing countries, with explosive growth in big metropolises such as Beijing, Shanghai, Guangzhou, and Shenzhen. In 1978, Shanghai's economic growth was 27.3 billion Yuan, which has since jumped to 3.3 trillion Yuan with enormous economic growth. The main factors behind these cities' growth and prosperity include administrative reforms since 1979, a special focus on large cities for economic uplift, and gradual changes in governance models.

The challenges in big cities of Pakistan and India

Pakistan: Among the urbanized countries of South Asia, Pakistan is one of the most urbanized. According to the IGC report (Javed et al., 2020), by the end of 2030, more than 250 million citizens are expected to live in metropolises. As these cities are major sources of employment opportunities, migrants are attracted to better lives and access to services. Urban cities in developed countries are major sources of income and contributors to GDP, such as China, where 63% of cities contribute 89%, and India, where 30% of the urban population contributes 58% to GDP. In Pakistan, 38% of the urban population contributes only 55% to GDP. The most daunting challenge for policymakers is the issue of physical insecurity. In megacities, the major challenges are policing, maintaining law and order, and curbing militancy (Musarrat & Azhar, 2012).

Political polarization: The government faces major challenges in big cities such as Karachi, Lahore, Mumbai, and Delhi. The new policies of each government disrupt the development chain in the cities and metropolises. On the other hand, rampant corruption further aggravates the situation. The history of Pakistan's local government system shows that most local government systems were introduced by military regimes, such as Ayub Khan in 1962 with the BD system, and Zia and Musharraf also introduced local self-government.

Housing shortage: According to a study by Hasan (2002), all major cities in Pakistan were facing a housing shortage of about 4.4 million in 2015. In the future, the cities will face a 78% housing shortage throughout the country.

Water crises and sanitation: The supply of water is 4 to 16 hours per day in most Pakistani cities (Ahmed, 2009). About 90% of the schemes are not safe

for drinking water (Asian Development Bank [ADB]). The disposal and management of solid waste services are not up to standard (Hasan, 2002).

Transportation: Karachi is one of the megacities without mass public transport. People live in unplanned inner-city neighborhoods. The urban roads are congested due to increased private transport.

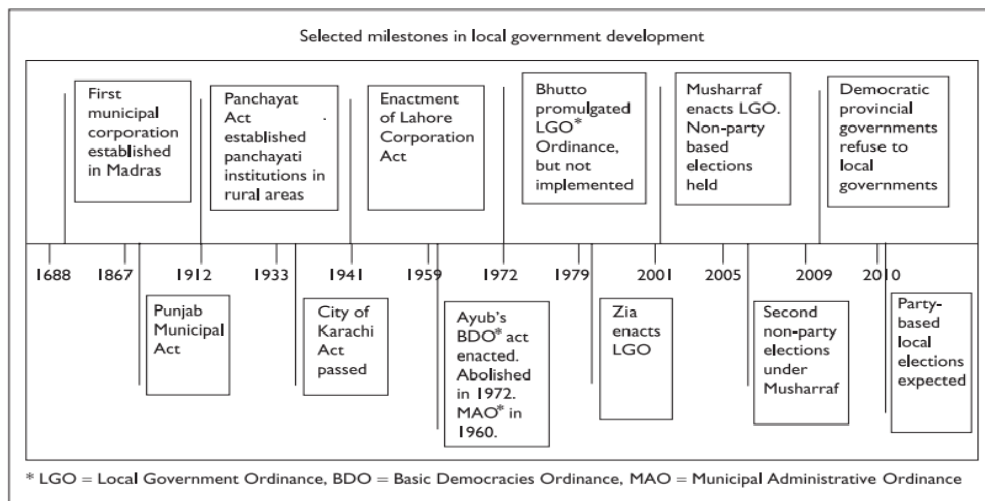
Poor health: The rural population is not as healthy and well-nourished as the urban population. According to the WHO city index for air quality, Karachi and Lahore are among the most polluted cities in Pakistan. The high levels of air pollution in Lahore and Karachi jeopardize human lives through various infectious diseases (Sabiha et al., 2008).

Unsatisfactory education system: Schools in urban areas are readily available, resulting in higher student enrollment and better learning outcomes. People are compelled to move to big cities due to the unavailability of educational and health facilities in smaller cities.

Land management: The absence of an organized land record system results in poor urban land management. Most cities have housing shortage issues. Cities like Karachi, Lahore, Mingora, Peshawar, and many others lack land management. Rapid urbanization has also affected agricultural lands (Ahmed, 2009).

A brief history of Pakistan local government

The first local government system in Pakistan was introduced by the British government under Lord Ripon in 1892. The history of local governance before and after independence in Pakistan is outlined below (Salem & Iftikhar, 2012).



Source: Adapted from Cheema et al., 2005

Ayub Khan Era

The first local government setup was introduced by the first Martial Law administrator, General Ayub Khan, soon after declaring martial law on October 7th, 1958, to subjugate civilian supremacy (Musarrat & Azhar, 2012). President Ayub, following his takeover, initiated bold measures to gain public support and legitimize the military regime in the country. He introduced the Basic Democracies (BD) system, comprising 80,000 members as an Electoral College for nominating national and provincial members, alongside the President (Batool, 2014).

Zia Ul Haq Era

Political emergencies in Pakistan led to another military intervention in Pakistan's politics during the government of Zulfikar Ali Bhutto, which was overthrown on July 5th, 1977, by Zia-ul-Haq (Jalal, 1995). According to the ordinance, the local government comprised the following tiers:

- Two tiers at the rural level
- Four tiers at the urban level
- Union Council at the village level (rural areas)
- Zila Council (rural areas)
- Town Committee (urban areas)
- Municipal Committee (urban areas)
- Municipal Corporation (urban areas)
- Metropolitan Corporation Karachi, Lahore (urban areas)

Musharraf Era

The subsequent local government system in Pakistan was promulgated by military leader General Pervez Musharraf through the Legal Framework Order (LFO) after assuming power on October 17th, 1999. The local government system was structured into three tiers as follows, empowering Nazim and Naib Nazim as heads of the district government (Hasnain, 2008) and (Local Government Ordinance, 2001):

- District-level government
- Tehsil-level government
- Union Council-level government

Local government reforms after 18th amendment and provincial autonomy

The remarkable 18th amendment was a commendable step by the civilian (PPP) government on April 8th, 2010, towards civilian supremacy. The amendment opened the doors for provincial autonomy. However, the civilian government still remains hesitant about actual decentralization.

The 7th NFC award was another milestone for transparent and equitable sharing among all provinces (Chandio, 2014).

Intra-provincial Comparisons in the Local Government System in Pakistan

After the 18th amendment passed by the Government of Pakistan on April 8th, 2010, under Article 140A, provincial autonomy was provided. All provinces were empowered to develop a local government system and transfer power to local communities to strengthen democracy and political stability in Pakistan (Siddiqi, 2020).

Structure of Local Governments at the Provincial Level

Each province adopted a local government system according to its needs. KP, Sindh, and Balochistan have a tenure of 4 years, whereas Punjab has a tenure of 5 years. Currently, the PTI government has introduced new measures in various provinces by enacting new local government acts such as the KP Local Government Act 2022 and the Punjab Local Government Act 2021.

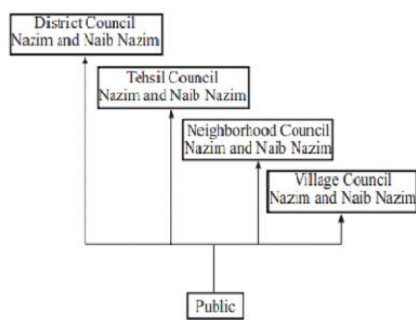


Figure-1: KPK Local Government Act 2013, Structural Breakdown.

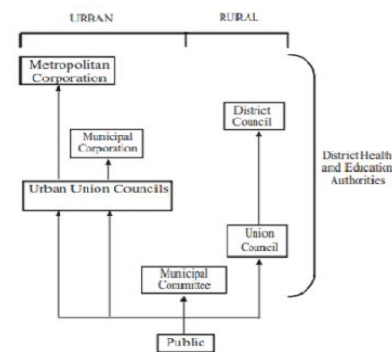


Figure-2: Punjab Local Government Act 2013, Structural Breakdown.

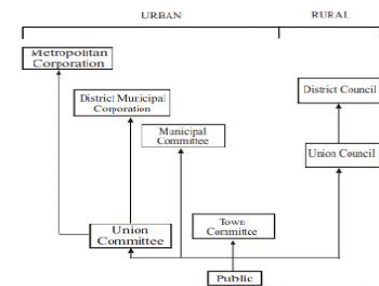


Figure-3: Sindh Local Government Act 2013 Structural Breakdown.

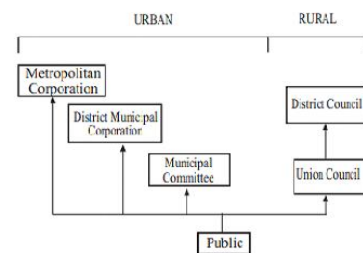


Figure-4: Balochistan Local Government Act 2010, Structural Breakdown.

Source: Adopted from Kalia, S. (2016).

Figure 1: Local Government System at Provincial Level till 2018

Khyber Pakhtunkhwa

The KP government further amended the Local Government Act 2013 to 2022. The recent local government act devolves governance to the Tehsil level by eliminating the District tier and appointing city mayors in 7 divisions. Previously, the local government setup in KP consisted of Neighborhood, Tehsil, Town, and District tiers. The new KP local government system is based on two tiers: VC/NC and Tehsil government across 35 districts, with City Local Mayors at 7 divisional headquarters (KP LG Act 2022).

- Union Council and Village council.
- Tehsil government (129)
- City government at (07) Divisional headquarters.

Baluchistan

Similarly, the Baluchistan government amended the Local Government Act 2015 to 2019, incorporating the following changes:

- Union Councils at village level (584).
- District Councils at district level (30).
- Municipal Corporations in cities, such as Quetta (01).
- Municipal Committees in towns (51).

Sindh

The Sindh government amended the Local Government Act from 2017 to 2021, resulting in a new government setup divided into 30 districts and 7 divisions:

- Metropolitan Corporation in big cities like Karachi.
- District Municipal Corporations in rural areas.
- Municipal Corporations in urban areas.
- Municipal Committees at urban level.
- Town Committees for urban areas.
- Union Committees for wards in urban areas.
- District Council and Union Councils in rural areas.

Punjab

The Punjab government recently replaced the old Local Government Act of 2018 with the 2021 version, covering 36 districts and 9 divisions:

- Rural areas: 36 districts.
- Divisions: 9 divisions.

- Metropolitan Corporation (Rural Urban).
- Municipal Committee (Rural Urban).

According to the notification, the Punjab government has also appointed local government administrators in all districts, with Lahore designated as the Metropolitan Corporation. It is pertinent to mention that the Punjab Local Government Ordinance 2021 expired on June 8, 2021.

Elections Process

The new local government setups nationwide are based on party-based elections.

Municipal Powers and Functions

Khyber-Pakhtunkhwa

Previously, powers were exercised by the District Nazim and Naib Nazim, along with District members at each VC/NC. The recent reforms have further devolved authority to the Chairman of Tehsil and City Mayors at Divisional Headquarters. These changes have caused confusion regarding power sharing between district and tehsil levels. All powers are now vested in the Tehsil Chairman for basic services like sanitation, housing, markets, roads, traffic, taxes, infrastructure, and public utilities. 20% of the budget is allocated to the tehsil level, with funds distributed by the TDC. The Assistant Commissioner serves as the principal accounting officer (KP LG Act 2022).

Baluchistan

Local elected councilors and the District Nazim oversee matters in each district, with City Mayors in cities like Quetta. Executive authority lies with provincial and federal administrations, including Assistant Commissioners and Tehsil Municipal Officers, responsible for financial and developmental activities.

Punjab

The principal accounting officer is empowered with significant authority and is responsible for coordinating between local and provincial governments (Malik & Rana, 2019). The Punjab Local Government Commission comprises five members, two nominated by the House leader and one by the opposition, responsible for annual inspections. Additionally, two technocrats and provincial secretaries conduct routine inspections and have the authority to suspend a mayor for up to ninety days.

Sindh

The Sindh Local Government Law empowers the provincial government to appoint Chief Executives to direct executive and administrative functions of councils. Chief Executives also issue licenses and permissions

for effective service delivery. The law allows the provincial government to supervise and direct councils in conjunction with regional directorates of local government. The recent reforms in Sindh empower the Mayor with additional powers compared to other provinces, appointing them as co-chairpersons of the Water and Sewerage Board and chairpersons of Waste Management Authorities (Malik & Rana, 2019).

Fiscal Powers

Fiscal powers are crucial for achieving local government objectives, with each provincial law relying considerably on discretionary fiscal powers. Sindh, Punjab, and Khyber Pakhtunkhwa have established Provincial Finance Commissions comprising technocrats and provincial ministers from elected local governments. These commissions consolidate funds from fines, taxes, and tolls for distribution as grants to provinces (Awortwi, 2011).

Gap Between Theory and Practice

There remains a gap between theory and practice in the overall local government system. While the constitution theoretically supports independent local self-government at provincial and local levels, the absence of clear rules threatens decentralization success in Pakistan. Despite the 7th NFC Award adopting a multi-factor criterion for resource distribution, its design still falls short.

Findings and policy lessons for Pakistan

Since the main aim and objective of local government is to provide self-sufficiency to local communities, developed countries such as Canada have successfully transferred power to the local level, resulting in better services. Local communities are empowered in decision-making, and policies are crafted according to public demands. This enables governments to gain support and trust from the public. Contrarily, revenue collection makes Canadian localities financially independent from the federal government. The local government systems in these developed countries are sustainable; continuous political socialization has raised public awareness about their rights and responsibilities towards the state. One of the most striking features in modern states is the shift towards e-governance, driven by the rise of e-communities, which facilitates rapid service delivery and enhances a country's attractiveness and capability for economic growth. Executive and political leaders are directly accountable to the public.

In contrast, the Chinese political system features a highly centralized government, albeit criticized globally. Nevertheless, the government has successfully implemented policies and services at the grassroots level, focusing particularly on major cities like Shanghai and Beijing, which

have contributed significantly to China's substantial GDP growth from 1970 to 2020.

On the other hand, the study identifies major challenges in developing states, particularly Pakistan's political structure. The following issues need addressing for better solutions:

- **Polarized Political Environment since Independence:** Successful democracies delegate power to local organizations. However, there is a gap between theory and practice in Pakistan. Military governments have historically transferred power to local communities to garner moral and political support, while civil governments have been hesitant, especially in 2010, due to the vested interests of provincial ministers. Sustainable local governance requires continuous local elections and regional autonomy for effective outcomes (Jabeen et al., 2016).
- **Issue of Civil Service Reforms:** Overpowered bureaucracy remains a significant issue in local communities, where financial matters are heavily controlled by administration. The solution lies in a top-down approach in public policy, but excessive political interference from politicians in administration hinders public service delivery.
- **Frequent Transfer of Power between Civil and Military Governments:** Pakistan's weak civil political setup has often empowered military regimes. The military has used local government as a means to legitimize its de facto rule, while civil governments have neglected local governance, reluctant to transfer political and financial power to the local level.
- **Bottom-Up Approach:** Developed countries involve communities in local issues through public representation, allowing problems to be identified at the grassroots level and discussed at higher levels for better policy and decision outcomes.
- **Accountability and Public Service:** Effective delivery of social services is crucial. Local management representatives can be more accountable, responsive, and accessible than higher-tiered politicians in provincial and federal assemblies, promoting better social services for communities.
- **Fiscal and Financial Constraints:** Local governments in Pakistan heavily rely on provincial and federal funds. While the provincial finance commission is a step towards empowerment, additional revenue sources are necessary. Public-private partnerships and voluntary contributions, as seen in Canada, can build public trust and generate revenue at the local level.
- **Emphasis on Metropolises:** Developing countries like China have prioritized big cities for economic prosperity and improved lifestyles. Similarly, Canada's focus on metropolises has led to significant GDP growth and global attraction. Pakistan, with 20 cities each with over

one million inhabitants, lacks dynamic and competitive cities. The future of modern states lies in well-managed cities.

Conclusion and Recommendations

The study concluded by comparing local government models in developed and developing countries, highlighting their successes and failures. It argued that Canadian and Chinese local governments provide better services such as health, education, revenue collection, and local issue resolution, benefiting from constitutional protections and autonomy free from federal and provincial controls. In contrast, Pakistan's history of decentralization reveals that major experiments with local governments, primarily conducted by non-representative military regimes, aimed to centralize power through decentralization to strengthen central authority (Khan, 2020).

The following are key conclusions and subsequent recommendations:

Challenges of Decentralization in Pakistan: Successful decentralization hinges on true autonomy granted to provinces and local authorities through public participation in problem-solving at the community level. However, local politicians and executive officials often exert control over local governments, limiting development opportunities for marginalized communities (Ahmad & Abu Talib, 2013). Despite the 18th amendment delegating authority to local governments, the central government still influences their decisions. While the 7th NFC Award aims for transparent and equitable resource allocation, funds still flow predominantly from the central government to local bodies. Additionally, the oversized central government and unbalanced departmental structures impede effective decentralization (Malik, 2016).

Absence of Sustainable Government: Local governments require sustainability to implement policies and foster socio-economic development. Canada has successfully adopted local self-government with substantial political and economic autonomy. In contrast, frequent political system changes and polarization in Pakistan undermine local government sustainability. Thus, Pakistan's government must provide sufficient political and economic autonomy to stabilize local political systems (Khan, 2020).

Financial Autonomy and Laissez-faire Policy: In Canada, the central government ensures local financial autonomy, fostering public trust through local tax contributions for services such as sanitation and property taxes. Conversely, Pakistan's provincial governments often interfere in local affairs, subordinating local governments financially. Constitutional protections akin to provincial governments are crucial for effective local governance in Pakistan; without fiscal autonomy, local governments cannot function effectively (Khan, 2020).

Public Policy Perspective: Developed countries adopt a bottom-up approach to policymaking, identifying issues at the grassroots level and implementing laws and decisions with minimal resistance. In Pakistan, policies are often centralized, lacking public participation and failing to address local issues effectively (Taj et al., 2020). Adopting a bottom-up approach could yield better policy outcomes at the local level, improving governance effectiveness nationwide (Kuzemko et al., 2020).

Challenges in Metropolises and Government Response: Cities worldwide face significant economic, environmental, social, and demographic challenges in the 21st century. In developed countries, cities not only drive economic prosperity but also attract global populations seeking superior lifestyles, services, health, education, and security (Saba et al., 2020). Conversely, Pakistani cities grapple with poverty, rapid urbanization, migration influxes, pollution, and health issues (Lopes et al., 2020). Addressing these challenges requires a committed, inclusive, and participatory urban agenda at the national level to enhance city living standards.

Institutional Reforms: Developed countries like Canada, Australia, and the USA have devolved legislative powers to local governments based on the theory of separation of powers, enhancing service delivery and governance outcomes. In contrast, developing countries often centralize legislative and political powers, hindering effective local governance (Taj et al., 2020). Pakistan urgently needs robust institutional reforms at both national and local levels to ensure efficient management and participatory governance at the local level.

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Comparative Analysis of Various Judicial Systems across the World and Their Effectiveness

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Abstract:

This paper explores the comparative efficacy of global judicial systems through an analysis of major legal traditions, focusing on China, Pakistan, the USA, and France. It examines how these systems, influenced by Romano-Germanic, Common Law, and Socialist legal families, adhere to historical norms and impact the rule of law. The study highlights that while the US and Pakistan are influenced by the British Common Law system, Russia and China align more closely with the Romano-Germanic tradition. Key findings include the impact of adherence to particular legal families on judicial effectiveness and efficiency, supported by the World Justice Project (WJP) Rule of Law Index and corruption perceptions. Recommendations emphasize the need for Pakistan to enhance justice delivery, combat corruption, protect fundamental rights, establish robust witness protection, and involve public stakeholders in policy-making to improve its Rule of Law standing.

Key words:

Legal Traditions, Judicial Systems, Rule of Law, Comparative Analysis, Corruption

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Introduction

An effective justice system is essential for safeguarding citizens' fundamental rights and upholding the rule of law. Central to the rule of law is the principle that laws must be known and accessible to everyone, ensuring equality before the law. This principle underpins the system of checks and balances among the three main branches of government: the legislature, the executive, and the judiciary. This paper explores and evaluates the efficacy of legal and judicial systems across different jurisdictions. A state's legal and judicial framework includes the rules, procedures, and institutions that facilitate public initiatives and private actions through lawful means (Alvencia, Kelly & Demarest Law Firm, 2018). Although judicial systems worldwide have evolved uniquely, they often align with certain well-established norms of justice. Most contemporary legal systems are influenced by one of three primary legal families: the Romano-Germanic family, the Common Law family, or the Socialist Law family (Brierley, 1985). Additionally, some less prominent systems are inspired by religious laws, customary laws, or hybrid models.

Section 1 of this paper introduces and provides a comparative analysis of major precursor groups influencing current judicial systems globally. The second section examines specific judicial systems to offer a comparative paradigm. Section 3 presents epistemological arguments in comparative law with a focus on China, Pakistan, the USA, and France. The paper also addresses the concept of **famille juridique** (Legal Family), demonstrating how states adhere to particular legal and judicial models despite global legal diversification. Finally, the paper investigates whether adherence to a specific judicial system impacts the effectiveness and efficiency of the rule of law in various jurisdictions.

Problem Statement

The judicial system is fundamental to a state's legitimacy, embodying citizens' trust and safeguarding their basic human rights. However, it is an unfortunate reality that litigants often face numerous obstacles and challenges when seeking justice. This research aims to examine various legal systems across different jurisdictions and their impact on the rule of law. Specifically, the study will explore whether adherence to a particular predecessor judicial system affects the effectiveness and efficiency of the rule of law in a given jurisdiction and, if so, how this influence manifests.

Scope of the Study

The primary objective of this research is to enhance the judicial system in Pakistan. The findings will be compiled into a report for relevant authorities, recommending best practices observed in major jurisdictions worldwide. This report will be instrumental in shaping policies, establishing rules, and

implementing new laws within Pakistan. Additionally, it will provide insights into potential amendments to budgetary trends to address public grievances effectively. The research aims to open new avenues for training and future studies, ultimately contributing to judicial and legal reforms. By highlighting existing problems, the report aspires to improve the delivery of justice services.

Review of Literature

The literature on global justice systems is extensive. Key sources consulted for this study include:

1. **Osama Siddique:** *Pakistan's Experience with Formal Law* – Discusses legal practices in District Lahore and Punjab. **Fida Mohammad:** *The Hegemonic Role of the Criminal Justice System in Pakistan* – Explores the criminal justice system in detail. **Vajahat Masud:** *A Journey through the Criminal Justice System in Pakistan: Right to Fair Trial* – Focuses on fair trial issues in Pakistan.
2. **Hamid Khan:** *A History of the Judiciary in Pakistan* – Provides an overview of the judiciary's formation and growth. **Zeeshan Mansoor:** *Practical Approach Towards Criminal Justice System in Pakistan* – Examines various aspects of the criminal justice system. **Syed Junaid Arshad:** *Criminal Justice System in Pakistan: A Critical Analysis* – Highlights significant flaws in the criminal justice system.
3. **M.H. Rehman:** *The Woes of the Criminal Justice System in Pakistan* – Sheds light on issues within Pakistan's criminal justice system. **Fasihuddin:** *Criminology and Criminal Justice System in Pakistan* – Traces the trajectory of judicial reforms.
4. **NACTA:** *Criminal Justice System Reforms* (October 2017) – Proposes reforms including law, administrative, organizational, and budgetary improvements.
5. **Rene David & John E.C. Brierley:** *Major Legal Systems in the World Today* – Analyzes the development of principal global legal systems, including their historical foundations and structures.
6. **Richard J. Terrill:** *World Criminal Justice Systems: A Survey* (7th edition) – Provides an overview of different global criminal justice systems.
7. **Jon Gauslaa:** *Supreme Court 2000: The Reputation of the Presidium* – Examines the Russian judicial and institutional structure, focusing on the superior judiciary.
8. **Alexander Severance:** *Old Habits Die Hard: Aleksandr Nikitin, the European Court of Human Rights, and Criminal Procedure in the Russian Federation* – Explains challenges and flaws in the Russian judicial system.

9. **World Justice Project (WJP): Rule of Law Index** – Offers insights into global legal systems and rule of law practices.

Methodology

To uncover original facts and data, this research will employ a range of methodologies. Data will be collected from various legal systems in Pakistan, China, Russia, France, and the USA, utilizing both online and published materials. The research will primarily be desk-based, relying on secondary sources such as newspapers, reports, surveys, and articles. Additionally, international rankings and reports will be incorporated into the study to provide a comprehensive analysis.

Precursor Families of the Judicial System

Countries around the world have adopted diverse legal and judicial systems, but most systems are rooted in one of three major legal families: the Romano-Germanic family, the Common Law family, and the Socialist Law family. Despite the predominance of these families, some jurisdictions also draw from religious laws, customary laws, and hybrid systems. The following paragraphs provide an overview of these major legal families.

Romano-Germanic Family (Jus Civile)

The Romano-Germanic legal tradition, also known as Civil Law, originated in Europe and is rooted in Roman law. This system has been shaped by various influences, including Napoleonic, Germanic, canonical, feudal, and local practices, as well as doctrinal strains such as natural law, codification, and legal positivism (Arnold-Baker, 2001). Stare decisis plays a secondary role compared to parliamentary legislations. This tradition began with the intellectual efforts of Emperor Justinian (A.D. 483-565) and evolved into a juridical science adapted to contemporary needs (Brierley, 1985). The term Romano-Germanic reflects the combined efforts of Latin and Germanic academic institutions and spread globally through European colonization. In non-colonized countries, adopting this tradition was seen as essential for modernization and Westernization.

Judicial systems within this family are inquisitorial, meaning that trial judges act as inquisitors who play an active role in fact-finding by questioning defense counsels, prosecutors, and witnesses. Judges can demand evidence if they find the presented arguments unsatisfactory. Before initiating a trial, magistrate judges (or judges d'instruction in France) participate in preliminary inquiries by reviewing police materials and consulting with prosecutors. The roles of prosecution and defense counsels are relatively limited in litigation.

Common Law Family

The Common Law family, predominant in England and jurisdictions influenced by English law, prioritizes the principle of stare decisis, where precedents and case law take precedence over statutory laws. Common Law is defined as “the body of those principles and rules of action, relating to the government and security of persons and property, which derive their authority solely from usages and customs of immemorial antiquity, or from the judgments and decrees of the courts recognizing, affirming, and enforcing such usages and customs” (Garner, 2010). Approximately one-third of the world’s judicial systems are influenced by Common Law or a blend of Common and Civil laws.

The Common Law system is adversarial, meaning that two attorneys present their clients' positions before an impartial judge or jury, whose role is to determine the truth and deliver a verdict. This contrasts with the inquisitorial system used in some civil law jurisdictions, where the court plays an active role in investigating facts and circumstances.

In adversarial proceedings, the defendant is not obligated to provide evidence and may choose to remain silent. However, if the defendant testifies, they are subject to cross-examination. The adversarial system emphasizes the skill of lawyers in presenting their cases, as the outcome depends on their ability to argue effectively before an impartial judge or jury.

Socialist Law Family

John Quigley defines socialist law as “the law of countries whose governments officially view the country as being either socialist or moving from capitalism to socialism, and which hold a communistic society as an ultimate goal” (Quigley, 1989). There is debate over whether socialist legal systems should be considered a distinct family or a variation of civil law. Socialist legal systems in the Soviet Union and Eastern European states have roots in civil law but incorporate principles of socialist ideology (Chen, 2000; Partlett, 2018). John Merryman suggests that socialist reforms imposed “certain principles of socialist ideology on existing civil law systems,” leading to a “young, vigorous legal tradition” with a hybrid nature (Merryman, 1985; Hazard, 1969).

Examples of socialist legal systems include the creation of "People's Courts" in various Eastern European countries, which operated with lay judges and lacked formal procedures. These courts were used to try political and criminal cases during the early socialist period (Slapnicka, 1963).

Comparative Analysis of Precursor Families

The distinction between common law and civil/socialist law systems can be understood through their respective approaches to legal principles. In

common law, court decisions hold the same authority as enacted laws, and courts can create law where none exists. By contrast, civil law systems adhere strictly to enacted laws, with courts limited to interpreting existing statutes. For example, the Napoleonic Code explicitly forbade French judges from establishing general principles of law (Crabites, 1927).

A key difference between civil and common law systems is the active participation of judges in evidence collection and evaluation. The civil law system is inquisitorial, with courts actively investigating cases, while the common law system is adversarial, requiring opposing parties to present evidence and witnesses before an impartial adjudicator. In the adversarial system, the defense is not required to provide evidence and may choose to remain silent, with the effectiveness of the legal representation being crucial to the case's outcome.

Comparative Analysis of Major Judicial Systems: Pakistan, Russia, USA, and China

Institutional Structure of Pakistan and Its Effectiveness

Pakistan's judicial system is heavily influenced by the English common law system. As a federal state with a parliamentary democracy, the judicial system has evolved through several periods: the Hindu period, the Muslim era (including the Mughal kingdom), the British Imperial era, and the post-independence era. Despite continuous changes and adaptations, which have transformed Indian society socially, economically, and politically, the judicial system has progressively advanced towards amalgamation and sophistication without major disturbances or breakdowns.

Superior Judiciary

The Constitution of Pakistan, 1973, outlines the supreme judiciary in a comprehensive manner, detailing the composition, powers, functions, and appointment procedures for judges. The Constitution mandates the "separation of the judiciary from the executive" and the "independence of the judiciary" (Constitution of the Islamic Republic of Pakistan, 1973, Article). It requires superior courts to "preserve, protect, and defend" the Constitution. The Constitution provides detailed provisions on the qualifications, appointment, perks, and privileges of judges. Judges' salaries and other administrative expenses of the superior courts are paid from the Federal/Provincial Consolidated Fund, which may be debated but cannot be voted upon in Parliament. This ensures the freedom, independence, and fairness of the superior courts.

Supreme Court of Pakistan

The Supreme Court is the highest court in Pakistan, invested with original, appellate, and advisory jurisdictions. It is the final authority on matters of law and the Constitution, and its judgments are binding on all other courts. The

Supreme Court comprises a Chief Justice and other judges appointed by the President in accordance with the Constitution of Pakistan. The Supreme Court Number of Judges Act (Act No. XXXIII) of 1997 stipulates that the Court consists of 17 judges, including the Chief Justice and 16 other judges. The Constitution also allows for the appointment of acting and ad hoc judges. To qualify as a judge of the Supreme Court, one must have either five years of experience as a Judge of a High Court or fifteen years of experience as an advocate of a High Court.

The Supreme Court exercises original jurisdiction in resolving inter-governmental matters, including disputes between the Federal Government and provincial governments or between provincial governments. It also shares original jurisdiction with High Courts to protect Fundamental Constitutional Rights in matters of 'public importance'. Additionally, the Court has appellate jurisdiction in civil and criminal matters and advisory jurisdiction to provide opinions to the Government on legal questions.

High Courts

The High Court is the second highest court after the Supreme Court in Pakistan. Each province and the Islamabad Capital Territory have one High Court. Each High Court consists of a Chief Justice and other judges. The Lahore High Court, Sindh High Court, Peshawar High Court, Balochistan High Court, and Islamabad High Court have 60, 40, 20, 11, and 7 judges, respectively. To qualify as a judge of a High Court, one must have ten years of experience as an advocate or ten years of service as a civil servant, including three years as a District Judge or ten years in a judicial office.

Each High Court has original jurisdiction to protect Fundamental Rights and appellate jurisdiction over decisions of subordinate courts in civil, criminal, family, corporate, and constitutional matters. Appeals can also be made against decisions of Special Courts.

Federal Shariat Court (FSC)

The FSC consists of eight Muslim judges and is headed by a Chief Justice. The procedure for appointing judges to the FSC was modified by the 18th and 19th constitutional amendments. Previously, judges were appointed by the President from serving or retired judges of the Supreme Court or High Courts, or from individuals with qualifications equivalent to a High Court judge. The primary role of the FSC is to determine whether laws passed by Parliament are consistent with Islam.

Subordinate Judiciary of Pakistan

The Subordinate Judiciary is divided into civil courts, established under the Civil Courts Ordinance 1962, and criminal courts, established under the Code of Criminal Procedure 1898. Special laws have also established various specialized courts, such as Anti-Terrorism Courts and Service Tribunals. The jurisdiction, powers, and roles of these courts are defined in the statutes

creating them. Decisions from subordinate courts can be appealed to the superior judiciary through revision or appeal. The provincial governments fund the justice sector, and administrative proceedings are regulated under provincial rules and respective High Courts.

Special Courts

The Constitution of Pakistan empowers the central Legislature to create special courts and tribunals for federal subjects. At the federal level, special courts include the Special Courts (Control of Narcotics Substances), Banking Courts (Recovery of Loans), and Special Courts (Offences in Banks). At the provincial level, special courts include Labour Courts, Consumer Protection Courts, Anti-Terrorism Courts, and Anti-Corruption Courts. Judicial officers in these courts are often appointed on deputation from the provincial judicial cadre.

Institutional Structure of the Judiciary in Russia and Its Efficacy

Russia has a civil law system with codified laws (civil and criminal) and other laws that must align with prevailing codes. The legislature can create or repeal laws.

The Russian judicial system includes civil, criminal, administrative, and commercial procedural codes and features of the adversarial system, including oral proceedings, public and direct representation. Judges actively participate in the investigative process, and it is the parties' responsibility to collect and present evidence. The court decides on the admissibility, relevance, and reliability of evidence but is not required to collect evidence itself. However, the court can assist parties in gathering evidence that cannot be obtained independently to ensure impartial judgments.

Constitutional Court

The Constitutional Court of Russia handles matters related to constitutional compliance, judicial disputes between federal bodies, and between federal and regional authorities. It performs "constitutional review" and assesses whether federal laws, presidential decrees, and local laws comply with the federal constitution and agreements between national and regional governments.

Supreme Court

The Supreme Court of Russia is the highest court and oversees subordinate courts of general jurisdiction. It also acts as a court of first instance in matters concerning state interests.

Ordinary Courts

Ordinary courts handle criminal cases, administrative cases, civil disputes, and organizational offenses, excluding cases under the authority of arbitration courts. They are categorized into military and non-military courts.

Cassation Courts

Cassation courts review cases previously heard by district or garrison military courts as first instance courts.

Regional Courts and Military Courts

Regional courts (kray courts and city courts) operate at the regional level and include the supreme courts of Russia's republics, kraia, oblasts, city courts of federal cities (Moscow and Saint Petersburg), autonomous oblasts, and autonomous okrugs. These courts serve as both first instance and appellate courts. Military courts handle cases involving military personnel only.

District Courts and Garrison Military Courts

District courts are primarily first instance courts but may also handle appeals from magistrates. They hear criminal cases involving offenses punishable by imprisonment of more than three years. Garrison Military Courts deal exclusively with military-related cases.

Magistrate Courts

Magistrate courts handle criminal cases involving petty offenses punishable by imprisonment of less than three years.

An independent judiciary is a key constitutional principle in Russia. Judges are bound only by the Constitution and federal laws. Judicial independence is ensured by the irrevocability of appointments, immunity from legal process (with special procedures for prosecution requiring the consent of the judicial qualification committee), and social guarantees, including lifetime maintenance, compulsory insurance for judges and their families, medical services, and compensation for travel expenses.

Institutional Structure of the Judiciary in the USA

The United States is a federal system with a central federal government and individual governments for each of the fifty states. Both the federal government and each state have their own judicial systems. Despite differences between federal and state courts, they share some common characteristics.

United States Supreme Court

Article III of the US Constitution established the Supreme Court and gave Congress the power to create lower courts. The federal courts handle disputes between states and cases arising under the Constitution and federal laws. The Supreme Court is the highest court and has the authority to hear appeals from federal and state courts involving federal law.

District Courts

District courts are the general trial courts of the federal system. Each district court has at least one judge appointed by the President and confirmed by the

Senate for life. District courts handle both civil and criminal trials. Judges manage the court and its employees and can be impeached by Congress. There are over 670 district court judges nationwide. Federal magistrate judges, appointed by district court judges, handle certain cases, issue search and arrest warrants, conduct initial hearings, set bail, and decide various motions. Magistrates serve for terms of eight years if full-time and four years if part-time but can be reappointed.

Circuit Courts

Federal district court decisions can be appealed to the United States Court of Appeals, which is divided into twelve circuits. The Federal Circuit Court of Appeals has nationwide jurisdiction over specific issues like patents. Circuit court judges are appointed for life by the president and confirmed by the Senate. Cases are first heard by a panel of three judges, who review briefs and conduct oral arguments.

Institutional Structure of the Justice System in China

Technically, the judicial system of the People's Republic of China (PRC) is comprised of the people's court system. According to the Criminal Procedure Law of the PRC, the people's court, the people's procuratorate, and the public security organs are each expected to perform their respective tasks during criminal proceedings and work collaboratively with each other. Judicial powers in China are vested in both the people's procuratorate and the public security organs; however, their judicial roles are quite limited. Overall, China's judicial system can be seen as comprising three tiers: the people's court system, the people's procuratorate system, and the public security system.

The People's Courts of China

The People's Courts of China are the judicial organs responsible for adjudicating disputes on behalf of the state. According to the Constitution and the Organic Law of the People's Courts of 1979 (amended in 1983), China's judicial system is organized into a network of courts described by "four levels and two instances of trials." The local people's courts, which perform judicial functions, are divided into three levels: basic people's courts, intermediate people's courts, and higher people's courts. Additionally, there are military courts, special people's courts, and the Supreme People's Court.

The Supreme People's Court

The Supreme People's Court is the highest judicial body in the Chinese judicial structure. The National People's Congress (NPC) and its Standing Committee elect the Chief Justice, known as the President of the Supreme People's Court. The Supreme People's Court is divided into three divisions: criminal, civil, and economic. There is no limit on the establishment of new divisions. The jurisdiction of the Supreme People's Court includes appellate cases, protests, and cases brought forward by the Supreme People's

Procuratorate. Furthermore, the Supreme People's Court oversees the work of local people's courts and special courts. It interprets laws and decrees. The legislature may intervene to resolve legal ambiguities, ensuring that the judiciary interprets and enforces the law effectively and impartially.

The Higher People's Courts

The Higher People's Courts operate in provinces, autonomous regions, and municipalities directly under the central government. Their jurisdiction includes original cases (first instance), appeals and protests against judgments of lower courts, cases transferred from lower-level people's courts, and protests lodged by the people's procuratorates. The Higher People's Courts are under the control of the central government.

The Intermediate People's Courts

Intermediate People's Courts are established in provincial capitals and prefectures. These courts handle first-instance cases assigned by laws and decrees, cases transferred from basic people's courts, and appeals and protests from lower courts.

The Basic People's Courts

The Basic People's Courts are the lowest level in the judicial hierarchy of China. They are located in municipal districts and counties of autonomous regions. They have the authority to establish tribunals if necessary. Such tribunals are legal bodies with the same powers as Basic People's Courts and are typically formed in densely populated towns. According to the Organic Law, Basic People's Courts have original jurisdiction and adjudicate all criminal and civil cases unless otherwise specified by law. They also handle minor offenses that do not require formal adjudication and oversee people's mediation committees.

The Special Courts

Special Courts include military, railway, and maritime courts. Due to the specialized nature of the cases, these courts have specific jurisdictions. For example, military courts adjudicate cases involving military personnel, railway courts handle transport-related and economic disputes, and maritime courts resolve disputes involving maritime law, including those involving foreign entities.

The People's Procuratorates

According to Article 134 of the Constitution of the People's Republic of China, the people's procuratorates are the legal oversight organs of the state. They handle cases related to anti-state activities, including obstructions to the implementation of state laws and policies. They also review cases related to security investigated by public security organs.

Efficacy of China's Judicial System

Article 131 of the Constitution ensures the independence and fairness of the judiciary in China. The judicial system combines elements of both adversarial and inquisitorial systems. In civil law, litigants are responsible for providing evidence for their claims. If litigants or their representatives cannot gather evidence due to objective reasons or if the evidence is deemed necessary by the court, the court may investigate and gather it. In criminal law, the people's procuratorate bears the burden of proof for public prosecution cases, while the burden of proof in private prosecution cases rests with the private prosecutor, not the suspect.

The Constitution and the Organic Law of Courts ensure that the judiciary operates freely, independently, and judiciously. The term "court" is crucial as it signifies that judicial power rests with the court, not the individual judges. Judges are appointed and serve within the framework of the courts, and collegial panels are established. This system aims to ensure fair and impartial adjudication. However, heads of judicial branches have the authority to revise draft judgments from collegial panels, a practice that could be seen as "internal interference." In serious and complex cases, a judicial committee makes the final decision, rather than the collegial panel. While this system is designed to ensure fairness, it could potentially be exploited by committee members to encroach on judicial powers for personal motives.

Comparative Analysis of Efficacy and Effectiveness of Rule of Law Standards

Having provided a detailed overview of the institutional structures of the judicial systems in Pakistan, the USA, Russia, France, and China, this section will assess how effectively these systems adhere to the Rule of Law and administer justice. While this analysis highlights significant shortcomings within some judicial systems, it also underscores key areas of recent improvement, including the positive responses of courts to reforms and recent efforts within these systems. International standards and indexes/reports have been used to provide a clear view of each country's institutional structure and judicial system in relation to the Rule of Law.

An Overview of the Corruption Perception Index on Judicial Systems

The Corruption Perception Index (CPI) measures the perceived levels of public sector corruption as assessed by experts and businesspeople, using a scale from zero (highly corrupt) to 100 (very clean). The 2021 CPI ranked 180 countries and territories based on their perceived public sector corruption, drawing from 13 expert assessments and surveys of business executives. In 2020, Pakistan had a CPI score of 31 and was ranked 124 out of 180 countries. According to Transparency International, Pakistan's score has since deteriorated to 28, with a ranking of 140 out of 180 countries (Ahmed, 2022).

In contrast, China was ranked 66th with a score of 45, reflecting a more positive view of its institutional structure and operations. Russia, however, paints a more troubling picture, ranked 136th with a score of 29, indicating significant corruption within its state departments, including the bureaucracy and judiciary. The USA and France are noted for their transparency, with rankings of 27th and 22nd, and scores of 67 and 71, respectively (International, 2021).

An Overview of the World Justice Project Rule of Law Index

The Rule of Law Index from the World Justice Project is a leading source of data on the Rule of Law, covering 139 countries. The Index relies on national surveys of over 130,000 households and 4,000 legal practitioners and experts to measure the experience and perception of the Rule of Law worldwide (Project, 2021). The index ranks countries based on eight interrelated factors:

Factor 1: Constraints on Government Powers - Measures the extent to which government officials are bound by law, including constitutional and institutional means of limiting and holding accountable those in power, as well as non-governmental checks like free and independent media.

Factor 2: Absence of Corruption - Evaluates corruption in three areas: bribery, improper influence by public or private interests, and misappropriation of public funds. This factor assesses corruption among public office holders across various branches of government.

Factor 3: Openness of Government - Assesses how well the government shares information, empowers citizens to hold it accountable, and promotes public involvement in policymaking.

Factor 4: Fundamental Rights - Focuses on adherence to core human rights as established under international law, including those outlined in the United Nations Universal Declaration of Human Rights.

Factor 5: Order and Security - Measures the effectiveness of a state in ensuring the security of persons and property, which is crucial for realizing rights and freedoms.

Factor 6: Regulatory Enforcement and Trials - Evaluates how fairly and efficiently rules and regulations are implemented and enforced, without assessing the appropriateness of the regulations themselves.

Factor 7: Civil Justice - Reflects the accessibility, affordability, and effectiveness of the civil justice system, including considerations of delay, discrimination, and alternative dispute resolution mechanisms.

Factor 8: Criminal Justice - Assesses the effectiveness of the criminal justice system, including the roles of police, lawyers, prosecutors, judges, and prison officers.

According to the WJP Rule of Law Index, Pakistan was ranked 130th out of 139 countries, indicating a poor state of its judicial system. Key issues include corruption and order and security. Corruption is notably high among police, military, and legislative branches compared to the judiciary and executive branches. However, there has been an improvement in freedom of expression and assembly, with Pakistan ranking 81st out of 139 and showing progress since 2017-2018.

China ranks 98th, reflecting challenges related to restrictions on fundamental rights and the functioning of state and non-governmental institutions. Russia is ranked 101st, highlighting significant issues with corruption. The United States, with its inquisitorial judicial system and transparency, ranks 27th out of 139 on the WJP Rule of Law Index, indicating a high level of judicial system performance and efficiency.

Globally, there have been notable declines in the areas of Fundamental Rights (54 countries declined, 29 improved), Constraints on Government Powers (52 declined, 28 improved), and Absence of Corruption (51 declined, 26 improved). This pattern is consistent over a five-year period, with Fundamental Rights experiencing the most significant backsliding, as 67 countries have dropped in score since 2015 (Project, 2021).

Conclusion

Judicial systems around the globe have formed a "famille juridique" (Legal Family) by adhering to specific judicial and legal traditions. For instance, as discussed, the judicial systems of the United States and Pakistan are influenced by the British common law system, while Russia and China are more influenced by the Romano-Germanic family. This paper aimed to provide a comparative analysis of major legal and judicial systems worldwide, offering a framework for comparative analysis based on epistemological arguments within the field of comparative law, with a particular focus on China, Pakistan, the USA, and Russia.

The final section of the paper summarizes the impact of adhering to a particular predecessor judicial system on the effectiveness and efficiency of the Rule of Law in various jurisdictions. This summary is informed by the World Justice Project (WJP) Rule of Law reports and is complemented by a comparative study with the Corruption Perception Index (CPI).

Recommendations

1. Countries with higher scores on the WJP Rule of Law Index typically have faster justice delivery systems. Pakistan needs to shift its focus from short-term solutions, such as establishing model courts, to long-term strategies aimed at improving the speed of justice. This involves

addressing threats to internal stability, ensuring the security of judicial staff, and enhancing public confidence in judicial institutions.

2. Another critical factor in the WJP Rule of Law Index is the absence of corruption in government. Countries like the US and France, which score high on the index, have minimal or no corruption. This factor evaluates corruption through three areas: bribery, improper influence by public or private interests, and misappropriation of public funds or resources. Pakistan must take significant steps to combat corruption within the judicial process.
3. The protection of fundamental rights is a key element of the Rule of Law Index. A justice system that fails to respect core human rights can only be considered "rule by law" rather than a true rule of law system. Therefore, implementing policies that protect and promote human rights is essential for improving Pakistan's ranking on the Rule of Law Index.
4. According to the WJP Rule of Law Index, a country's criminal justice system is central to the rule of law. Pakistan should establish a robust witness protection system that prioritizes the safety of witnesses, investigators, prosecutors, and judges.
5. The WJP Rule of Law Index highlights the importance of public involvement in policy-making as a contributing factor to the rule of law. It is crucial to involve all stakeholders, particularly the public, in policing efforts. This can be achieved by including them in various committees, such as Citizens Liaison Committees.

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Comparative Analysis of Passport Facilitation Among Pakistan, India, Bangladesh and Philippines: Policy Options for Pakistan

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Abstract:

Passport facilitation is integral to global mobility and economic resilience, particularly for countries like Pakistan, India, Bangladesh, and the Philippines, reliant on overseas employment and remittances. This study explores Pakistan's passport policies since the 1970s, examining efforts to balance facilitation with security amid geopolitical shifts. Proposed policy options include granting the Directorate General of Immigration & Passports (DGIP) greater financial autonomy, harnessing technology for streamlined services, and fostering bilateral agreements to bolster passport rankings globally. Emphasizing efficient processes, robust security measures, and professional management is crucial to overcoming operational challenges and enhancing international passport acceptance. By implementing these strategies, Pakistan and comparable nations can optimize passport issuance, benefiting citizens and strengthening their global diplomatic standing. This research contributes insights into public governance and policy management in the context of passport facilitation, offering pathways for enhancing service delivery and international engagement.

Key words:

Passport facilitation, public governance, policy management, security protocols, global competitiveness

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Introduction

Every government aspires to win the confidence and support of its citizens by providing efficient public services. To achieve this goal, governments take steps to modify their current administrative structures. Theoretical and practical aspects of public governance are increasingly influenced by market-based principles, ideas, and institutions. Public policy management emphasizes professional management, defined standards, performance measures, and value for money, all aimed at improving citizen welfare. Responding to citizens' needs is the final and most significant objective.

A passport is a legal document issued in the name of the Head of State, intended to ensure the holder's security and facilitate safe transit through foreign countries. In today's globalized world shaped by Information Technology, passports have become a fundamental requirement for citizens. Therefore, every country aims to streamline the process of obtaining or renewing passports to facilitate its citizens while preventing misuse. Governments introduce passport laws, rules, and standard operating procedures to achieve this goal. Passport facilitation is evaluated based on factors such as application submission time, simplicity of the application process, passport production time, delivery time, security features, prevention of impersonation and forgery, and the ease of use abroad.

Pakistan, India, Bangladesh, and the Philippines share a common colonial background. These countries are major sources of manpower exported to the developed world, with economies reliant on remittances from expatriates. They compete for shares in overseas job markets and continuously strive to improve passport facilitation.

In the 1970s, Pakistan began easing passport issuance to facilitate the export of manpower, responding to internal economic crises following the Fall of Dhaka and the international financial recession triggered by the Arab-Israeli war. The establishment of new rules in the Business 1973 framework included transferring the Department of Immigration & Passports from the Ministry of Foreign Affairs to the Ministry of Interior, eliminating the previous requirement for police verification at local police stations. Since then, Pakistan has continuously improved passport facilitation, although its politico-economic status has hindered the international acceptance of Pakistani passports.

Facilitation efforts must balance with passport security and credibility to prevent misuse. Recent incidents, such as Afghan refugees obtaining Pakistani passports, have prompted increased security checks and adjustments in the facilitation process.

Problem Statement

Pakistan, India, Bangladesh, and the Philippines are listed as developing countries in the South and Southeast Asian region. These nations are significant exporters of human resources globally, with remittances from their expatriates playing a crucial role in their respective economies. Consequently, these countries have been striving to offer the best possible passport facilities to their citizens.

Every country issues policy guidelines for passport issuance to safeguard credibility, prevent forgeries, and facilitate applicants. An analytical study of the passport policies of these countries provides insights into the current and projected facilitation scenarios for their citizens.

Passport facilitation is assessed using various parameters, including delivery duration, processing time, and the time required for passport verification during international travel. These internal factors depend on technological use and state policies concerning travel. Conversely, external factors such as economic and political standing among the world's nations impact the international acceptance of a country's passport.

The aforementioned circumstances highlight Pakistan's competition with these three regional countries in providing facilitation while maintaining security standards. However, expatriate Pakistanis frequently express dissatisfaction with the quality of services when comparing the facilitation level of Pakistan's passport system with that of other countries.

Therefore, this study will focus on examining available policy choices for Pakistan as short-term measures to facilitate the issuance of secure e-passports. It will also consider long-term strategies to improve global rankings, aiming to enhance the acceptance of Pakistani passports internationally.

Significance and Scope of Study

Considering time and resource limitations, this research study critically evaluates the comparative analysis of passport facilitation among Pakistan, India, Bangladesh, and the Philippines. The positive aspects and shortcomings of passport policies will be discussed from an applicant's point of view. There is concern that relaxing policies for facilitation could also impact passport security and the national interests of each country. Therefore, facilitation aspects will also be analyzed from this perspective.

Salient features of the current passport policy of Pakistan will be analyzed from a facilitation standpoint, and possible prospects that could improve citizen satisfaction levels and trust in the Pakistani passport will be

explored. Shortcomings and policy loopholes will be highlighted, along with tangible policy solutions.

Review of Literature

Passport facilitation measures are derived from national policies. Passports are issued under prevailing passport rules. Therefore, for this study, the passport laws of Pakistan, India, Bangladesh, and the Philippines, including Acts, Rules, and Standard Operating Procedures (SOP), are being examined in depth. The procedures mentioned on the official websites of these countries have been consulted to gain insight into the facilitation process. The review of literature reveals that the basic rules of these countries are more or less the same due to their British colonial background.

Additionally, all countries are required to follow standards provided by the International Civil Aviation Organization (ICAO) in the guidelines mentioned within Document 9303 (ICAO9303, 2021). Consequently, passport processes have become electronic and database-based.

Policy documents related to a country's passport matters are classified in government archives. Due to lack of access to core policy documents from India and Bangladesh, sufficient research material is not readily available. Therefore, the author relied on institutional knowledge of Pakistan's passport policy and process to infer the policies underlying the facilitation approaches of the other three countries under study.

Research methodology

The present study is descriptive as well as comparative in nature. A qualitative document analysis approach has been utilized to review and compare selected policy and legal documents that guide passport and immigration rules in South Asian countries. Pakistan is presented as a case study, and various indicators have been identified to compare the success stories or alternative approaches of South Asian countries.

The comparative analysis provides insight into the innovativeness of existing approaches, highlights individual achievements, and underscores areas requiring further intervention. The document analysis guides the identification of different themes through codification and categorization, which are compared and presented in the relevant section of the study.

In what ways can Pakistan's response to flood-related disasters improve?

Organization of the Paper

This paper has been divided into three sections. In Section I, Pakistan's passport policy and its implications on facilitations in terms of innovations, advancements, issues, and challenges faced in the past and present will be discussed, along with highlights of prevalent rules and regulations.

In Section II, passport policies and facilitations of India, Bangladesh, and the Philippines will be compared for an analysis with the situation in Pakistan as a case study.

Section III will focus on the lessons learned from the comparative analysis in Section II and the potential futuristic pathway for improving passport facilitation for Pakistanis at home and abroad.

Background

The passport is one of the most important travel documents. It was invented during WWI to monitor possible espionage activities of citizens from enemy countries within host nations. Over time, international travel increased significantly due to the air travel industry, thereby increasing the importance of passports manifold.

Initially, passports were handwritten manuals. Subsequently, countries transitioned from manual to machine-readable passports. Today, the world has adopted the e-passport structure. Nowadays, passports are used for various purposes such as visits, study, official duties, immigration, sports, business, religious tourism, etc.

The Henley Index provides a reliable grading of global passports based on the number of destinations that can be accessed without a prior visa. This index relies on data exclusively obtained from the International Air Transport Association (IATA) (Henley, 2022). Passports allowing entry to more countries visa-free are ranked higher than others. Passports equipped with modern technology security features are crucial in preventing illegal migration.

Passport Policy of Pakistan

The Directorate General of Immigration & Passports, on behalf of the Government of Pakistan, issues passports to its citizens to facilitate their journeys and provide them protection while traveling in foreign countries through the good offices of Pakistan's Diplomatic Missions. Accordingly, in a foreign country, the holder of a valid Pakistani passport is entitled to the protection of the diplomatic and consular representatives of Pakistan in that country (DGIP, 2022).

While living or traveling abroad, a passport is the only document that confirms the identity of a citizen as Pakistani, and also enables the exercise of the right to exit from and re-enter the country (DGIP, 2022).

1. Pakistan issues three types of passports:
2. Ordinary (Green) for the general public,
3. Official (Blue) for government officers/officials and parliamentarians visiting abroad,

Diplomatic (Red) for career diplomats and other entitled persons.

Past, Present & Future

After Independence in 1947, British Indian Passports were used for a few months until Pakistan started printing its own passport booklets. The Bangla script was expunged after the fall of Dhaka. Since then, the designs of handwritten passport booklets have been changed from time to time.

In the wake of the 9/11 incident in the USA, travel precautions were increased throughout the world, and the International Civil Aviation Organization (ICAO) was assigned the task by the United Nations to standardize travel documents. ICAO emphasized the digitization of travel documents and introduced Machine Readable Travel Documents (MRTD). ICAO has provided guidelines and standards from time to time for issuing digital passports (ICAO9303, 2021). Therefore, the international community started shifting from handwritten manual passports to MRP. Pakistan started issuing MRPs in 2004, being one of the foremost countries to do so according to ICAO standards. Subsequently, manual passports were discontinued and cancelled.

With the introduction of micro-electronic smart technological advancements such as Optical Scanning, Micro, and Nano chips, the world of traveling is shifting to electronic solutions. Similarly, payment modules are also transitioning to digital transactions. Therefore, the world is switching to chip-based Electronic Passports (E-passport). Pakistan has also started issuing official and diplomatic E-Passports as a pilot project, with plans to start issuing ordinary e-passports in February 2022.

The Passport Act of 1974 and Passport Rules of 1974 & 2022

The Passport Act of 1974 is the parent law governing Pakistani passports. Under the provisions of this Act, the passport rules were established in 1974. The Passport Rules of 1974 were updated in 2021 as the Passport Rules 2021. In addition to these laws, from time to time, the DGIP issues SOPs and policy circulars that regulate the passport process in and outside Pakistan.

Digitization: Journey from Manual to Machine Readable Passport

Manual handwritten passports were in vogue until 2005. Pakistan initiated MRP in 2005, complying with ICAO standards and deadlines. MRP is linked to the national database of the National Database Registration Authority (NADRA). Through multiple biometric verifications, a central server, and centralized production for all of the nation's machine-readable passports, NADRA ensures the legitimacy and integrity of the data. After phasing out manual passports, Pakistan issued more than 30 million machine-readable passports (NADRA, 2021). Generally known as a computerized passport, MRP is issued after biometric and facial feature verification from NADRA's database. Passport applications include fingerprints of index fingers and thumbs of both hands, matched by the Automated Fingerprints Identification System (AFIS) with prints stored in the national database given at the time of applying for a CNIC. Similarly, facial features in the passport photograph are matched in a facial server using the picture from the CNIC. These steps are incorporated to minimize the chances of forgery and impersonation. Data theft for impersonation was a common practice before MRP, which has been reduced but not completely eradicated. Negative elements still attempt and sometimes succeed in breaching the security features using smart techniques. It is pertinent to mention that while the passport issuance system is highly secure, attempts to breach its security are made with proper planning, and necessary modifications and deliberations are carried out based on NADRA data.

Role of NADRA

It is estimated that NADRA has issued more than one million Pakistani national ID cards, out of which 200,000 have been cancelled upon identification (DAWN, 2021). The former Interior Minister told the media on January 2, 2021, that Afghan nationals had obtained these IDs based on forged paperwork, including fraudulent birth certificates (Tribune, Tribune Story, 2018). Moreover, the former Chairman of NADRA admitted to the media that the authority has a weak verification system because some Afghan citizens pretended to be the brothers and sisters of Pakistani citizens to obtain CNICs.

These flaws in the NADRA system make Pakistani passports vulnerable to misuse. This fact has led DGIP to authorize passport issuing officers, under discretionary powers granted by passport rules, to request a national status confirmation report from the police and Intelligence Bureau if there is doubt about national status. Sometimes, local citizens are inadvertently referred for national status verification, creating resentment among Pakistani Pakhtoons.

The Future: E-Passport & E-Gates

The e-passport is the latest version equipped with state-of-the-art technology. This passport is also known as a biometric or digital passport. It is vital to mention that this is the era of nanotechnology, smart chips, and a paperless environment. An e-passport is equipped with an embedded chip on the cover page or an e-data page which keeps personal data of passport holders very safe. E-passports are already in use by more than 150 countries worldwide. Most countries have shifted to e-passports due to the increasing need for efficient and better border security. Moreover, the next revolution in international travel will be the installation of operator-less automated immigration counters, where a passenger can pass by simply scanning their e-passport.

Effect of Economic, Political & Social Factors on Passport Ranking

There are variables that influence a country's passport strength. Countries with reasonable GDP per capita enjoy more visa-free destinations. Two connected elements help explain this: "First, because it is likely to result in larger economic benefits such as commerce, tourism, and investment, countries are more eager to welcome citizens from wealthy countries. Second, people from wealthy countries are less likely to strain the social and economic systems of the host country, such as through the expense of undocumented migration" (Henley, 2022). On the other hand, those from nations with high rates of poverty and economic instability are seen as posing a higher risk of overstaying their visas.

The current economic condition of Pakistan and trends in human migration are not favorable for improving global passport strength. Besides lacking visa-free access, most Pakistanis have a lower likelihood of obtaining visas for developed countries due to economic and political instability at home. Pakistan also does not enjoy good diplomatic relations with its neighbors except China, and there is no visa abolition regime in the region akin to the Schengen visa of the European Union.

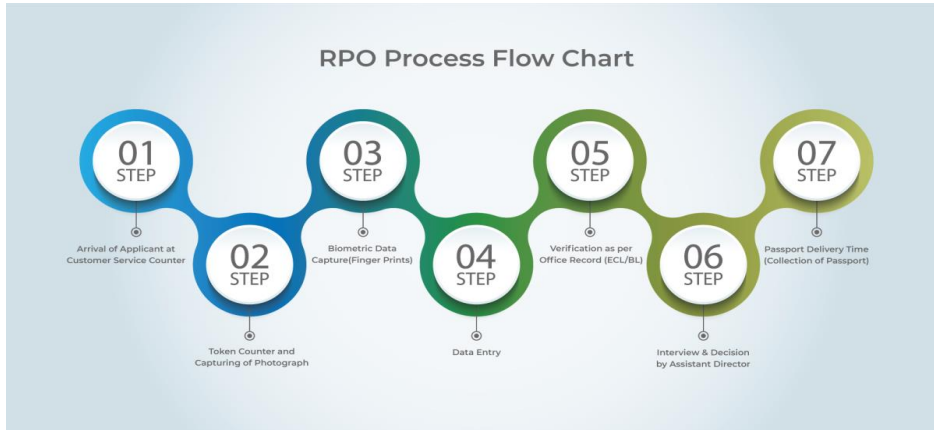
Human traffickers use illegal means to smuggle people from one country to another, charging high prices. According to reports, residents of the region have been using such unlawful methods to reach Europe for many years. An estimated 30,000 to 40,000 Pakistanis use land routes through Iran and Turkey to access Greece in an effort to reach Europe illegally. However, the Pakistani government has historically failed to take decisive action to stop this crime, which has caused disgrace and tarnished the nation's global reputation (FrontierPost, 2021). These incidents of human smuggling raise suspicions about Pakistani passports, leading to a decline in international reputation.

According to the UNODC, Pakistan is the source of about 300,000 human trafficking cases each year. This has resulted in Pakistan being ranked Tier 2 in the US State Department's ranking on human trafficking. Generally,

organized crime and people smuggling are motivated by economic concerns and the desire for a better life (NIAOC, 2021). Therefore, human trafficking is also a serious issue for Pakistan that directly affects the credibility and ranking of its passport.

Facilitation towards Applying Passport

The Directorate General of Immigration & Passport has launched MRP in 2004 which is an automated process. The flow diagram for processing a passport is as under.



Source: Official website of DGIP

The delivery time for normal fee is 11 working days and 4 working days for passports applied with urgent fee. Recently, DGIP introduced a FAST TRACK service to deliver passport on next working day.

After submission of application applicants are intimated through RABTA service about every step from printing to delivery through SMS and email.

Fee schedule of passports applied within Pakistan is given as under:

Passport Fee (Regional Passport Offices)						
New / Renew	36 Pages		72 Pages		100 Pages	
	Normal	Urgent	Normal	Urgent	Normal	Urgent
5 Years	3000	5000	5500	9000	6000	12000
10 Years	4500	7500	8250	13500	9000	18000
First Time Lost						
5 Years	6000	10000	11000	18000	12000	24000
10 Years	9000	15000	16500	27000	18000	36000
Second Time Lost						
5 Years	12000	20000	22000	36000	24000	48000
10 Years	18000	30000	33000	54000	36000	72000
Third Time Lost (& afterwards), case will be referred to DGIP Headquarter for further action.						
5 Years	24000	40000	44000	72000	48000	96000
10 Years	36000	60000	66000	108000	72000	144000

Source: DGIP

Facilitation to Apply for Passport within Pakistan

In Pakistan, 180 Regional and Executive Passport Offices are operational, including a few special counters for specific purposes. This number includes 13 EPOs established in collaboration with NADRA, with NADRA charging an additional Rs 3000 over the prescribed passport fee. The jurisdictions of these offices have been assigned according to the following policy, aimed at facilitating citizens and curbing the issuance of passports to non-nationals (DGIP, 2022).

Facilitation to Apply for Passport from Abroad

Worldwide, DGIP has established MRP processing facilities in 60 Pakistani missions abroad. Some of these offices are staffed with DGIP personnel, while operations of others have been handed over to the Ministry of Foreign Affairs. However, major issues pertaining to passport seekers in foreign countries include:

- Asylum Seekers
- Dual Nationality Holders
- Illegal Immigrants
- Security Verification Process
- Issuance of Online Passports to Newly Born Babies

In the case of asylum seekers, the government has devised a policy of police verification before issuance of passports because many economic migrants pretend to be politically victimized based on ethnicity or religion. Their false claims contribute significantly to misconceptions about Pakistan in the Western world. Many individuals smuggled to Europe live illegally and move from one country to another in search of legal status. When intercepted by local authorities, they are deported back to Pakistan. The Ministry of Interior has established a Migration Management Cell (MMC) to handle their verification, deportation, and rehabilitation in collaboration with the International Organization for Migration (IOM). This illegal movement across borders without valid travel documents and the resulting deportations have worsened the image of Pakistan's passport and the country as a whole.

Online Issuance of Passport for Expatriates

MRP facilities were established at Pakistani diplomatic missions, but many overseas Pakistanis live in far-flung areas of these countries, resulting in time-consuming and expensive long-distance travels for the passport application process at missions. Therefore, with the help of NADRA, DGIP developed a mechanism for online passport application. Now, overseas Pakistanis can apply or renew passports from their homes by simply filling out an online application form. Passports printed at the

central printing facility in Islamabad are directly delivered to their desired address through courier. This step has been widely appreciated by Pakistanis living abroad.

On the other hand, there are some loopholes in this online process. Negative elements upload Photoshop-forged supportive documents to conceal facts in their favor because personal appearance of the applicant is not mandatory in the online process. Therefore, along with facilitation come challenges of data security and other risks of misuse.

It is pertinent to mention that the majority of Pakistanis living abroad are blue-collar workers who, due to IT illiteracy, are unable to benefit from this facility and ultimately fall into the hands of brokers or agents.

Passport Facilitation in India, Bangladesh, and Philippines

The passport policies, laws, and facilitation of each country mentioned above are discussed in detail hereunder

Passport Policy of India

The Central Passport Organization (CPO) and its network of Passport Offices, Passport Seva Kendras (PSKs), and Post Office Passport Seva Kendras (POPSKs) form the Passport Seva Programme (PSP) Division of the Ministry of External Affairs, Government of India, offering passport services. The PSP Division provides consular, passport, and visa services to overseas Indians and foreign citizens through Indian Missions abroad.

Indian passports are issued by a network of 36 Passport Offices. As extended arms of these offices, 93 PSKs and 428 POPSKs have been added to this network. The 190 Indian Missions/Posts overseas provide passport and other associated services to Indian citizens living abroad. In compliance with rules established by the International Civil Aviation Organization (ICAO), all Passport Offices issue machine-readable passports.

India is the leading recipient of remittances, accounting for more than 12% of global remittances in FY 2020–2021, which helped 32.1 million expats contribute US\$87.00 billion to the Indian economy.

As per Indian passport policy, a passport is a vital document; therefore, police verification is mandatory to confirm the information provided by the application, ensuring it does not fall into the wrong hands (India, 1980). There are two modes of police verification: prior to issuing the passport or after issuance. The Passport Office (PO) determines whether police verification is necessary before issuing a passport or later, depending on whether it is a new passport or a passport renewal. Pre-police verification is often required, with exceptions for government

employees. The police verification reporting system is well-organized, typically providing reports to the passport office within three days.

India has also introduced the Tatkal passport scheme, which caters to individuals needing urgent passports for reasons such as travel abroad or official identification (PSP, 2022). Passports can be obtained within three working days under this scheme.

Passport Laws & Rules in India

The Passport Act 1967 and Passport Rules 1980 govern India's passport policy. Section 6 of the Passport Act 1967 empowers the passport issuing authority to refuse passports or travel documents for visiting any foreign country on grounds of national interest or involvement in a criminal case (INDIAPASSPORTACT, 1967).

Facilitation: At Home and Abroad

Case Study 1: Passport Seva Mobile App

The Indian Ministry of External Affairs maintains an online application gateway for passports and has recently made passport-related services available on mobile devices for smartphone users. With the mPassport Seva mobile app, available on Android and iPhone app stores, users can access services such as registration, application submission, payment, and appointment scheduling. The app's fee calculator helps users determine charges based on the service and submission method. Using their file number and birth date, individuals can check the status of their passport applications and track the delivery status of dispatched passports (PSP, 2022).

It is pertinent to mention that in India, police verification is mandatory for new passports, though the passport officer handling subsequent passport applications has discretion to refer for verification as well. These police verification reports are typically completed within three working days (PSP, 2022).

The Tatkal passport scheme, mentioned earlier, is designed for individuals requiring passports urgently. Applicants pay an additional fee of Rs 2000/- along with the standard passport fee. Unlike normal passports, police verification for Tatkal passports occurs after issuance (PSP, 2022).

Case Study 2: Outsourcing of Passport Services for Expats in GCC Countries

In GCC countries, the Indian Foreign Office has engaged the services of the private third-party vendor BLS International (Pvt) Ltd to manage the application process and capture biometrics for an additional fee. Applicants must schedule an online appointment through their website. On the appointment day, BLS International acts as a data collection center similar to Gerry's International Service for UK visa applications in

Pakistan. After data collection, forms are scrutinized and forwarded to the Indian mission for decision. Once cleared by the mission, data is transferred to a passport printing facility in New Delhi. Printed passports are then delivered to GLS Intl office for onward delivery to applicants. This facilitation saves applicants from long queues, thereby saving time, and minimizes corruption risks due to limited personal contact with mission staff.

India has announced a rollout strategy for e-Passports in 2022, assigning the project to the Indian IT giant Tata Consultancy Services. Together with the Ministry of External Affairs (MEA), Tata Consultancy Services will establish a new command and control center and a data center to cover the project's backend requirements (BusinessStandard, 2022).

Passport Policy of Bangladesh

Bangladeshi passport holders can only travel to 40 of the world's 227 places without a prior visa, making it the ninth weakest passport in the world (Henley, 2022).

In Bangladesh, passport issuance falls under the authority of the Department of Immigration and Passports, under the Ministry of Home Affairs. Additionally, Bangladesh issues passports with five- and ten-year validity. Bangladesh was the first country in South Asia to issue an e-passport to its citizens. There are three types of passports: diplomatic (red cover), official (blue cover), and ordinary (green cover). Bangladesh introduced e-passports in 2007. A study conducted in the same year identified system flaws and aimed to enhance passport seeker facilitation services. According to the study, 61% of applicants faced multiple issues related to passports. However, the introduction of e-passports has significantly reduced corruption in this department. It is worth noting that before 2007, Bangladesh, like Pakistan, restricted travel to Israel on its passports. However, this restriction was subsequently lifted by the government.

Bangladesh is the fourth largest exporter of manpower in the world. There are 13 million Bangladeshis living abroad, and the country received \$24.78 billion in remittances in the last fiscal year (Hassan, 2022).

Passport Laws & Rules in Bangladesh

Bangladesh's passport laws are derived from British Indian laws and have some roots from the Pakistani background. The following laws, rules, and regulations are currently in effect to regulate Immigration and Passports (BIP, 2022):

- The Bangladesh Passport Order, 1973
- Bangladesh Passport Rules, 1974
- The Emigration Ordinance, 1982

- The Emigration Rules 2002
- Recruiting Agent's Conduct and License Rules 2002

Facilitation: At Home and Abroad

Express delivery and standard delivery of passports at the Department of Immigration & Passport in Dhaka typically take 15 days and 30 days to process, respectively. In other Bangladeshi cities, processing times may be extended by up to two additional days. For missions abroad, the express delivery of MRP may take 21–28 days, and ordinary delivery may take 40–45 days, depending on the Diplomatic Bag's schedule.

Case Study 3: Hybrid of Online & In-House Passport Application

The application process involves filling and submitting the application online by the applicant, followed by the submission of a complete set of documents for a decision by the passport issuing authority at the biometric data capture appointment. The application steps are outlined below:

- Apply online at the following link: <http://passport.gov.bd>
- Print the online application once submitted.
- Have the printed copy of the application attested by an authorized official.
- Make the payment online or through an authorized bank.
- Book an appointment for biometric data entry (fingerprint, signature, and photograph).
- Submit documents during the biometric data entry appointment.

Passport Policy of the Philippines

The Department of Foreign Affairs (DFA) performs its consular function of issuing passports and travel documents to Philippine nationals and foreign nationals under relevant local laws such as the Philippine Passport Act of 1966 and the Foreign Service Act (Republic of the Philippines, 1996). Only Filipino citizens are eligible to acquire a Philippine passport.

The Philippines has been issuing e-Passports since 2009. A consolidated compendium in the form of the Citizen's Charter 2022 provides a set of rules and information (Citizen's Charter, 2022).

Facilitation: At Home and Abroad

Applicants for passports need to schedule an appointment at www.passport.gov.ph and appear physically on the appointed date with a complete set of required documents. Passport application forms can be downloaded from the following link: <https://consular.dfa.gov.ph/>.

Case Study 4: Courtesy Lane

At the Courtesy Lane, walk-in requests for exceptional and urgent instances are accepted; otherwise, all applicants must schedule an online appointment. The following classes of applicants may avail of the Courtesy Lane facility, where they do not have to wait in queue:

1. Senior citizens
2. Persons with disabilities (PWD Card Holder)
3. Pregnant applicants and solo parents
4. Minors aged seven (7) years and below
5. Overseas Filipino Workers (OFWs)
6. Exceptional and emergency cases

Case Study 5: Passport on Wheels

The DFA offers the Passport on Wheels service as part of an endeavor to better serve the public, based on the name of the vehicle. It was a nationwide initiative with the goal of aiding thousands of Filipinos daily (AP, 2022). Teams from the Passport on Wheels service visit schools, towns, and government buildings to assist people in obtaining passports. This service is an excellent way to help communities achieve goals that are otherwise challenging due to the distance of some offices from remote provinces. With Passport on Wheels, anyone can apply for new passports or renew existing ones without having to travel far.

Facilitation for Overseas Filipino Workers

The predicted total number of overseas Filipino workers (OFWs) in 2020 was 1.77 million, while the sum of remittances sent by OFWs from April to September 2020 was \$2,450 million (PSA, 2022), playing an important role in the economy of this Southeast Asian country. Therefore, the Philippine government has made special arrangements for the facilitation of OFWs. The Philippines Overseas Labor Office (POLO) is an overseas office established in missions abroad under the supervision of the Department of Labor & Employment (DOLE). Currently, there are 34 POLOs operating worldwide: 11 in Asia, 13 in the Middle East, 7 in the EU, and 3 in North America.

Case Study 6: Outsourcing Consular Services at Mission Abroad

The Republic of the Philippines Department of Foreign Affairs and VFS Global signed a contract on August 6, 2021, to offer e-Passport Renewal services through Filipino missions abroad, aiming to simplify the e-Passport renewal procedure for Filipino nationals living abroad (VFS, 2022).

The main advantages of the VFS Global outsourced Philippine e-Passport Renewal Centers are:

- Better passport and consular services for Filipino citizens abroad
- Reduced congestion at consulates and embassy offices, and enhanced convenience for clients using VFS Global to submit their applications
- Strictly verified procedures to ensure the accuracy of collecting biometric data
- Services available during evening shifts to accommodate work outside of regular business hours
- Application tracking facility



Passport Laws & Rules in the Philippines

The Philippine Passport Act of 1996, also known as Republic Act No. 8239, governs the passport regime in the Republic of the Philippines (Philippines, Republic of the, 1996). Moreover, the DFA has issued the Citizen's Charter 2022 as a compendium of passport and other consular services (Citizen's Charter, 2022).

The Philippine Passport Act of 1996 was repealed by Bill No. 8513, which was adopted by the House of Representatives in February 2021. According to important legislation and current ICAO standards, the bill aims to streamline passport documentation requirements. The bill will allow older individuals to



renew their passports using current technology without having to attend in person.

Moreover, a 50% discount is also provided for senior citizens and people with disabilities (Galvez, 2021).

Ranking & Strength of the Philippine Passport

According to the Henley Passport Index, Philippine passport holders are entitled to visa-free or on-arrival visa access to 66 countries and territories as of 31 January 2022, placing the Philippine passport at 77th overall in travel flexibility. The Philippines rose from position 82 in the same period last year to position 67 in the third quarter of 2022 of the Henley Passport Index, with access to 66 destinations (Henley, 2022).

Comparative Analysis of Passport Facilitation

Pakistan, India, Bangladesh, and the Philippines share a common British colonial background. Therefore, the laws pertaining to passports are, more or less, similar in nature. All these countries are major exporters of manpower, and their respective economies heavily rely on remittances from overseas. Currently, the internal and external economic and security challenges differ for each country. These nations have large populations, and the number of people living in poverty is substantial. Consequently, the trend of emigrating abroad for better living conditions has been prominent for decades. According to a United Nations research on migration trends, India has the largest expatriate population in the world with an estimated 17.5 million people (IOM-WMR, 2018). The top five nations that received remittances in 2016 were China, India, the Philippines, Mexico, and Pakistan, with China and India leading by a significant margin. Bangladesh ranks 6th, the Philippines 9th, and Pakistan 7th in terms of expatriates living abroad. Therefore, these countries tend to facilitate their overseas diaspora through consular services, with obtaining a passport being the most important service. While facilitation is a basic aim, internal and external geopolitical and socioeconomic factors play an imperative role in the formulation of respective passport policies.

In conducting a comparative analysis of facilitation among Pakistan, India, Bangladesh, and the Philippines, certain variables and non-variables are discussed. Passport policies are considered non-variables settled on the basis of variables such as socioeconomic and geopolitical factors.

Comparison Of Different Factors

The comparative analysis of passport facilitation at home and abroad is illustrated in following table:

S.N	Facility	Pakistan	India	Bangladesh	Philippines
1.	Controlling Ministry	Interior	External	Interior	Foreign Affairs
2.	Validity	10 Years	10 Years	10 Years	10 Years
3.	Delivery Time (Working days)	12-14			12
4.	Fee of 10 Years Passport in USD in Normal Urgency	20	19	52	17
5.	Police Verification	Not Mandatory	Mandatory	Mandatory	Not Mandatory
6.	Categories	3 (Ordinary/ Official / Diplomatic)	3 (Ordinary/ Official / Diplomatic)	3 (Ordinary/ Official / Diplomatic)	3 (Ordinary/ Official / Diplomatic)
7.	Fast Track/ Express Service	Available	Available	Available in Dhaka only	Available
8.	Ranking	109	87	104	80
9.	Visa Free Entry Destinations	32	60	41	67
10.	Number of Offices at Home	177	92	70	30
11.	Passport Offices Abroad	60	180	80	89
12.	Outsourcing of Services	No	Yes	No	Yes
13.	Delivery by Post/Courier	Yes	Yes	No	Yes

14.	Total Missions Abroad	80	180	80	93
15.	Start of MRP	2004	2001	2010	2006
16.	Start of E-Passport	2021 (Only Official & Diplomatic)	Planned to Launch in 2022	2020	2009
17.	Online Renewal Without Physical Appearance	Available	Not Available	Not Available	Not Available
18.	Online Form Filling	Not Available	Available	Available	Available
19.	Prior Appointment	Not Available	Available	Available	Available
20.	Express Delivery/ Fast Track	Available	Available	Available	Available
21.	ICAO Compliant	Yes	Yes	Yes	Yes
22.	Expats (Estimated) In Millions	10	18	13	11
23.	Blacklisting	Yes	Yes	Yes	Yes
24.	Police Report required for Lost passport	Yes	Yes	Yes	Yes
25.	Punishment for passport related crime	6m to 2 Years and/or fine	1-5 years Imprisonment and/or fine	1 year and fine	6 years to 15 years and fine

Above table furnish an overview of passport facilitation of Pakistan, India, Bangladesh and Philippines. ICAO plays an important role in driving

national passport facilitation steps along with increasing security features to secure international travel. Each country has its own internal dynamic which drive the passport facility.

SWOT Analysis of Pakistani Passport

The Strength, Weaknesses, Opportunities and Threats to passport policy are different and facilitation is linked with these aspects. Therefore, separate SWOT analysis of Pakistani passport is required to sum up comparative analysis.

<p>STRENGTHS</p> <ul style="list-style-type: none"> • Large Expats Community • Consolidated NADRA Database • Large Number of Passport Offices in Pakistan • Skilled Technical HR in DGIP 	<p>WEAKNESSES</p> <ul style="list-style-type: none"> • 4th Lowest Ranking • Economic Condition of Pakistan • Regional & Internal Political Instability • Overburdened & Discourteous Staff at Missions • Lack of Funds in DGIP causing financial constraints to purchase new Technology • Bureaucratic & Budgetary hurdles in recruitment
<p>OPPURTUNITIES</p> <ul style="list-style-type: none"> • High Remittances • IT Companies able to handle outsourced services 	<p>THREATS</p> <ul style="list-style-type: none"> • Issuance of CNIC to Afghans by NADRA • Multiple CNIC issued by NADRA to Single Person • Illegal Immigrants through Human Smuggling • Asylum Seekers • FATF Gray List • NADRA’s monopoly on National Database hurdling outsourcing of services • Lack of Administrative autonomy by DGIP • Political Pressures to establish non-feasible RPOs

The Pakistani missions are facing a shortage of manpower, and the number of passport applicants is very high, thereby causing an adverse personnel-to-applications ratio. Consequently, long queues have been observed in front of Pakistani missions in GCC countries. It is pertinent to mention that 10% of the consular fee is deposited into the Community Welfare Fund (CWF), and another 10% into FIGOP (Fund for the maintenance and meeting expenses of mission buildings). However, the state of affairs is pitiable because neither the CWF is used for the welfare of the community nor FIGOP is used for establishing facilities for consular service applicants. Instead, these applicants

are made to stand in long queues under the scorching sun of the Middle East.

On the other hand, India and the Philippines have outsourced their passport services to high-tech private consular services handling companies. Passport seekers do not need to visit embassies and consulates and stand in long queues; rather, they book appointments at a time slot of their choice and visit front offices for data entry and biometric capture by paying a few extra amounts over the passport fee.

Moreover, while going through passport-related complaints on the Prime Minister's Performance Delivery Unit (PMDU) Citizen's portal during the last two years, it has been observed that most of the complaints were from overseas Pakistanis about the discourteous and non-professional behavior of staff posted at Pakistan's missions abroad. These complaints from Pakistani expatriates also include some related to policy decisions, such as requests to waive police verification required for doubtful national status and asylum seekers. Some complaints were also launched by persons who willfully concealed their original identity and obtained another CNIC from NADRA, leading to the blockage of both CNICs due to being caught in the passport Automated Fingerprint Identification System (AFIS).

Conclusion

A passport is a basic identity document for international travel, and its importance is multiplied for a country like Pakistan, as the economy heavily relies on foreign remittances from overseas workers. India, Bangladesh, and the Philippines are major competitors of Pakistan in securing a share of overseas employment, particularly in GCC countries. Presently, the international political scenario favors these countries, enabling their governments to easily sign visa abolition agreements with other countries, thereby enhancing their passport rankings globally.

These countries provide excellent services to passport seekers both domestically and abroad. The research reveals that the laws and policies pertaining to passports in Pakistan and these three countries are more or less the same, but significant differences arise due to the implementation of good practices and the lack of professional attitude among personnel involved in passport issuance. Moreover, there are some shortcomings in the passport application process that could be overcome by strict checks and balances on staff and the wise utilization of modern technologies.

Policy Options for Pakistan: A Way Forward

Pakistan faces numerous challenges including rising external deficits, a depreciating currency, and depleting foreign exchange reserves, making it difficult for the government to allocate generous funds for passport facilitation. This situation has resulted in a low politico-diplomatic ranking globally, impacting Pakistan's passport ranking. Additionally, amidst

ongoing economic constraints, investing in capacity building for state institutions remains challenging.

The Directorate General of Immigration & Passports (DGIP) oversees passport issuance and policy formulation. Despite collecting substantial passport fees deposited directly into the national treasury, the department relies on limited funds approved by the Finance division. This funding shortfall affects departmental performance, hindering recruitment efforts and the acquisition of modern equipment. Furthermore, inflationary pressures on meager staff salaries increase the risk of corruption within the department.

To address these issues, it is proposed that DGIP be allowed to charge an additional 20% on passport fees to establish new passport offices, maintain existing ones, and enhance facilities for passport seekers.

Policy options within existing resources include improving NADRA's ID card issuance process to prevent non-nationals from obtaining passports through fraudulent means. Implementing a zero-tolerance policy for staff involved in malpractice is essential. Additionally, streamlining police verification processes to ensure reports are furnished within a maximum of 10 days, similar to practices in India and Bangladesh, could expedite passport issuance.

To reduce wait times and improve efficiency, DGIP plans to introduce one-window desks and an online appointment system. Allowing fee payments through multiple banking channels and authorizing all commercial banks to collect passport fees would further facilitate applicants.

Outsourcing token issuance, data entry, and biometric capture to reputable service providers for overseas Pakistanis, especially in GCC countries, would streamline services and reduce corruption risks. Moreover, implementing mobile passport services akin to the Philippines' Passport on Wheels could extend passport services to remote areas domestically and internationally.

Despite the online passport facility introduced by DGIP in collaboration with NADRA, challenges remain for IT-literate blue-collar workers. Addressing these challenges through simplified interfaces and enhanced verification processes is crucial.

Granting DGIP financial and administrative autonomy would empower it to innovate and improve service delivery. Enhancing Pakistan's passport strength and global ranking through bilateral visa abolition agreements, particularly with Middle Eastern, Far Eastern Asian, and African countries, is another viable strategy.

Lastly, transferring DGIP to the Ministry of Foreign Affairs could leverage its digitization capabilities and IT-trained workforce to enhance consular services nationwide.

In conclusion, Pakistan should adopt a phased approach to implement best

global practices in passport facilitation, requiring strong commitment from its leadership and stakeholders.

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Comparative and Performance Analysis of Diplomacy by India and Pakistan: Lessons for Pakistan

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Abstract:

The term "diplomacy" has evolved from its ancient Greek origins to its modern-day interpretation as the peaceful conduct of international relations. Traditionally, diplomacy involved non-violent means and official, communicative functions. However, technological advancements and the rise of non-state actors have transformed diplomacy, expanding its scope to include various activities by state and non-state entities. Pakistan's foreign policy, historically centered on geo-strategic concerns, is now shifting towards geo-economic diplomacy. Despite significant internal and external challenges, Pakistan seeks to project a positive global image and enhance its influence through robust foreign policy and economic diplomacy. Recommendations for strengthening Pakistan's diplomacy include enhancing the Ministry of Foreign Affairs, focusing on bilateral and geo-economic diplomacy, investing in human resources and public diplomacy, and maintaining consistent policies. Addressing these areas is essential for Pakistan to emerge as a key regional and international player.

Key words:

Diplomacy, Foreign Policy, Geo-economics, Pakistan, International Relations

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Introduction

The term "diplomacy" is derived from the ancient Greek word *diploun* (meaning twofold or double), used in connection with diplomas—special documents carried by religious envoys to ensure a safe journey. In the 16th century, the term "diplomatic" came to refer to the science of codifying handwriting necessary to authenticate the validity of diplomas issued by religious authorities. Gradually, diplomacy in theory and practice began to be understood as the peaceful conduct of relations between different sovereignties. In fact, the practice of state diplomacy led to its theory.

Traditionally, diplomacy focuses on the peaceful execution of relations by specially authorized personnel, employing means short of physical force. Due to its non-violent character, diplomacy is considered "the most important institution of the society of states." Accordingly, diplomacy's characteristics are non-violent means, official character, and representative and communicative functions.

During and after the Cold War between the USA and USSR, diplomacy did not act to prevent war but to continue it in other forms. Technological advancements, developments in communication, access to information, and the increasing acknowledgment of the importance of non-state actors have reduced the prerogative of state-led diplomacy as the main mediator in international relations. Conceptually, diplomacy has evolved into an umbrella term describing a wide range of activities undertaken by state and non-state actors, including businesses, civil society groups, non-governmental organizations (NGOs), and supranational institutions (Lohman, 2017).

A country's foreign policy reflects its internal conditions and is neither fixed nor rigid. Pakistan's diplomacy has long been based on securing national interests, initially focusing on protecting the country's geographical borders. Recently, the country's leadership has shifted its focus from geo-strategic to geo-economic diplomacy. Historically, Pakistan has always been in the international limelight for various reasons. Its nuclear weapons, complicated relations with India, and growing strategic engagements with China mean that Pakistan will continue to garner global attention. Consequently, Pakistan has maintained its relevance due to issues like strategic stability, the Afghan imbroglio, counterterrorism, and the brewing Sino-US rivalry, which affect or are linked to the country. However, Pakistan seeks for the world to perceive and discuss it differently.

Statement of the Problem

In recent years, India is being viewed as the next superpower in the region. To achieve this perception, India has successfully capitalized on its strengths and effectively used its diplomatic strategies. From being a reluctant

international player to becoming a candidate for regional superpower, India has come a long way. Pakistan too has made some achievements, but there is still much to be accomplished and learned. The aim of this research study is to review India's diplomatic success through transformations in its policies on national, regional, and global levels and to explore how Pakistan can review its national interests, goals, and priorities with an overall adjustment and readjustment of its foreign policy to cope with the opportunities and challenges that await.

Significance and Scope of the Research

Foreign policy and diplomacy are often believed to be synonymous. However, in reality, diplomacy is one of the many means that a state employs to achieve its foreign policy objectives, meaning that diplomacy is a means to an end and not an end in itself. With the increasing cost of conventional wars, massive developments in communication, and the increasing ease of access to information, diplomacy is the only way to secure one's national interests without damaging those of others.

The topic of research is too wide to be contained and discussed within the short time span and word count limitations. Hence, the scope of this study is limited to the practice of diplomacy, in various forms, by both India and Pakistan. The diplomatic practices of both countries will be critically analyzed with a view to proposing practical policy recommendations for Pakistan.

Review of the Literature

A considerable amount of literature is available, enabling us to understand Pakistan's diplomacy, the factors that shaped Pakistan's diplomatic practices in different eras, and the ways and means to maximize Pakistan's gains in international relations. The literature also helps us understand the good practices and innovations employed by India to capitalize on its strengths and achieve the status of regional leader.

In the age of globalization and digitalization, more areas of national, regional, and global relations fall within the ambit of diplomacy. Terms like cultural diplomacy, citizen diplomacy, commercial diplomacy, defense diplomacy, digital diplomacy, economic diplomacy, and regional diplomacy are now considered part and parcel of foreign policy. This is coupled with a variety of methods employed to practice diplomacy, such as hard power, soft power, and smart power.

In international relations, there are no permanent friends or foes, which means that foreign policy changes in nature, scope, and orientation over time according to a country's objectives, national interest, and the changing domestic and international environment. Moreover, states do not operate in a vacuum; rather, they function as members of a larger community of states with international obligations. In today's world, advancements in

information and communication technology have affected foreign policy formulation, which in turn has significantly impacted the conduct of diplomacy (Ali, 2015).

These developments present a wide range of opportunities as well as challenges for diplomatic activities. Countries cannot afford to be left behind in this era of digital diplomacy, as they can greatly benefit from these emerging diplomatic trends. By adopting a futuristic approach and keeping the national interest of Pakistan at the center of discussion, Pakistan can develop several policy responses and alternatives that may be helpful in the formulation of its foreign policy in the future.

Research Methodology

A qualitative research method has been used, and data has been taken from secondary sources, including various articles and research papers available online. Inputs have also been taken from Foreign Service officers who have either worked in Pakistan's diplomatic mission in New Delhi or have headed the India directorate at the Ministry of Foreign Affairs, Islamabad. The questionnaire shared with the above-mentioned officers is placed in Annex I.

Historical Perspective of Diplomacy by Pakistan and India

The foreign policy of Pakistan is guided by the vision and principles set forth by the founding father of the country, Quaid-i-Azam Mohammad Ali Jinnah, who stated: "Our foreign policy is one of friendliness and goodwill towards all the nations of the world. We do not cherish aggressive designs against any country or nation. We believe in the principle of honesty and fair play in national and international dealings and are prepared to make our utmost contribution to the promotion of peace and prosperity among the nations of the world. Pakistan will never be found lacking in extending its material and moral support to the oppressed and suppressed peoples of the world and in upholding the principles of the United Nations Charter."

Article 40 of the Constitution of the Islamic Republic of Pakistan also outlines principles that shall guide Pakistan's foreign policy for all time to come. This article states that "the State shall endeavor to preserve and strengthen fraternal relations among Muslim countries based on Islamic unity, support the common interests of the people of Asia, Africa, and Latin America, promote international peace and security, foster goodwill and friendly relations among all nations, and encourage the settlement of international disputes by peaceful means." Thus, Quaid's vision and Article 40 of the Constitution outline the guiding principles of Pakistan's foreign policy.

Through the years, the basic principles of Pakistan's foreign policy have generally remained unchanged, but the goals kept changing according to

emerging international scenarios—social, political, and economic—and Pakistan's internal dynamics.

The diplomatic history of Pakistan is composed of many successes and challenges. Pakistan had to face many challenges right from its inception. With very limited resources, the government of the newly born state of Pakistan had a daunting task at hand. Initially, to start the government machinery, the Government of India Act 1935 was amended according to domestic needs and used until the promulgation of a formal constitution. In the early few decades since independence, Pakistan's diplomacy was at its best. All the big powers of the world wanted to establish close ties with Pakistan. It was in those decades that Pakistan received and sent high-level delegations around the world. Pakistan opened its diplomatic missions in several countries of the world and vice versa. Pakistan forged amicable relations with the newly established Muslim countries and supported the freedom movements of Indonesia, Algeria, Tunisia, Morocco, and Eritrea against Western colonial powers, leading to the regional identification of Pakistan. Even during the Cold War period, Pakistan's diplomacy was brilliant in pursuing a special relationship with China, even though it was a signatory of America's anti-communist alliances. It became a bridge between the US and China and facilitated secret diplomacy between the two (Mohan, 2021).

Both India and Pakistan had sufficient reasons to choose different foreign policy paths after independence. While India believed that it had no external threats and was utterly confident about its ability to navigate the world on its own, Pakistan's difficult relations with its neighbors made it look for alliances. Pakistan, thus, signed a bilateral security treaty with the US and joined the Southeast Asia Treaty Organization (SEATO) and Central Treaty Organization (CENTO) in the mid-1950s. Later, during the 1965 war between Pakistan and India, when the US did not extend any help to Pakistan, it left both SEATO and CENTO. The aim of joining SEATO and CENTO was not to fight communism, as opposed to the US, but to balance India. And that is why communist China came close to Pakistan.

The period from independence till the USSR invasion of Afghanistan was generally a period of great diplomatic activity and successes for Pakistan. When the USSR attacked Afghanistan, Pakistan opened its doors for the Afghan people, and hundreds of thousands of Afghan refugees fled to Pakistan. The government of Pakistan declared "jihad" against the Soviet attack, which led to the madrassa system, Kalashnikov culture, heroin and opium production, Al-Qaeda, 9/11, and the post-9/11 War Against Terrorism, resulting in the loss of precious lives and property worth millions of dollars. The aftermath of all these events changed international geopolitics, Pakistan's image in the world, and Pakistan's diplomacy for good.

One of the greatest diplomatic victories of Pakistan historically is tying its nuclear program to that of India. India and Pakistan have not signed the Non-

Proliferation Treaty (NPT). India started developing its nuclear program in 1962, and to safeguard its geographical boundaries and national interests, Pakistan began to prioritize its nuclear program after the Indo-Pak war of 1971. In May 1998, India tested six bombs over the course of three days. Three weeks later, Pakistan detonated five bombs in a single day and a sixth three days later. The West wanted to impose sanctions against Pakistan for its nuclear tests, but Pakistan managed to convince world powers that due to the historical rivalry between the two countries and to address the existential threat Pakistan faced after India's nuclear tests, Pakistan was forced to conduct nuclear tests after India. Hence, any sanctions imposed against Pakistan were also imposed against India, and when the US wanted to lift the sanctions against India, those against Pakistan were also lifted.

After the 9/11 attacks, the US and Pakistan reconnected in 2001 as the US needed physical access and intelligence support to sustain its intervention in Afghanistan. Pakistan, although it received billions of dollars in terms of financial aid for its assistance in the War on Terror, became unnecessarily involved in a foreign war that caused huge losses of precious lives and infrastructure. An even greater loss is the perception of the West about Pakistan, which will take several decades to change (Mohan, 2021).

India, on the other hand, has come a long way in transitioning itself from a non-player in international politics to a regional power. This elevation of India's status in the international system is mainly accredited to its remarkable success in dealing with the complexities of the international system. India was also confronted with several challenges as a new state, but those challenges were largely addressed by focusing on how India could get more dividends in terms of its recognition in international affairs. In that regard, India took three important decisions that shaped its international relations and economy for several decades to come (Mohan, 2021).

1. **Non-alignment:** When the rest of the world was either joining the capitalist bloc led by the United States or the communist bloc led by the former Soviet Union in the bipolar nature of the international system after the Second World War, India chose the path of non-alignment and reflected the willingness to assume the leadership role for the newly emerged nations of Asia and Africa. But diplomatically, it lacked strategic vision, and in the process of arguing against colonialism, India completely annoyed the United States. The nations that had emerged in Asia and Africa had become independent politically, but economically they became part of "neo-colonialism," which emerged as an instrument of promoting the foreign policy interests of the two power blocs.
2. **Socialist economy:** Besides non-alignment, India adopted a "socialistic pattern of society with a mixed economy," in contradiction with the rest of the world, which was adopting either capitalism or communism. India's economy was closed for several years, and its diplomatic maneuvering was not mature enough to understand the pulse of the

international system and the global economy. Its GDP was higher than that of China, but it could not keep up with the pace despite the evolving dynamics of geo-economics. India learned lessons from its mistakes and adopted economic liberalization in 1991.

3. **Secularism:** The third critical decision was to follow secularism. Although there are numerous contradictions in India's stated policy of secularism and its practice in Indian society, India has nonetheless managed the situation.

These decisions had a bearing on India's diplomacy. Though India remained instrumental in sharing a number of ideas and resolutions at the United Nations General Assembly (UNGA), it was never paid adequate attention to and could not get sufficient support to universalize its ideas. India's relations with its immediate neighbors also did not prove to be of greater value diplomatically. Even a small country like Nepal was difficult to manage on several occasions in the past. Dealing with China has always been difficult for India. India, to date, also faces a number of irritants from Bangladesh, including the refugee problem. Even Afghanistan remained part of the problem for regional peace and stability. India's relations with its extended neighborhood, such as Southeast Asia and West Asia, could also not gain much momentum in the past, and so are India's relations with Israel, Iran, and the GCC, which did not build much dividend until a few years ago (Mohan, 2021).

Modern Day Diplomacy by Pakistan and India Traditional Diplomacy

As discussed in the previous section, in the initial few decades after independence, India's diplomacy lacked vibrancy and strategic depth compared to Pakistan's. Hence, India's diplomacy needed a new look, particularly in terms of reflecting India's strengths and demonstrating its capacity to lead global affairs. Learning from past mistakes, India adopted new strategies for its diplomatic practices. Today, India does not follow a single model for conducting its relations with all countries. In the South Asian region, India employs a model of coercive diplomacy. However, with China, the EU, the US, and Japan, it might use a model combining both open and secret diplomacy mixed with soft power. In South Asia, India's model is based on its self-image as a hegemonic power. India is rapidly becoming a part of the agenda-setting for the international system. The changing dimensions of India's diplomacy indicate that India will never align with one pole of the international system. It has successfully demonstrated strategic autonomy in decision-making, even in the ongoing conflict in Ukraine, by working with all major poles of the international system without angering any of them.

Today, India is one of the few countries showing a high degree of responsibility and maturity in its diplomatic practices. Unlike in the past, India has been well heard in recent years. For its relations with larger powers

and countries beyond its neighbors, India employs "smart power," maintaining political differences without compromising economic interests, creating win-win situations. India has also shown it will not work under any pressures, a departure from past practices.

In the case of its neighbors, a significant shift in India's diplomatic practices in recent years has been assertive, coercive, and bold actions like the so-called drama of surgical strikes, the attack against Pakistan on February 26, 2019, and the continued purchase of crude oil from Moscow despite Western sanctions against Russia due to the Ukraine war. The following factors caused this:

- i. The rise of China led Western capitals to consider Delhi a counterweight against Beijing within the Quad or without the Quad.
- ii. The fluidity of the international system following the relative decline of the US and its decisions to withdraw from Afghanistan and Iraq and NATO/West's hesitation to engage in the Ukraine war. This fluidity gave regional powers like India more space and confidence in the international system.
- iii. India's economic growth also made it more confident and assertive in its relations with other states.

India's connection with the rest of the world has shown its larger diplomatic success, where the rest of the world, especially major powers like the US, Russia, Japan, and China, are witnessing India's growing role in global affairs with greater interest. India has been successful in maintaining political differences with major powers without compromising its economic interests. India's recent diplomatic achievements include:

- i. The civil nuclear deal with the US in 2005 and its subsequent finalization.
- ii. Finding a role in the Quad, G-20, and frequent victories in various UN bodies like the Security Council.
- iii. Improving relations with Gulf States, including Saudi Arabia and the UAE.
- iv. Retaining strategic autonomy by not following the dictates of any one grouping like the Western powers or their opponents (e.g., Russia).
- v. Trading US\$115 billion with China despite recent border disputes, showcasing the strength of its diplomatic process.
- vi. Using information power for diplomatic purposes through credible media and propaganda via fake news, fake think tanks, NGOs, and ghost writers. For example, their success in equating the legitimate struggle of Kashmiris with terrorism due to a combination of their information power, economic power, diplomatic advocacy, and the coincidence of 9/11.

- vii. Exaggerating its present economic strengths and projecting its IT sector's future potential, utilized by its diplomats during negotiations.
- viii. Sustained outreach and enhanced engagements with Africa, Latin America, West Asia, and Southeast Asia.

Pakistan started off well. In the 1950s, Pakistan's prospects seemed much better than many nations in East Asia and the Middle East. However, neglecting economic development, letting obsessions cloud common sense, and privileging feudal and pre-modern ideologies have caused Pakistan to fall rapidly behind its peers.

International relations of Pakistan have been in melancholy and doldrums due to several factors, primarily its foreign policy not being on the right track. Our governments never prioritized foreign policy. However, things have changed now. Pakistan has begun to realize that globalization, enhanced connectivity, and increasing interdependence of states require a vibrant foreign policy. Pakistani officials are now linking the country's foreign policy with economic connectivity and integration.

Pakistan's troubled relations with most of its neighbors are an open secret. However, in the past few years, Pakistan has started giving due attention to its relations with its neighbors, resulting in some achievements. For example, a border cease-fire with New Delhi last year, reducing tensions that nearly led to war in 2019; improved relations with Bangladesh leading to a telephone call between the premiers of the two countries and subsequent exchanged letters; the call of the Pakistani High Commissioner on the Bangladesh PM Sheikh Hasina in 2021, the first in several years; and Pakistan's Prime Minister and Foreign Minister's visit to Sri Lanka last year to enhance commercial relations with Colombo (Kugelman, 2021). Further, Pakistani interlocutors have repeatedly stressed that peace in Afghanistan is critical to enhancing regional connectivity.

Pakistan is also deepening its engagements with energy-rich Central Asia. In February 2021, Pakistan signed an accord with Afghanistan and Uzbekistan for a trans-Afghan railroad. Similarly, in July 2021, an agreement was reached between Afghanistan, Pakistan, and the United States focusing on stability and connectivity.

Through proactive diplomatic and political outreach, Pakistan has showcased its regional convening power. In February 2021, its navy hosted a five-day exercise AMAN-21 in the Arabian Sea with 45 countries from the region and beyond (Kugelman, 2021).

The US troops withdrew from Afghanistan abruptly after 20 years, and the Taliban took control of Afghanistan in mid-August. The sudden withdrawal led to chaos and put the country on the verge of a humanitarian catastrophe due to the suspension of billions of dollars. A large number of people became stranded in Afghanistan, and Pakistan came to their rescue. Thousands of

people were airlifted from the country, with Pakistan facilitating the evacuation of 16,000 diplomats, foreigners, aid workers, journalists, and vulnerable Afghans on its national flag carrier flights and through its land borders (Shahkar, 2022).

Pakistan also revised its visa policy for Afghan people who had their loved ones either stuck in Afghanistan or fled from Afghanistan into Pakistan, and for journalists who wanted to visit and report about Afghanistan. A large number of visas were issued within a short period. The evacuation efforts and Pakistan's humanitarian support for its war-battered neighbor have earned appreciation from the international community, as Islamabad made addressing the crisis one of the main points of its foreign policy and held several high-level international meetings with regional countries and the world's superpowers, including an extraordinary moot of the Organization of Islamic Cooperation (OIC).

Pakistan also renewed its relations with Saudi Arabia, and the Saudi Fund for Development (SFD) announced a generous financial package of \$4.2 billion to help address the depleting foreign reserves (Shahkar, 2022).

The Pakistan Pavilion at Expo 2020 Dubai received over 550,000 visitors and led to the signing of dozens of investment and cooperation agreements related to infrastructure, housing, water management, waste management, and trade in goods and services.

Several bilateral visits to Middle Eastern countries, including Egypt, Bahrain, Qatar, Iraq, and Iran, were undertaken in 2021. After the visit of Kuwait's Foreign Minister, Ahmed Nasser Al-Sabah, to Islamabad in March, Kuwait eased visa restrictions for Pakistani nationals, in place since 2011. Moreover, under a G2G arrangement, around 1,800 healthcare professionals have already traveled to Kuwait (Shahkar, 2022).

Last but not least, the visit of Britain's Prince William and his wife Kate, the Duchess of Cambridge, was the highest level visit from the UK in several years. This was covered by all the leading foreign media and generated a soft image of Pakistan in the rest of the world.

Major diverging points between India and Pakistan's diplomacy include:

- i. Economic performance and its impact on diplomacy since the 1990s.
- ii. Market size.
- iii. India's role as a counterweight to China and Pakistan's role as an "iron brother" to China.
- iv. India's economic capacity that enables it to play the West against Russia/China and Pakistan's lack of capacity to do so.

Economic Diplomacy

One of the notable successes of India's diplomacy is witnessed in the economic sphere. There is a shift in India's approach from political diplomacy to economic diplomacy. At the end of the Cold War, India started changing according to the changing global dynamics and introduced economic reforms that put the nation on a high-growth trajectory, exemplified by its growing economic and military might. India's foreign policy challenge in the early 1990s was as profound as its economic one. The world had suddenly become unipolar with the Soviet Union virtually disappearing from the world map. New Delhi had to link its economic policy with foreign policy more effectively. It was at that time that India started increasing its engagements with the rest of the world, including Iran, China, Israel, ASEAN, and the Middle East. The reforms quickly bore fruit in the form of economic growth and transformed the way the world perceived India. From climate change and maritime security to emerging technologies and globalization, India is articulating a new role for itself, largely derived from its economic success (Pant, 2021).

As the global order changes and economies face fragmentation, India stands at the center of most of these debates. "A democratic India trying to move towards an ambitious target of a US\$5 trillion economy is a tribute Modern Day Diplomacy by Pakistan and India

Key Economic Diplomacy Initiatives/Drives of India in the Last Five Years

Three central ministries handle India's economic engagement: the Ministry of Finance, the Ministry of External Affairs (MEA), and the Ministry of Commerce and Industry.

- i. **Development Partnerships:** India has forged partnerships in South Asia and beyond. Given its significance, the Development Partnership Administration Division has been created within MEA as a nodal agency for implementing development projects abroad. India has provided 232.4 million doses of COVID-19 vaccines to about 100 countries through grants and commercial orders. India's diverse diaspora of around 32 million across the world plays a key role in deepening partnerships with host countries.
- ii. **Multilateral Trade Diplomacy:** A crucial component of economic diplomacy is effectively managing relationships with International Financial Institutions (IFIs) and multilateral forums. India proactively initiates measures that garner support from developing countries and position India as a spokesperson for the Global South. In 2020, India and South Africa proposed a waiver of the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS) to enable adequate supplies and equitable distribution of COVID-19 vaccines, medicines, and tests.

- iii. **Bilateral Investment Treaties (BITs):** India has signed BITs with 83 countries, 74 of which are in force.

As discussed, the global order is changing rapidly. With this shift, the concept of national security has also evolved, now encompassing human security. According to UN reports, every element of human security—economic, health, food, environmental, personal, community, and political security—affects national security. Pakistan faces nearly all these challenges to its national security. Since 2018, efforts have been made to readjust Pakistan's national policy from geopolitics to geo-economics. Pakistan's first National Security Policy (2022-2026) greatly emphasizes harnessing Pakistan's geo-economic location for trade, investment, and connectivity.

Two factors have led to the shift in Pakistan's foreign policy focus. The first is to boost Pakistan's economy by creating more markets and trade partners and reducing regional tensions that distract from economic development. The second is to change how the world perceives Pakistan by demonstrating that it is a responsible neighbor, not a regional pariah notorious for harboring terrorists (Kugelman, 2021).

Pakistan's uncomfortable engagements with successive IMF programs, inherent fault lines in the economic sphere, decreasing forex reserves, and bleeding external accounts have contributed to this shift. Pakistan's grey listing by the Financial Action Task Force (FATF) added to the already ailing economy.

Key Economic Diplomacy Initiatives/Drives of Pakistan in the Last Five Years

- i. **Economic Outreach Initiative (EOI):** Launched in 2020, EOI was established to reposition Pakistan internationally through a 'paradigm shift' in foreign policy narrative from security/political issues to the country's economic potential, aiming to increase trade, tourism, and foreign investment. A high-level economic coordination forum was set up under the EOI.
- ii. **Economic Outreach Apex Committee:** Chaired by the National Security Advisor, this committee was established under the EOI to promote economic diplomacy, improve bilateral relations, and attract greater foreign investment. The committee also aims to enhance coordination between the ministries responsible for economic diplomacy.
- iii. **National Development Council (NDC):** Established in June 2019, the NDC was mandated to set policies and development strategies, achieve accelerated economic growth, and provide regional cooperation guidelines. A significant achievement was securing the suspension of Pakistan's debt repayments of \$1.7 billion from 19

creditors under the Debt Service Suspension Initiative (DSSI) announced by G20 countries.

- iv. **Roshan Digital Account (RDA):** Launched in September 2020, this initiative provided banking facilities to over 8.8 million non-resident Pakistanis, enabling them to undertake banking, payment, and investment activities in Pakistan. Inflows under the RDA reached \$4.356 billion in May 2022.
- v. **Multilateral Trade Diplomacy:** Pakistan has the weakest representation in international financial institutions, including the WTO and other multilateral forums. Factors behind poor performance include a lack of trade specialists, delayed key appointments, and a reactionary approach to significant commercial events worldwide.
- vi. **Bilateral Investment Treaties (BITs):** Pakistan has 53 BITs with 48 countries, but many are ineffective. Due to heavy costs incurred from arbitration penalties, Pakistan has decided to negotiate all new BIT templates. Under the revised template, disputes will now be remedied through local arbitration to minimize the risk and cost of international arbitration.

Comparison of Economic Diplomacy of Pakistan & India Internationally

i. Neighborhood:

India: Soon after PM Modi assumed office, he introduced the "Neighborhood First" policy. However, despite continued engagement with all South Asian countries except Pakistan, India does not have significant trade with them.

Pakistan: Regional exports account for only 14.21%. Political disputes, security issues, and trade barriers have hampered regional trade integration. Pakistan doesn't enjoy comfortable trade relations with any South Asian nation except Sri Lanka.

ii. African Continent

India: India expanded its footprint in Africa by opening 18 new diplomatic missions, totaling 47 Indian missions in Africa. During the pandemic, India gifted 150 tons of medical aid and 37.59 million doses of vaccines to several African countries.

Pakistan: The "Look Africa Policy" was launched in 2017/18 to increase Pakistan's economic presence in Africa. Ten African countries were selected for trade promotion, with the goal of doubling trade by 2025. Pakistan's exports to Africa increased by 12% during July-March FY2022. In January 2020, Pakistan's Ministry of Commerce held a Trade and Development Conference in Nairobi. In November 2021, Pakistan announced the establishment of five new diplomatic missions in Africa.

iii. China

Pakistan: The Pakistan-China Strategic Cooperative Partnership includes the China-Pakistan Economic Corridor (CPEC), which has entered its second phase, focusing on industrial development. The Pak-China Relations Steering Committee was established in 2021 to supervise economic diplomacy with China and address operational issues hindering CPEC implementation. The China-Pakistan Free Trade Agreement (CPFTA-II) significantly improved Pakistani exporters' access to the \$2 trillion Chinese import market.

India: Despite tensions, India's trade with China was \$125 billion in 2021, and the economic relationship is growing steadily. India's largest cement producer, UltraTech Cement, is importing Russian coal and paying in Chinese yuan.

iv. Russian Federation:

Pakistan: Despite warming ties, Russia is not among Pakistan's top 10 export destinations. Bilateral trade between Pakistan and Russia was around \$978 million in 2020, with exports at \$279 million and imports at \$699 million.

India: Indian exports to Russia were \$2.6 billion, while imports were \$5.48 billion. Bilateral trade during April 2020-March 2021 stood at \$8.1 billion. Russian investment in India reached \$18 billion in 2017, and India's total investment in Russia stands at \$13 billion.

v. European Union:

India: The India-EU Strategic Partnership: A Roadmap to 2025, agreed upon during the 2020 India-EU summit, primarily focuses on economic cooperation. Over 6,000 EU companies operate in India, employing over six million people. An investment facilitation mechanism for EU investments in India was established in 2017 to ease doing business for EU investors.

Pakistan: The economic relationship between Pakistan and the EU remains fundamentally centered around development aid. However, the GSP Plus Scheme has played a vital role in doubling Pakistan's trade with EU countries in the last five years.

vi. Middle East & Gulf:

Pakistan: Pakistan primarily exports human resources to these countries.

India: India is rapidly transforming its relationship with Gulf countries through connectivity projects and FTAs. India signed a Comprehensive Economic Partnership Agreement (CEPA) with the UAE in February 2022, expected to increase bilateral trade in goods to over \$100 billion and in services to over \$15 billion within five years.

India is also establishing an arc of connectivity from India to Greece, including:

- Rail connection from the UAE through Saudi Arabia and Jordan to the Port of Haifa on Israel's Mediterranean coast.
- Trans-Mediterranean maritime link from Haifa to the European mainland via the major transshipment port in Greece.

Public Diplomacy

Modern diplomacy relies less on traditional practices, such as coercive or hard power diplomacy, and more on projecting soft power through cultural and public diplomacy initiatives. This shift is due to the importance of soft power in building influence and pursuing national interests in the contemporary era. In many cases, it is even more crucial than hard power. A clear example of the significance of public diplomacy is American global dominance since World War II. Although the Soviet Union was nearly as powerful militarily as the US, it was American soft power that ultimately won the Cold War.

With the widespread use of social media and advancements in Information and Communication Technology (ICT), perceptions play a crucial role in assessing a country's standing. These perceptions include films, literature, music, technological prowess, cuisine, and educational projects. A favorable perception can lead to increased trade and investment opportunities and strengthen tourism.

Public diplomacy can be categorized into two types: branding or cultural communication and political advocacy. Branding focuses on building a country's international image, while political advocacy aims to garner international support for pressing issues or policy goals.

Pakistan recognized the importance of public diplomacy and soft power only relatively recently. Unfortunately, an overemphasis on conflict-centered diplomacy allowed India to leverage the soft power that Pakistan's rich cultural heritage could have provided. Often, Pakistani music, dance, and fashion are mistakenly labeled as Indian. Pakistani cuisine is frequently marketed as Indian food worldwide. Despite inheriting a significant portion of Punjab, Punjabi traditions like Bhangra are recognized as Indian, and the Mughal heritage is also often labeled as Indian despite Pakistan's considerable architectural gems. India's branding and marketing strategies contributed more to its global outreach than its diplomatic efforts ever could (Hassan, 2021).

Pakistan's public diplomacy objectives are as follows:

- Project Pakistan's foreign policy abroad.
- Promote the country's national interests.
- Build Pakistan's positive image internationally.

- Build relationships with foreign opinion leaders and policymakers.

Recent Pakistani governments have come to understand the significance of narrative building, soft power projection, and propaganda in advancing their objectives.

A critical aspect of public diplomacy is the use of social media and digital tools, known as “digital diplomacy.” Digital diplomacy is increasingly replacing traditional diplomacy among scholars of Mass Communication, Peace and Conflict Studies, and International Affairs. Social media and new technologies provide new avenues for governments, individuals, and organizations to engage with foreign audiences. According to the Twiplomacy study (2018), 97% of United Nations member states have an official presence on Twitter. Digital platforms allow officials to connect directly with global audiences, gather feedback, and adjust policies. Twitter and Facebook, being the most used social networks among governments, diplomats, and institutions, play a significant role in this regard (Ittefaq, 2019).

Today, nearly all Pakistani government entities have a robust social media presence to project Pakistan positively and counter negative propaganda. Pakistani missions abroad maintain verified accounts on Twitter, Facebook, Instagram, and some even on YouTube.

In the digital age, the importance of digital tools for achieving foreign policy objectives cannot be overstated. The power of social media as a soft power tool is unique and undisputed. Recognizing the value of public diplomacy and its outreach, the Strategic Communications Division (SCD) has been established at Pakistan’s Foreign Office to project the country’s soft power. In 2020, Pakistan’s Foreign Minister established a Public Diplomacy Consultative Group comprising former ambassadors, field specialists, and scholars. This group is tasked with drafting recommendations and best practices for the Foreign Office. As part of public diplomacy reform, Vision Foreign Office and the FM Direct app were launched in 2019. These reforms aim to update the PD division and enhance interdepartmental coordination, especially between the Public Diplomacy division in the Foreign Office and the External Publicity Wing in the Ministry of Information and Broadcasting (Azka Gul, 2020).

The initiatives under this division have significantly showcased Pakistan’s exceptional cultural and historical heritage. Collaborations include the Foreign Service Academy (FSA) and think tanks such as the Islamabad Policy Research Institute (IPRI), which provide young diplomats with skills for digital diplomacy. Partnerships with popular forums like Coke Studio highlight Pakistan’s music and culture, while the Trade Development Authority of Pakistan (TDAP) promotes “mango diplomacy,” allowing global audiences to enjoy Pakistan’s renowned mangoes.

In recent months, the SCD has undertaken more activities to project Pakistan's soft power than any previous government. A dedicated social media team at the Foreign Office counters false propaganda, promotes Pakistan's history, culture, cuisine, and landscape, and highlights the achievements of Pakistanis globally.

Pakistan introduced a new visa policy in January 2019 to revitalize its tourism industry. This policy offers e-visa and visa-on-arrival facilities to many countries and expedites visa processing for work and business applicants.

Additionally, Pakistan has started promoting non-governmental platforms such as travel bloggers and vloggers to endorse the country's tourism sector. In recent years, international travel vloggers and food bloggers have showcased Pakistan as an attractive tourist destination. Improved security has positively impacted the nation's branding.

For the first time, both government and private entities in Pakistan are equally contributing to showcasing the country through culture and media. The introduction of the Women Leader Awards in Pakistan, celebrating the success of women alongside internationally iconic figures, has presented a positive image of Pakistan globally.

Religious tourism, long overlooked by successive Pakistani governments, is now being addressed through recent public diplomacy initiatives. Notable actions include the inauguration of the Kartarpur Corridor in November 2019, allowing Sikh pilgrims to visit a revered religious site. Similarly, efforts to promote religious tourism and interfaith harmony have been emphasized. The Pakistan Tourism Development Corporation (PTDC) is actively involved in enhancing religious tourism and collaborating with provincial governments to improve services (Azka Gul, 2020).

Pakistan was once a preferred destination for sporting events, hosting cricket and hockey world cups, the Commonwealth Games, and South Asian Federation (SAF) Games. However, a terrorist attack on the Sri Lankan cricket team, attributed to India, led to a decline in international sporting events in Pakistan. Nevertheless, with consistent government efforts, Pakistani missions abroad, and the Pakistan Cricket Board's initiatives, several top cricketing teams have visited Pakistan in recent years, with more tours planned. The Pakistan Super League (PSL) has become an annual event, attracting top global players.

In today's world, narrative wars have replaced wars of tanks and guns. Pakistan needs to foster creativity, initiative, strategic thinking, and a strong focus on public diplomacy. Achieving this requires media-savvy envoys who can effectively build and project Pakistan's soft power (Hassan, 2021).

Narrative building is costly. During FY 2016–2017, India spent US\$3 million on Public Diplomacy, US\$1 million on Press and Media Relations, about US\$27.5 million on ICCR, and around US\$1.5 million on ICWA (Mazumdar,

2020). In contrast, Pakistan's spending on public diplomacy and propaganda campaigns remains minimal.

Public Diplomacy of India

India has given significant importance to public diplomacy from the beginning, with a special focus on its extensive soft power, cultural heritage, and growing diasporas. In 1948, the Ministry of External Affairs established the External Publicity Division to share India's rich culture, history, and heritage with the world. This Division concentrated on cultural programs to enhance the country's image. In 2006, inspired by the US State Department's Public Diplomacy division, India established its own Public Diplomacy Division within the Ministry of External Affairs. A Public Diplomacy Website was launched in 2012. In 2014, the External Publicity Division and the Public Diplomacy Division were merged into a single entity known as the External Publicity and Public Diplomacy Division (XPD). While the Ministry of Tourism and the Ministry of Commerce undertake activities that fall under the broad definition of public diplomacy, XPD is the main entity responsible for formulating and implementing India's public diplomacy strategies.

The activities of the External Publicity and Public Diplomacy Division (XPD) include:

- Outreach campaigns to improve understanding of India and its policies both domestically and internationally.
- Collaboration with Indian and foreign universities, chambers of commerce, and research organizations.
- Arranging delegations from foreign countries to provide influential foreign citizens with firsthand experiences of Indian culture.
- Publicizing India's development aid programs and economic initiatives abroad.
- Producing audio and video materials for foreign missions to use for presentations and broadcasting on host countries' media.
- Managing the Ministry of External Affairs' digital diplomacy efforts.

A unique aspect of India's public diplomacy is its focus on the Indian diaspora. Various outreach campaigns, such as Pravasi Bharatiya Divas and the Know India program, effectively engage influential Indians living abroad. An example of successful diaspora engagement is the collaboration between the US-India Business Council, USINPAC, and the US-India Friendship Council to promote the US-India Nuclear Agreement to US lawmakers and the public.

Indian media plays a highly effective role in advancing the Indian government's national interests. While Indian media often critiques domestic issues, it generally supports the government on foreign policy matters. The

proliferation of Indian newspapers and channels in English provides unparalleled informational power. Similarly, the large English-speaking middle class projects the Indian perspective in the digital space through social media. Numerous think tanks produce reports on various issues from an Indian perspective in international languages, and their agencies use social media to effectively protect their interests.

Following the model of the British Council and the American Center, India established the Indian Council for Cultural Relations (ICCR) under the Ministry of External Affairs. The ICCR plays a central role in cultural and academic relations, with twenty-four centers in major capitals worldwide. These centers facilitate the Indian diaspora and arrange activities such as art and literature exhibitions, book fairs, cinema and dance festivals to promote Indian culture. The ICCR also manages student exchange programs, providing scholarships to over three thousand foreign students. Thirty Indian scholars are invited to hold the Indian Chair at overseas universities for both long-term and short-term periods. The Indian Chairs facilitate the study of Hindi and other Indian languages as well as Indian history.

The Institute of Cost and Works Accountants (ICWA) supports the academic aspect of India's public diplomacy. It conducts and communicates research on foreign affairs, organizes conferences and seminars, publishes briefing papers, and manages a journal called *India Quarterly*. The ICWA facilitates Track II diplomacy between academics and government officials and conducts research on regional security issues.

Sports diplomacy has been an effective tool in India's public diplomacy efforts. In the 1980s, India engaged in cricket diplomacy with Pakistan to improve bilateral relations. India has also hosted major sporting events, including the Hockey World Cup, Cricket World Cup, FIFA Under-17 World Cup, MotoGP Championship, Formula One racing, and the 2010 Commonwealth Games, while the Indian Premier League is held annually.

PESTAL Analysis

Political

The Indian Ministry of External Affairs (MEA) plays a major role in formulating Indian foreign policy. Its input is processed by the National Security Council and the Prime Minister's office, which also receive input from the Ministry of Defence, the Chiefs of the three armed services, and other specialized agencies dealing with nuclear, space, cyber technologies, trade, industry, and transport. Unfortunately, this is not the case in Pakistan. The Administrative Troika, now replaced by the National Security Council (NSC)—comprising the President of Pakistan, the Prime Minister, and the Chief of Army Staff—are the main actors in the formulation of Pakistan's foreign policy. Due to grave security and existential threats from India since 1947, the armed forces of Pakistan have always held a major position in foreign policy formulation. Although Pakistan's Foreign Office is involved in

formulating its foreign policy, its role is not as pronounced or significant. Opinions of other stakeholders, particularly the armed forces and intelligence agencies, are given more weight. Other stakeholders in Pakistan's foreign policy formulation include political parties, pressure groups, the Ministry of Commerce and Trade, and the Ministry of Finance.

Moreover, the highly volatile and unstable political situation in Pakistan leads to frequent changes in political governments. Different political parties have varying friends and allies, and none of the parties fully trust each other. Every new government often scraps the policies of the previous administration, leading to poor policy formulation and implementation. This political instability and lack of political will to establish a robust and realistic foreign policy have caused more damage to Pakistan than all other factors combined.

Economic

Although the political leadership in Pakistan has begun shifting its focus from geo-politics to geo-economics, a significant portion of our foreign policy is still driven by conventional determinants such as national security, the unity of the Islamic world, and the Kashmir issue. Our policymakers have yet to fully grasp that a strong military does not guarantee national security; rather, a strong, integrated economy does.

Pakistan can only realize its vision for an economics-driven foreign policy after implementing significant domestic economic reforms and rebranding itself as an open international market. For an effective, economics-driven foreign policy, Pakistan must address inconsistencies in economic approaches from one government to another and avoid internal shifts and frequent cabinet reshuffles. Frequent changes in decision-making hierarchies and rapidly fluctuating, unpredictable policies undermine investor confidence, making individuals hesitant to invest large amounts of capital and maintain investments for more than a couple of years (Tariq, 2021).

Another major threat to realizing Pakistan's geo-economic ambitions is the Financial Action Task Force (FATF). In June 2022, the FATF announced that Pakistan had substantially completed its two action plans, covering 34 items, and warranted an on-site visit to verify the implementation of Pakistan's anti-money laundering (AML) and counter-terrorism financing (CFT) reforms. Although the reputational risks of being on the gray list are not as severe as those of the black list, the increased risk perception from the gray-listing threatens to keep investors out of the country.

In contrast, India began working on developing its economy long before Pakistan and remained focused on its goals. India achieved strategic autonomy by not adhering to the dictates of any single grouping, such as Western powers or their opponents. This was evident when, despite a Western embargo on Russian oil due to its unprovoked attack on Ukraine, India continued to purchase cheap Russian oil without fear of sanctions. When criticized for buying Russian oil, Indian Foreign Minister S. Jaishankar

stated that “if Europe manages to procure oil and gas from Russia in a way that ensures its economy is not severely impacted, that freedom should exist for others as well.” He further remarked that “today, Europe is buying oil and gas from Russia, and new sanctions are designed considering the welfare of the people, with timelines set for reducing Russian energy imports without immediate cuts. If you can be considerate of yourself, surely you can be considerate of others.” When asked if India was funding Russia’s war by buying oil, he questioned, “If buying Russian gas is not funding the war,” referring to various European nations procuring gas from Moscow (Reporter, 2022).

Pakistan also aims to develop a bold, independent, and flourishing economy. However, such confident positions and strong statements require robust political backing, a strong and export-based economy, and an environment conducive to investment and economic interdependencies with other countries.

Social

Pakistan’s internal social dynamics play an important role in the formulation of its foreign policy. It is therefore crucial for Pakistan to focus inward, aiming to improve its domestic socio-economic framework. The importance of Pakistan putting its own house in order cannot be overstated, as a country’s story is only as good as its reality. If Pakistan wants to be seen as a peaceful, investment-friendly country, it must eliminate all negative elements and practices.

To project a positive image and restore the confidence of the international community, Pakistan must make two key policy commitments:

- i. **Capitalize on Counterterrorism Gains:** Pakistan must leverage its successes in counterterrorism and avoid succumbing to radical factions. To attract foreign businesses, it must dispel the impression that it could capitulate to those who have, on numerous occasions, disrupted and damaged economic activity.
- ii. **Implement Structural Reforms:** Pakistan needs immediate structural reforms to create an environment conducive to greater economic activity. This includes removing barriers that stifle investment, such as inconsistent trade policies and bureaucratic red tape.

Additionally, Pakistan must prioritize internal stability. Balochistan, the largest province and rich in natural resources, has been neglected and is vulnerable to the detrimental designs of Pakistan’s adversaries. To address this, Pakistan needs to take extraordinary measures to ensure Balochistan's fair share of national income, infrastructure development, education, healthcare, and other societal reforms.

Technical

Indian economic diplomacy is driven by its economic growth and focus on the IT sector. Investment in Indian Institutes of Technology (IITs) has given India an edge over Pakistan in fields such as IT, space industry, and manufacturing. For instance, while Pakistan produces around 2,000 international-standard graduates who can contribute to export-led growth, India produces approximately 16,000 such graduates. Establishing such institutions takes time; the first IIT was set up in 1951 in Kharagpur, and today there are 23 IITs. These autonomous public institutes are governed by the Institutes of Technology Act, 1961, and are considered premier engineering colleges in India. Admission to their BTech programs is highly competitive. In 2022, the total number of BTech seats across all IITs was approximately 16,053.

Pakistan's ICT sector is one of the fastest-growing sectors of its economy. According to the State Bank of Pakistan, during fiscal year 2020-21, Pakistan's IT exports increased by 47.4%, surpassing the US \$2 billion mark for the first time in the country's history. In the previous fiscal year, exports were US \$1.44 billion, and they grew from US \$2.1 billion to approximately US \$3.5 billion in the last fiscal year. The IT industry in Pakistan is expanding, and the government is taking steps to foster further growth. These steps include increasing the number of IT graduates from 25,000 to 50,000, establishing software technology parks in major and secondary cities, improving access to capital for IT companies, reducing tax disputes, enhancing the financial structure of IT companies, and listing them on the stock exchange. According to Pakistan Vision 2025 and the Digital Policy of Pakistan 2018, the ICT industry is targeted to reach \$20 billion by 2025.

However, the gap between Pakistan and India's IT sectors remains significant and requires comprehensive reforms and investments to bridge it.

Conclusion

Lessons Learned

The determinant of any country's diplomacy is its national interest, which depends on how that interest is defined. The focus of Indian and Pakistani foreign policy today rests upon security concerns, terrorism, mistrust of neighbors, and economic development. Due to internal and external security issues, both countries are modernizing their defense forces and systems. India tries to define its national interest in terms of economic benefit, political influence/stature, and the restoration of its cultural footprint from the past, even if it is somewhat mythical.

Security threats for India are mainly internal, while for Pakistan they are both internal and external. Currently, both India and Pakistan recognize the importance of presenting a positive image abroad to be influential in the

international community. Therefore, both countries are working on building their soft power.

Pakistan needs to learn from the following areas to improve its diplomatic performance and emerge as a significant regional and international player:

- i. **Economic Performance:** Pakistan has experienced lackluster economic performance since the 1990s.
- ii. **Instability and Terrorism:** Instability in Afghanistan and the resulting problem of terrorism have been significant issues.
- iii. **Human Resource Development:** There has been insufficient focus on human resource development, resulting in a lack of innovation, slow technology adoption, and limited value addition and diversity in exports.
- iv. **Ideological Approach:** An ideological approach to foreign policy has led to excessive focus on geostrategic aspects rather than geo-economic ones. Countries like Bangladesh, Indonesia, and Thailand managed to focus on geo-economics despite their own geostrategic challenges. Pakistan's ideological foundation, coupled with the Iranian revolution, Afghan wars, and unresolved disputes with a major neighbor, has directed it towards geostrategy instead of geo-economics.

Pakistan has stated multiple times that it does not believe in zero-sum games in international relations. However, narrative-building involves more than just making statements. Pakistan's new foreign policy direction requires a robust and viable narrative. The country needs to effectively communicate to the world that it is safe, that steps are being taken to create an investment-friendly climate, and that it plays a role in promoting peace, stability, and prosperity in the region.

Pakistan undoubtedly offers significant natural resources, scenic beauty, culture, history, human resources, and economic opportunities. However, these alone are insufficient given the tumultuous history and resulting image problem. There are still issues such as a weak justice system, a problematic culture of 'might is right,' and ongoing extremism and militancy despite notable successes by the armed forces.

Recommendations

Strengthen the Ministry of Foreign Affairs

- i. **Increase Personnel:** Pakistan should enhance its Foreign Office by increasing the number of officers. Currently, Pakistan has almost 550 officers in around 125 diplomatic missions compared to around 893 Indian diplomats in approximately 193 missions. This numerical disparity limits the capabilities of Pakistan's Foreign Office.

- ii. **Allocate Resources:** Provide financial and infrastructure resources both at the Ministry of Foreign Affairs headquarters in Islamabad and at Pakistan's diplomatic missions abroad. Modern diplomacy is resource-intensive, and the resource-constrained environment limits the effectiveness of diplomatic personnel.
- iii. **Empower Professionals:** Allow professionals to work in their field as India does with its Ministry of External Affairs. Those working abroad have valuable insights, and their input should be given due weight. Strengthen the role of the National Security Advisor to ensure effective coordination of foreign policy inputs from all stakeholders. Foreign policy makers should formulate policy independently, rather than at the behest of external powers.

Focus on Bilateral Diplomacy

Pakistan has overemphasized multilateral diplomacy, especially within the UN, assuming that it is where the most important international issues are adjudicated. Pakistan has failed to recognize that support in multilateral forums often stems from strong bilateral relationships. Countries vote based on bilateral relationships, not on morality or legality.

Pakistan needs to address its lagging bilateral relations with Iran, the GCC, and Afghanistan. These relations are crucial from both foreign policy and socio-economic perspectives. A peaceful Afghanistan is essential for stability in Pakistan. Closer collaboration with China, a long-time ally, is necessary to keep CPEC on track. Relations with Iran and the GCC are important due to economic interests and a large Pakistani diaspora. A balanced approach towards Iran and Saudi Arabia is crucial. Pakistan's stance on Yemen should guide future foreign policy. Relations with the United States will be influenced by Pakistan's role in the Afghanistan settlement. While relations with Russia are improving, they will take time to fully develop.

Focus on Geo-economics

For decades, Pakistan's foreign policy has been centered on its geostrategic value. This approach has resulted in significant losses, stifled human development, and turned Pakistan into a heavily indebted security state. A shift towards geo-economics would alter this trajectory. Regional integration and sustainable development in a peaceful environment are needed.

Strengthen Democracy

Pakistan's political leadership must allow democracy to function despite its imperfections. Democracy helps address domestic fault lines and builds consensus on key issues. Leaders should accept election results and continue developing policies in the national interest, improving them gradually despite the chaos of the democratic process. Clear and unequivocal messaging to the world is essential to counter disinformation campaigns.

Consistent Policies

Inconsistency in policies is a major impediment to Pakistan's growth. The country must ensure consistency and stability in policymaking. Avoiding policy dithering is crucial for presenting Pakistan as a state committed to turning a new page in domestic and foreign affairs. This requires coordination among policy actors at the highest level.

Invest in Academia

Recent massive propaganda and disinformation campaigns against Pakistan highlight the need for a strong narrative. Pakistan must enable and support researchers to produce high-quality, nuanced, and balanced academic work. This will reduce the influence of malign actors and control the information landscape.

Invest in Public Diplomacy

The reliance on military might and hard power is diminishing in favor of soft power and image projection. Pakistan must enhance its public diplomacy efforts. While the Ministry of Foreign Affairs has begun investing in strategic communications, more work is needed. Public diplomacy should be integrated with economic diplomacy, and Pakistan's culture, landscape, cuisine, and history should be marketed vigorously.

Focus on Human Resource Development

With 65% of its population under the age of 30, Pakistan has a significant young demographic advantage. Additionally, a large portion of this population speaks, reads, and understands English. Investing in the development of this resource and tapping into its potential can drive development both within the country and abroad, where these individuals can contribute to foreign economies and serve as virtual ambassadors for Pakistan.

Focus on Technology for Economic Development

Pakistan's Digital Policy 2018 and Vision Pakistan 2025 are steps in the right direction. Implementation of these policies must be consistent and independent of changes in government. The digital front is as crucial as other areas for national security. Digital diplomacy is a modern tool for propagating messages and agendas through traditional indicators such as culture, economy, education, and self-interpreted values.

Shun the Policy of Zero-Sum Games

Sometimes, Pakistan's policy objectives are overly romantic and unrealistic. Statements by Indian diplomats, like those of Natwar Singh, highlight the effectiveness of Pakistan's past diplomacy. However, both India and Pakistan often view each other's development as a zero-sum game, where any gain by one country is seen as a loss by the other. This perspective is misguided. Development in agriculture, space technology, and IT should have a positive demonstration effect on Pakistan. It creates an ecosystem for regional development, even if direct interaction in these fields is limited.

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COMPARATIVE ANALYSIS OF QUALITY OF HIGHER EDUCATION IN KHYBER PAKHTUNKHWA, PUNJAB AND SINDH: LESSONS FOR KHYBER PAKHTUNKHWA

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Abstract:

Higher education is pivotal in social, economic, cultural, and technological advancement, fostering individual development and societal growth. It provides essential in-depth knowledge for building an educated, contemporary society. The main purposes of higher education include education, training, research, and service. With globalization, the demand for high-quality higher education has surged, requiring robust standards to meet these needs. In Khyber Pakhtunkhwa (KP), the higher education system faces challenges such as lack of creativity, modern teaching methodologies, adequate infrastructure, and cross-cultural awareness. Despite significant growth, KP's higher education system needs transformational and innovative approaches to improve quality and align with global standards. Addressing these issues is crucial for economic development and ensuring higher education's role in tackling social, cultural, and economic challenges. Strategic reforms, including quality management, enhanced infrastructure, and innovative teaching methods, are essential for KP to meet the growing demands and opportunities of higher education.

Key words:

Higher education, Khyber Pakhtunkhwa, Globalization, teaching methodologies, Infrastructure

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Introduction

Higher education plays a pivotal role in the social, economic, cultural, and technological evolution and development of the industrial sector. It also significantly contributes to individual development through a flexible schooling model (Barnett, 2017). Higher education is essential for providing in-depth knowledge and wisdom necessary for building a contemporary, educated, and civilized society. This knowledge encompasses various aspects of life from a global perspective. The main purposes of higher education are education, training, research, and service to society (Zulfiqar, Shabbir, & Ishfaq, 2019).

Globalization has increased the opportunities and demands for higher education, necessitating the establishment of high-quality standards for higher education institutions. Education is a fundamental right for every citizen (Ashraf, 2019) and a crucial factor in developing lower-class people in any nation. Unfortunately, in Khyber Pakhtunkhwa (KP), consumers of education services have limited knowledge or choices about pursuing higher education. Despite significant growth in KP's higher education sector in recent decades, which has inspired professionals worldwide (Lokkesmoe, Kuchinke, & Ardichvili, 2019), challenges remain. Higher education offers various possibilities for addressing nationwide social, cultural, moral, economic, and spiritual issues (Zulfiqar, Shabbir, & Ishfaq, 2019). It provides professional knowledge and qualified employees essential for national growth. If the KP government understood the potential for job creation (Sheikh, 2017), the young generation's growth could be a significant asset for economic development. However, failing to offer the necessary higher education and employment prospects could hinder KP's socio-economic growth (Lokkesmoe, Kuchinke, & Ardichvili, 2019). Education is a vital tool for achieving sustainability and forms the core of human capital's economic development.

Problem Statement

Higher education in Khyber Pakhtunkhwa (KP) is not up to the mark and is gradually deteriorating despite the efforts of the Higher Education Commission and the Provincial Government. The developmental metrics over the past few years have not been encouraging. The province's higher education system is far from being among the best in the country in terms of quality education and research. Various aspects influence the quality of higher education in Khyber Pakhtunkhwa, which need to be studied properly to identify the causes of the decline and to provide feasible recommendations for the upliftment and renaissance of higher education in the province.

Scope of Research

This study is limited to higher education. The higher education system in Khyber Pakhtunkhwa will be closely examined and compared in detail with the sister provinces of Punjab and Sindh. The study aims to highlight lessons learned for Khyber Pakhtunkhwa and provide recommendations to achieve a desirable quality of higher education. Due to time and resource constraints, the scope of the study is limited to secondary data only.

Research methodology

This research is purely qualitative in nature. Secondary data has been meticulously collected and thoroughly examined. The secondary data includes an extensive literature review, books from the library of NIM Peshawar, and relevant online material. The qualitative approach allows for a comprehensive understanding of the higher education landscape in Khyber Pakhtunkhwa, facilitating a detailed comparison with the provinces of Punjab and Sindh. By analyzing various sources of secondary data, the study aims to identify key issues, trends, and lessons that can inform actionable recommendations for improving the quality of higher education in the region. This methodology ensures a robust and well-rounded exploration of the topic, despite the constraints of time and resources.

Higher Education in Khyber Pakhtunkhwa

Due to the lack of easy access to higher education compared to other provinces, KP's higher education development matrix has not been encouraging over the past few years. Unfortunately, the quality of primary and secondary education in KP is deteriorating, subsequently producing an undesired pool of students for colleges and universities. Science education at the college and university levels, in particular, has been greatly affected and urgently needs to be addressed. There has been a significant shortage of teachers, libraries, and laboratories necessary for providing quality education (Kammer, M., 2019).

The current trend emphasizes maximizing the advantages of teacher-student connections while frequently restricting teachers' access to resources, making it difficult for them to conduct higher-level research due to strict requirements. Universities are the centers for higher education and professional training of students to support the governance and economy of the country in the future. However, universities are responsible for the actual teaching system at the research level. The majority of public and private colleges of higher learning in KP are required to operate under the auspices of public universities (Jan & Hussain, 2020) within their territorial jurisdiction.

It is evident that many doctors and engineers have been developed as a result of professional and technical college education. Only those exceptional graduates who score between 85% and 95% on higher secondary school exams (12th grade or HSSC) are admitted to these colleges and universities. Awkwardly, only 60% of college graduates generally continue their higher education, while almost 40% lag behind due to the non-availability of opportunities for higher education (Nasir Khan, 2018), especially in KP, Pakistan.

According to stateuniversity.com, the majority of successful graduate degree holders migrate to developed countries in the Western world to get high-paying jobs and receive attractive salary packages and/or reimbursement for their livelihood and further education (StateUniversity.com). Due to the scarcity of attractive jobs and low salary packages, qualified graduates, particularly in the fields of medicine, engineering, and teaching, migrate to Western countries in search of highly paid jobs, which is an irony of fate for the country. On the other hand, the majority of public colleges are unable to attract the brightest students, as top-class students and their parents do not trust the standard and quality of these institutions (Soomro, T. R., & Ahmad, R., 2021).

However, the Higher Education Department of Khyber Pakhtunkhwa is striving hard to fill the existing vacancies in degree colleges, and postgraduate colleges, and urging universities to fill the available vacant positions to avoid future brain drain and to provide a conducive environment for students to maximize their learning (Memon, G. R., 2017). The higher education department urges universities to focus on high-quality research through modern equipment and standard laboratories. Despite these efforts, a vacuum still exists, particularly on the universities' side, affecting research and development opportunities for students (Khan, A., & Ahmed, S., 2020).

The majority of universities have filled vacancies through stop-gap arrangements, such as having visiting faculty and/or keeping teachers on six-month contracts with subsequent renewal. Given the above situation, the higher education of Khyber Pakhtunkhwa needs to be compared with the higher education systems of the advanced provinces of Punjab and Sindh to examine the comparative situation and to enlist the lessons learned for Khyber Pakhtunkhwa. These lessons learned will certainly lead to pragmatic and doable recommendations for improving higher education in the province (Haq, A. U., Mahmood, S., Shabbir, M., & Batool, Z., 2020).

Comparison of Higher Education Policies of Punjab and Sindh

For the purpose stated above, the following comparison is conducted among Khyber Pakhtunkhwa and the educationally and technologically advanced

provinces of Punjab and Sindh to identify shortcomings and suggest possible solutions to elevate the standard of education in Khyber Pakhtunkhwa.

Province	Population (In Million)	Public Universities	Private Universities	Public Degree Colleges	Private Degree Colleges	Total Institutes	Average Population per Institute
Punjab	110 ³	49 ⁴	30	800 ⁵	1632 ⁶	2511	43807
Sindh	47.95 ⁷	27	41	327 ⁸	192 ⁹	597	80234
KP	35 ¹⁰	32	11 ¹¹	317 ¹²	53	413	84745

Table 1: Comparison of Average Population per Higher Education Institute

The table above shows the total population of the provinces of Punjab, Sindh, and Khyber Pakhtunkhwa, as well as a comparison of the number of public and private universities, public and private colleges, total higher education institutes, and the average population per higher education institute in these provinces. The data indicate that Khyber Pakhtunkhwa needs to focus on establishing well-equipped higher education institutions, particularly general colleges and commerce and management colleges. Adequate funding should be allocated for this purpose, considering the data presented in the table. Commerce education and management sciences colleges are notably scarce in the province and require special government attention.

To conduct a detailed comparison among these provinces in terms of higher education, it is essential to examine the educational policies and special initiatives in the field of higher education to enhance quality and standards.

Table 2 below provides a detailed comparison of the education policies and initiatives of the Punjab and Sindh governments with those of the Khyber Pakhtunkhwa (KP) government, highlighting the areas where KP is lacking in enhancing the quality of higher education.

3 http://pwd.punjab.gov.pk/population_profile

4 <https://hed.punjab.gov.pk/universities/public>

5 <https://hed.punjab.gov.pk/colleges/public>

6 <https://punjabhec.gov.pk/wp-content/uploads>

7 <https://pwd.sindh.gov.pk/Sindh-at-a-Glance>

8 <https://college.sindh.gov.pk/>

9 <https://college.sindh.gov.pk/director-of-inspection-registration-of-private-colleges>

10 <https://pwdkp.gov.pk/page/population>

11 <https://herakp.gov.pk/registered-private-universities/>

12 <https://herakp.gov.pk/registered-private-universities/>

S.No	Initiative	Punjab	Sindh	KP
1	Establishment of Provincial Higher Education Commission	Yes	Yes	No
2	Leadership and Management Training for Vice Chancellors	Yes	No	No
3	Capacity Building and Faculty Development Program	Yes	Yes	Yes, but not to the level of Punjab
4	Faculty Orientation Training Program	Yes	No	No
5	Innovation and Research Support Programs	Yes	Yes	No
6	Innovation and Research Challenge Awards	Yes	Yes	No
7	Youth Counselling and Resource Development Centers	Yes	No	No
8	Human Resource Development	Yes	No	No
9	Accreditation of Degree Programs	Yes	No	No
10	Support for Higher Learning, Innovation, and Entrepreneurship	Yes	Yes	No
11	Academia-Industry Collaborations and Linkages	Yes	Yes	No
12	Laboratory Strengthening Program	No	Yes	No
13	Establishment of Community Colleges	Yes	No	No

Table 2: Comparison of Higher Education Initiatives for Enhancing Quality of Higher Education in Punjab, Sindh, and KP.

Institutional Analysis

The Institutional Analysis

Following the 18th Amendment to the Constitution, education has become a provincial responsibility, empowering provinces to legislate and devise policies, rules, and regulations for educational improvement. Consequently, Sindh and Punjab have established high-level regulatory bodies known as Provincial Higher Education Commissions. These commissions perform functions similar to those of the Higher Education Commission at the federal level. This initiative has streamlined the processes for establishing new university departments, introducing new subjects, accrediting programs, and verifying and attesting students' credentials. Unfortunately, Khyber Pakhtunkhwa (KP) still lacks a Provincial Higher Education Commission (Jan & Hussain, 2020). As a result, considerable time is wasted waiting for these processes to be handled by the federal Higher Education Commission.

Khyber Pakhtunkhwa has 32 public sector universities. Vice chancellors for these universities are selected through a rigorous process conducted by the Higher Education Department, led by Professor Dr. Atta Ur Rahman (Ahsan Nisar, 2019). The academic search committee focuses primarily on the academic and research experience of candidates for the vice chancellor position, often overlooking leadership and management experience. Furthermore, once appointed, vice chancellors have few opportunities for leadership and management training, which hampers effective university administration (Barnett, 2017).

Capacity building and faculty development programs are essential for the effective operation of a university. A well-equipped faculty with modern teaching methodologies can significantly enhance educational quality, particularly in research and development (Haq et al., 2020). Unfortunately, such opportunities are rare in Khyber Pakhtunkhwa, and faculty members there have fewer opportunities compared to their counterparts in Punjab and Sindh (Zulfiqar et al., 2019).

In addition to faculty development programs, faculty orientation and refresher courses are necessary. These courses improve faculty members' skills and research methodologies, maximizing student learning and enhancing research quality (Sabates et al., 2016). Unfortunately, Khyber Pakhtunkhwa lacks faculty orientation and refresher training programs.

Innovation and research need to be supported through specific programs to enhance research quality at the university level. Punjab and Sindh have extensive support programs for innovation and research, but Khyber Pakhtunkhwa lacks such support. Consequently, research conducted in KP is of limited utility. Additionally, Punjab and Sindh offer awards for innovative research, which incentivizes high-quality research. Khyber Pakhtunkhwa, however, does not have similar awards for innovation and research challenges.

Punjab has established youth counseling and resource development centers that guide students in choosing their fields of study. Proper counseling is provided for prospective courses (Haq et al., 2020). In contrast, Khyber Pakhtunkhwa lacks such centers, which hinders the development of quality education and research at the university level.

As mentioned, Punjab and Sindh have their own provincial higher education commissions and accreditation systems. This has streamlined processes and saved time. In Khyber Pakhtunkhwa, the absence of a provincial higher education commission results in delays in accreditation and other processes, affecting students, teachers, and universities.

University-industry linkages are crucial for high-quality research that meets industry needs. In Punjab and Sindh, strong industry involvement in educational research helps universities reduce costs, increase profits, and receive funding for research. Khyber Pakhtunkhwa lacks such linkages, leading to minimal funding support from industries (Jan & Hussain, 2020). Strengthening these linkages is essential for improving research quality in KP universities.

The primary goal of university education is to conduct high-grade research that benefits local industries by creating jobs and providing affordable products (Barnett, 2017). Effective research requires well-equipped laboratories to create a conducive environment. However, many universities in Khyber Pakhtunkhwa have outdated laboratories that need strengthening. Periodic upgrades of university laboratories are crucial for maintaining research quality (Javed et al., 2019).

To address these gaps, Khyber Pakhtunkhwa should consider adopting the community college model from Punjab, which has established numerous community colleges due to its large population. Establishing community colleges in KP could address the existing educational needs (Khan & Ahmed, 2020).

Issues & Challenges

The quality of higher education in Khyber Pakhtunkhwa is influenced by various factors, including infrastructure, faculty, courses, feedback mechanisms, research capabilities, and oversight (Ahsan Nasir, 2019). Compared to Punjab and Sindh, higher education in Khyber Pakhtunkhwa has faced several challenges since its inception. Persistent political instability in the province has led to numerous efforts to develop critical, creative, and innovative education policies, but these efforts have often fallen short of achieving the required educational standards. The Higher Education Commission of Pakistan acknowledges that the current global situation presents unprecedented challenges for the education system (Sheikh, Y. A., 2017). Key issues confronting higher education in Khyber Pakhtunkhwa

include a lack of academic space and faculty, declining research standards, inadequate infrastructure and facilities, low student enrollment rates, outdated teaching methods, a lack of student enthusiasm, poverty, and gender discrimination (Salik & Zhiyong, 2018). Additionally, it has been reported that some private education providers exploit students in rural areas (Ullah et al., 2019).

Low Enrollment Rate and Dropout Gap

The challenges in higher education often stem from inadequate primary and secondary education. The quality of instruction and learning standards at these levels significantly affect higher education and research quality at the university level. Another issue is that university departments often announce limited seats (50 to 100 at most) while thousands of students apply, resulting in only a few students gaining admission and many being left out. This trend discourages students, and opportunities should be extended to as many aspiring students as possible (Sabates et al., 2016). Many households in rural areas live in poverty or do not value education for their children (Zulfiqar et al., 2019). To address these challenges, the provincial government has supported NGOs and private sector schools and colleges by offering tax relaxations and other incentives to help fill educational gaps in rural areas. However, most private institutions are located in urban areas and serve the affluent, with high tuition fees making them inaccessible to low-income families (Anwar et al., 2017). This discrepancy leads to waste of government resources in KP's higher education system. Despite efforts to increase enrollment, KP has consistently fallen short of its targets due to deficiencies in administrative and managerial policies and their implementation (Sheikh, Y. A., 2017). The low enrollment ratio in KP compared to other provinces indicates insufficient socioeconomic development.

Deteriorating Research and Quality Standards

The decline in higher education quality is primarily due to inadequate teacher skills, outdated study schedules, and admission requirements (Ullah et al., 2019). A major challenge for Khyber Pakhtunkhwa's higher education system is achieving quality education. Despite government efforts to emphasize high-quality education, many universities and degree-awarding institutions affiliated with government colleges in KP continue to fall short of the standards set by the Higher Education Commission. The research and quality benchmarks of leading universities in Punjab and Sindh are much higher, making it difficult for KP institutions to compete. KP universities lack excellent researchers due to very low enrollment in Masters and Ph.D. programs (Zulfiqar et al., 2019). There is a lack of early research experience, creativity, innovation, and industry participation. Universities in KP focus more on theoretical knowledge rather than fieldwork or experimental research. This focus on theoretical knowledge, combined with outdated teaching practices and insufficient practical training, contributes to the deteriorating standards in KP's higher education colleges. Graduates often

lack the practical skills needed for socioeconomic growth, as they are trained in an environment that does not emphasize practical application (Soomro & Ahmad, 2021). The current workload policy in KP higher education prioritizes theoretical classes over practical sections, and college administrations do not emphasize practical teaching, leading to graduates who are not adequately prepared for professional environments (Sylvain Denat, 2017).

Inadequate Facilities and Infrastructure

Inadequate physical facilities and infrastructure, particularly in public sector institutions, are major issues affecting Khyber Pakhtunkhwa's higher education system (Soomro & Ahmad, 2021). Faculty and staff at these institutions are often subject to political interference, which undermines their effectiveness. Many higher education institutions in KP lack essential infrastructure such as well-equipped classrooms, digital libraries, and modern laboratories. Even in today's technologically advanced era, many KP colleges and universities operate without computer labs, digital libraries, or internet facilities (Sheikh, Y. A., 2017). Government-run institutions suffer more than private ones due to inadequate infrastructure. Many colleges continue to use outdated teaching methods, which negatively impacts the quality of education (Salik & Zhiyong, 2021).

Low-Quality Teaching Methods

In addition to the factors mentioned, low-quality teaching methods, poor classroom conduct, inadequate teacher evaluations, and a non-practical approach among students, especially in public sector colleges, contribute to inferior higher education in Khyber Pakhtunkhwa (Haq et al., 2020). Political interference in the recruitment of teaching staff has led to the hiring of incompetent individuals who lack the skills necessary for effective teaching and research. Many educators are hired based on political affiliations rather than professional qualifications, and many have outdated teaching practices. Some private institutions hire recent graduates with no teaching experience for minimal salaries, resulting in poor teaching practices (Sylvain Denat, 2017). Traditional teaching methods are no longer effective, and KP's higher education system is criticized for its rigid pedagogy, low-quality instruction, lack of quality assurance, accountability of teaching staff, and insufficient practical education and research integration (Salik & Zhiyong, 2021). Many professors and administrators focus more on their personal career advancement rather than engaging in educational activities.

Uneven Growth of Opportunities

An important aspect of higher education in KP is the rise in student mobility. The increasing number of Pakistani students pursuing education or employment overseas, particularly in engineering and medicine, has altered the higher education landscape (Javed et al., 2019). Many young people are more interested in securing lucrative careers abroad than contributing to their

own country. A survey of young people indicates that half do not wish to stay in Pakistan after graduation (Memon, 20017). According to local media, the lack of job opportunities and financial issues are major reasons for this trend. Highly qualified graduates from medical and technical institutes often seek employment in the competitive Western world to cover their educational expenses, resulting in a brain drain of up to 70-80% (Lokkesmoe et al., 2019). Mismanagement and corruption within the education system have also contributed to this brain drain (Aly & Taj, 2018). Medical graduates, in particular, are inclined to study abroad due to low pay, poor working conditions, and job insecurity (Nazli et al., 2016). Many college graduates struggle to find employment because the government does not provide adequate job opportunities.

Findings and Conclusions

After analyzing the state of higher education in Khyber Pakhtunkhwa compared to Punjab and Sindh, the following findings and conclusions have been drawn:

Lack of Creativity and Practical Aspects

Khyber Pakhtunkhwa, and Pakistan in general, cannot achieve social, economic, and technological prosperity until its higher education system meets proper standards and quality. The low quality of higher education in KP results in fewer employment opportunities, reduced professional productivity, and a lack of creative ideas, which are essential for sustained success and development (Siddique & Mahmood, 2016). Parents and students in KP expect the government to employ transformational and innovative methods in higher education to meet global standards and competitive needs, thereby improving the quality of education in KP's colleges.

Lack of Modern Teaching Methodologies and Research

The study indicates a static learning approach focused solely on teachers' actions rather than a dynamic, student-centered approach at the college and university level in Khyber Pakhtunkhwa. Higher education lacks teaching strategies that address students' needs to learn, apply knowledge, and contribute to their communities (Javed et al., 2019). Teachers neither aim to instill new skills and attitudes through student-centered education nor adopt modern teaching techniques. They often rely on traditional methods like lectures and fail to emphasize active seminars, symposiums, personal counseling, and self-study. The lack of a practical and skills-focused approach limits students' job opportunities in the market. Effective teaching involves a shared approach to learning between students and teachers (Haq et al., 2020). The higher education system in KP does not equally distribute responsibility for students' performance, including conduct, attendance, and academic progress, between students and teachers.

Quantity and Quality

Research concludes that “the quality of higher education is influenced by various aspects, such as infrastructure, teaching standards, practical courses with annual feedback, research capabilities, and objective institutional observation mechanisms.” However, KP has fewer colleges relative to its population. Many colleges and degree-awarding institutes lack basic facilities, teaching standards, and practical courses with annual feedback (Hossain et al., 2016). The province lacks its own Higher Education Commission, which has hindered the provincial government’s efforts to achieve significant enrollment targets by 2020. KP has not yet formulated or adopted quality management standards for its higher education system and lacks an independent administrative body to eliminate political influence and regulate high-caliber instructional activities (Javed et al., 2019). Higher education institutions in KP do not have their academic programs and administrative practices evaluated by external experts.

Development of Cross-Cultural Awareness

Research shows that students in KP higher education have limited opportunities to interact with peers from other provinces in a classroom setting, due to a lack of support from teachers. This lack of interaction hinders the development of intellectual, communication, and intercultural skills with the help of instructors and staff (Nasir, 2018). KP’s higher education system has so far failed to help students understand different cultures, art, literature, religion, and technological advancements or to establish cross-cultural social activities in collaboration with social or non-governmental organizations (Lokkesmoe et al., 2019). There is also a lack of agreements for sending students and faculty members to other provinces or accepting them from other provinces to develop intercultural attitudes, cognitive frameworks, and norms.

Library Standards

The establishment of standard libraries in KP’s higher education system is not prioritized by the government, which should instead focus on meeting global education standards. Libraries must demonstrate their value and document how they contribute to the effective functioning and advancement of higher education (Siddique & Mahmood, 2016). KP’s higher education system has been slow to adopt library standards that support both public and private libraries. Existing libraries do not adequately support student learning or fulfill corporate objectives. Their standards and quality are not up to par to establish them as leaders in higher education. Current libraries do not provide access to high-quality research data, modern educational trends, advanced research methods, or technology in education (Khan & Ahmed, 2020). The Higher Education Department of KP has yet to devise a strategy to build a network of well-equipped libraries across the province and promote a reading culture among students (Siddique & Mahmood, 2016).

Recommendations

To align the higher education system of Khyber Pakhtunkhwa with that of Punjab and Sindh, the following recommendations are proposed for implementation to achieve the desired results:

Short-term Recommendations

- i. Higher Education KP should offer courses that provide students with high-quality information and practical experience.
- ii. Teachers need to adopt teaching strategies that move beyond traditional lectures, emphasizing active seminars, symposiums, personal counseling between instructors and students, self-study, and a more practical and skills-focused approach.
- iii. The Higher Education Department of Khyber Pakhtunkhwa should invite eminent professors and specialists from leading colleges and universities in other provinces to train their teaching staff in professional and cutting-edge pedagogical techniques.

Long-term Recommendations

1. Higher education in Khyber Pakhtunkhwa should employ transformational and innovative methods to meet global standards and competitive needs, improving the quality of education in colleges, degree-awarding institutes, and universities.
2. KP needs to establish new Higher Education Colleges (HECs) and devise strategies to convert existing colleges into Degree Awarding Institutes (DAIs) to accommodate the needs of its rapidly growing population.
3. Teachers should foster new skills and attitudes through student-centered education and equitable teaching techniques.
4. Quality management standards should be formulated by studying the higher education models of developed nations to enhance higher education in the province.
5. All colleges and universities in KP should have their academic programs and administrative practices evaluated by external experts.
6. The government of KP should advocate for the establishment of a provincial HEC to regulate the quality of higher education at colleges and universities.
7. KP higher education institutions and colleges should raise their quality standards, enhance their reputations, and upgrade their physical facilities to attract students.
8. The provincial government should reform higher education policies and encourage international collaboration by working with nationally

recognized institutions in Punjab and Sindh and by constructing more institutional laboratories and research centers for advanced and coordinated research.

9. KP higher education institutions should invite more multinational corporations to offer full- or part-time jobs to students to address labor shortages and encourage domestic employment over immigration to Western nations.
10. The KP government should establish new institutions with high-quality standards to meet future demands and boost enrollment, research and development, and subsequent economic growth.
11. The Higher Education Department of KP should support its institutions academically and financially by establishing standard libraries. More e-learning and e-library software should be developed to support both print and electronic materials, providing students with a unified interface for accessing a variety of sources.
12. Financial resources, educational policies, accessibility, equity, quality standards, relevance, and responsiveness should be re-evaluated and adopted.
13. Educational institutions should establish a standardized, multinational curriculum to achieve superior pragmatic research goals.
14. (Siddique & Mahmood, 2016)

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