



Pakistan National Assembly

Agenda A: The Question of the 28th
Amendment

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Mandate of PNA

The mandate of the Pakistan National Assembly is defined by the Constitution of Pakistan and revolves around the legislation, representation, and oversight of the federal government.

As the lower house of Parliament, it holds the primary responsibility for making federal laws, including the exclusive power to draft and pass Bills. It serves as the legislative body representing the people of the Islamic Republic of Pakistan.

In this committee, delegates are expected to address key national issues, ensuring civilian rights and work on drafting or amending the constitutional provisions; while navigating through party dynamics, bloc politics and building political alliances along the way.

Scope of Debate

This year at RIVYMUN IV, the Pakistan National Assembly will be choosing from one of two agendas. The first agendas, namely the 28th Amendment and relevant discussions focuses on provincial and administrative divisions with questions like South Punjab, division of Balochistan etc.

The bloc formation will reflect current political realities, with the MQ-M and PML-N, the government coalition parties, supporting the recent amendments, while parties such as PTI and PPP strongly opposing them.

A comprehensive legislative framework is the goal here, one that will address contemporary provincial chaos while critically reflecting on the past decades of divisions within Pakistan.

Introduction to The Topic

The National Assembly is currently seized with the proposed 28th Constitutional Amendment, a measure that would redraw Pakistan's internal administrative and provincial map. The proposal has been actively discussed by MQM-P, which has linked its proposed amendment to strengthening local governments under Article 140A, and by other political stakeholders debating the creation of new provinces such as South Punjab, Hazara, and Saraiki.

At its heart, the amendment contemplates either carving out new provinces or alternatively devolving greater financial and administrative authority to local governments, along with the equitable division of assets and resources among any newly created or existing units.

The Assembly must reconcile competing visions of federalism, provincial autonomy, and administrative capacity, all while adhering to the constitutional requirement of broad political consensus. Since no final draft has been tabled, the Assembly's deliberations will determine whether Pakistan's federal structure is reshaped or reinforced.

Historical Background

1. Foundational Period(1935-1958):

The Government India Act laid the foundation of Provincial autonomy by removing the system of Diarchy within provinces and thus laid a base for the provincial powers including management of finances. At independence in 1947, Pakistan inherited several distinct administrative and political regions, including Punjab, Sindh, NWFP and Balochistan in the west, alongside East Bengal. From the beginning, the country therefore faced the challenge of balancing different regional identities with the need for a strong federation.

This became particularly important in 1955 with the creation of the One Unit Scheme, which merged the provinces and territories of West Pakistan into a single province. The main purpose was to create political parity between East and West Pakistan, but it also reduced the individual political identity and autonomy of the western provinces. This became an important early example of how changing provincial boundaries could directly affect political representation and federal power.

2. Restoration of the Provinces, Provincial Autonomy and Centralisation(1970-2010):

The One Unit system was abolished in 1970, restoring Punjab, Sindh, Balochistan and NWFP as separate provinces. This was a major shift away from centralisation and towards recognising Pakistan's different regional identities. After the separation of East Pakistan in 1971, Pakistan needed a new constitutional settlement. The 1973 Constitution established a federal parliamentary system and created the Senate to give the provinces equal representation at the federal level. This created an important balance: representation in the National Assembly was largely based on population, while the Senate protected the equality of the provinces. Pakistan continued to experience periods of strong centralisation, particularly under military governments and the tension between the Federation and the Provinces grew.

This changed significantly with the 18th Amendment in 2010. The amendment transferred major responsibilities from the Federation to the provinces and abolished the Concurrent Legislative List. Article 140A also required provinces to establish elected local governments and devolve political, administrative and financial authority to them. This created an important question for the future: should greater decentralisation happen by creating new provinces, or by giving existing provinces and local governments more power?

3. Rise of the New Provinces Debate

Following the 18th Amendment, demands for new provinces became increasingly prominent. The strongest demands included South Punjab, Bahawalpur, and Hazara. Supporters generally focused on administrative accessibility, political representation and regional development, arguing that large provinces can make governments distant from certain populations. The issue reached Parliament in 2012-13, when proposals for South Punjab and Bahawalpur were formally considered, including a Parliamentary Commission on New Provinces. However, the proposals did not result in the creation of new provinces, partly because constitutional amendments require broad political agreement.

In 2018, the 25th Amendment was introduced, and it demonstrated that Pakistan's territorial structure could still undergo major constitutional change. It merged the former FATA with Khyber Pakhtunkhwa and required changes to representation and administration.

Keyterms and Definitions

Constitutional amendment: A constitutional amendment is a change, addition, or deletion to a country's Constitution. In Pakistan, a constitutional amendment takes place in accordance with Articles 238 and 239 of the Constitution. The proposed 28th Amendment is accordingly a constitutional reform, changing particular constitutional provisions, as opposed to merely an ordinary law.

Provincial autonomy: Provincial autonomy is the constitutional authority of Pakistan's provinces to exercise the powers assigned to them without unnecessary federal government interference. It is a major issue in the 28th Amendment debate because changes to the distribution of political, administrative, or financial powers between the Federation and provinces can interfere with the level of provincial autonomy

18th amendment: The 18th Constitutional Amendment was passed in 2010 and significantly increased provincial autonomy by transferring a number of responsibilities and powers from the Federation to the provinces. It also introduced Article 140-A, which requires provinces to set

up elected local governments and to devolve their political, administrative, and financial responsibility and authority to them. The 18th Amendment is important to the 28th Amendment because any amendments to federal-provincial relations will have to be made in the context of the powers delegated by the 18th Amendment.

Federalism: Federalism is a system of government in which constitutional powers are divided between a federal government and regional governments. Pakistan is a federation, meaning that governmental responsibilities are constitutionally divided between the Federation and the provinces. The 28th Amendment is accordingly relevant to federalism because proposed constitutional changes may alter the distribution of authority between the federal and provincial levels of government.

NFC award: The National Finance Commission (NFC) is the constitutional mechanism for making recommendations concerning the distribution of specified financial resources between the Federation and the provinces. Article 160 provides for the NFC, which includes such issues as the division of certain tax revenues and grants-in-aid. The NFC is relevant to the 28th Amendment because changes in governmental responsibilities and provincial autonomy are closely tied to questions of their financial support.

Devolution of power: Devolution of power means devolving political, administrative, and financial authority from a higher level of government to a lower level. In Pakistan, the 18th Amendment has significantly devolved responsibilities from the Federation to the provinces, and Article 140-A provides for devolution of authority to elected local governments. The concept is important to the 28th Amendment because the debate may involve whether existing powers remain with the Federation, the provinces, or are further devolved to local governments.

Two-thirds majority: A two-thirds majority is the constitutional voting threshold required for a constitutional amendment in Pakistan. Under Article 239, an amendment bill must be passed by at least two-thirds of the total membership of both the National Assembly and the Senate. An amendment which changes the limits of a province must also obtain a two-thirds majority in the relevant Provincial Assembly. This requirement accordingly requires broad parliamentary support for a constitutional amendment.

Current Situation

As of September 2026, Pakistan has not implemented a 28th constitutional Amendment, but there have been ongoing discussions about potential constitutional amendments. This included debates over local government reforms, provincial autonomy, the division of powers between the federal government and the provinces, as well as the establishment of new provinces or administrative units. Demands for South Punjab, Bahawalpur and Hazara continued after 2018. In 2023, the Senate Standing Committee on Law and Justice again considered proposals concerning South Punjab and Hazara. The arguments centred around administrative distance, development and political representation.

Reforms to the system of local government were considered to enhance governance and empower elected local bodies, while proposals related to new provinces raised questions about administrative capacity, resources, representation, and the federal structure.

Meanwhile, concerns were raised about provincial autonomy, including the distribution of powers devolved to the provinces under the 18th Amendment. Any proposed amendment to the constitution would need to take into

account the impact on the current constitutional order and the distribution of power between the centre and the provinces. In this context, political consensus is a key factor, as any constitutional amendment would require approval by the relevant authorities as well as broad political agreement.

Thus, the discussion revolves around the need for further amendments to the constitution, what aspects should be amended, and how proposed changes could be implemented while taking into account the principles of the existing constitution, provincial autonomy, the separation of powers, and effective governance.

A major part of the current debate is whether Pakistan should create smaller provinces or instead strengthen local governments. Some proposals have argued that smaller provinces would bring administration closer to citizens, while others have focused on giving districts and local governments greater financial and administrative authority. MQM-P, for example, has specifically linked its proposed 28th Amendment to strengthening local governments under Article 140A.

Key Stakeholders

Federal government:

The Federal Government is a key stakeholder for this issue, as the constitutional change may impact the allocation of legislative, administrative, and fiscal responsibilities between the Federation and the provinces. It is also a stakeholder since it has a role to propose or promote such a change and to ensure that the process adheres to the relevant procedure provided in the Constitution.

Provincial governments:

Provincial Governments of Punjab, Sindh, Khyber Pakhtunkhwa and Balochistan are key stakeholders, as any change relating to provincial autonomy, allocation of resources and responsibilities between the Federation and the provinces, and federalism will directly impact them. In particular, the amendments may impact their administrative, fiscal, and political responsibilities.

National Finance Commission:

The National Finance Commission (NFC) is an important stakeholder because any change in the constitution regarding the responsibilities of provinces would result in financial implications for the provinces. Article 160 of the Constitution establishes the NFC, which is responsible for

the sharing of some of the financial resources between the federation and the provinces, that is, the sharing of tax revenue and grants. NFC is an important stakeholder in the 28th Amendment in this respect because any change in the responsibility of provinces would also affect their finances.

Political parties:

Political Parties are key stakeholders because any change to the Constitution requires building a broad political consensus, and they may have diverse and conflicting views about the amendment, particularly about the extent of provincial autonomy, federalism and fiscal federalism, and changes relating to local government, provincial assemblies and the division of revenues.

Local governments:

Local Governments are key stakeholders in this context as Article 140-A requires that each province establishes a local-government system as per its requirements and the distribution of political, administrative and fiscal responsibilities and authority to the elected local bodies. Thus, the issue pertains to the allocation of governmental authority among the tiers of government.

Council of common interests:

A key stakeholder in this context is the Council of Common Interests, as it is a constitutional forum for

addressing matters of common interest to the Federation and the provinces. Any amendment impacting the distribution of resources and responsibilities between the provinces and the Federation will involve intricate negotiations between the stakeholders at the CCI.

Civil society and citizens:

These are generic stakeholders for this issue, as changes to the Constitution affecting the allocation of governmental responsibilities and authorities between the provinces and the Federation will impact the governance and administrative systems in place, and, by extension, the accountability and delivery of public services by the government as well as the citizens' constitutional rights, obligations and political participation.

International Perspective

International Financial Organizations (IMF & World Bank):

In the eyes of foreign lenders, Pakistan's fiscal divide between federal and provincial governments is an unsustainable macroeconomic risk. Federally, the 18th Amendment hands over more than half of federal tax revenues to the provinces while the central government remains solely responsible for sovereign debt servicing. Correcting the fiscal imbalance through the 28th Amendment is seen as key to long-term fiscal consolidation and sovereign debt restructuring.

Foreign Aid & Development Organizations (UNDP & Global Donors):

Climate resilience, primary healthcare, and basic education development aid programs are failing to deliver at the grassroots level. International funders are pushing for protected funding streams through the 28th Amendment to local government bodies, arguing that aid cannot be effectively utilized at the district level without direct funding from Article 140A.

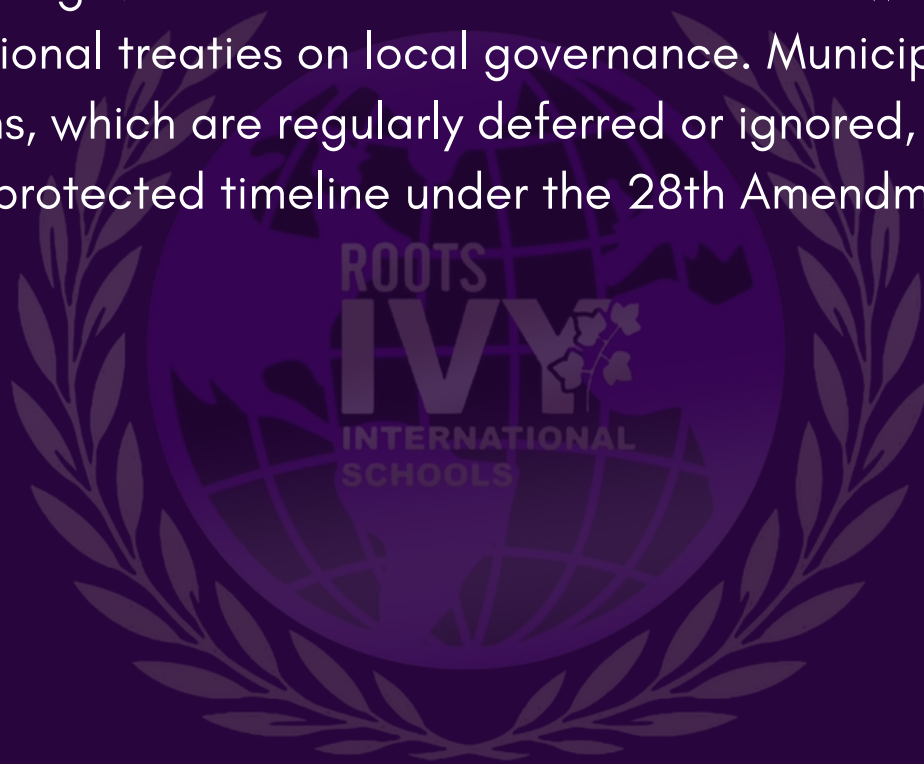
Foreign Direct Investment (FDI) & Investors:

Multilateral corporations find Pakistan's jurisdictional

ambiguity between federal and provincial authorities as a disincentive to direct investment. A clear delineation of federal vs. local powers will create the policy certainty needed to attract foreign capital.

Global Democratic Auditors:

Pakistan faces a risk of international censure for failure to hold local government elections in accordance with international treaties on local governance. Municipal elections, which are regularly deferred or ignored, will have a protected timeline under the 28th Amendment.



Bloc Formation and Party Politics

The political debate around the proposed 28th Constitutional Amendment revolves around provincial autonomy, local-government empowerment, financial resource distribution, and the overall balance of power between federal, provincial, and local levels. These themes are directly comparable to international principles enshrined in Article 25 of the International Covenant on Civil and Political Rights (ICCPR), which acknowledges citizens' right to participate in public affairs, including at the national, regional, and local levels, as well as to the United Nations Sustainable Development Goal (UN SDG) 16.7 on responsive, inclusive, participatory, and representative decision-making in governance at all levels. Both instruments serve as soft law that frames the constitutional and political process in Pakistan, even if they do not explicitly prescribe a particular format for the country's constitutional order.

PML-N: The Pakistan Muslim League-Nawaz, the largest party in the federal government, has advocated for consultation with coalition partners on the draft amendment. In particular, Federal Law Minister Azam Nazeer Tarar stated in May 2026 that the government would seek the opinion of its allies before formally

initiating the amendment process. In this regard, the party's stance reflects a broad-based approach to the amendment as a decision needing the consensus of Pakistan's ruling coalition. More generally, the PML-N position is fully consonant with the principles of participation and representative decision-making enshrined in ICCPR, Article 25.

PPP: The Pakistan Peoples Party has focused on provincial autonomy and citizens' rights within the framework of constitutional law. In particular, PPP Chairman Bilawal Bhutto Zardari stated in his May 2026 message to the nation that his party had not been consulted on the amendment, and that the PPP had historically played a meaningful role in all constitutional changes. In particular, Zardari stressed that provincial rights need to be safeguarded in any amendments. Here, the PPP position reflects, at least partly, the constitutional principles of representative government and citizen participation in decision-making.

MQM-P: The Muttahida Qaumi Movement-Pakistan's position has focused on local governments' empowerment and citizens' participation in the decision-making process. Notably, MQM-P President Asad Qureshi stated that true constitutional reform entailed strong local bodies with authority over their administrative units and that participatory local government was an essential element

of any reform. In this regard, MQM-P's position mirrors similar calls by civil-society actors and appears to reflect, at least formally, the principles of ICCPR, Article 25 on citizens' participation in public affairs and UN SDG 16.7 on inclusive decision-making processes.

ANP: The Awami National Party has called for upholding provincial rights, the 18th Amendment to the Constitution, the NFC Award, provincial autonomy, and local governments. Specifically, ANP President Dr. Farooq Tariq called for constitutional safeguards for the permanent local governments and regular elections to local-government bodies. In this regard, the ANP stance reflects the principles of representative government and citizen participation in the decisions affecting them.

Opposition and Other Parliamentary Parties: Other political parties have taken a broader position around the theme of provincial autonomy and local-government reforms. However, it is difficult to ascertain their official stance on the amendment process, possibly due to the lack of clarity around the specific text of the draft amendment. At present, the parties appear to reserve the right to take any position depending on the details of the proposed constitutional reform. Still, from the perspective of international law and global governance principles, all political forces in Pakistan are expected to recognise that their constitutional order enables and facilitates citizen

participation in the decision-making process and does not disfranchise people.

Overall, the political forces contesting the proposed 28th Constitutional Amendment fall into three broad categories based on their stance on the amendment process, provincial autonomy, financial resources, and local-government reforms. In the first category, the PPP and MQM-P advocate for consultation with stakeholders at all levels and wide-ranging public participation in the amendment process, as well as the decisions affecting them. In the second group, PML-N reflects a similar position on citizen participation, but it also calls for seeking the coalition partners' opinion on the amendment. Finally, ANP and other opposition parties stress the need to safeguard provincial autonomy and local governments within the framework of the 18th Amendment. Still, in absolute terms, all parties acknowledge and abide by the UN Charter Principle on people's participation and decision-making. As such, the final outcome of the federal parliament's constitutional review will depend on the parties' position on the draft amendment once it becomes public.

Proposed Policy Solutions and Reforms

Strengthening Local Governments: To enhance the effectiveness of local governments, Article 140-A should be reformed to provide a clear, enforceable mandate. The political, administrative and financial responsibilities of local governments must be specified and predictable resources must be provided to them. In addition, resources must flow in a predictable way from the provinces to local governments. This is critical to ensuring that the devolution of authority reaches the grassroots level rather than remaining at the level of the provinces. ICCPR Article 25 recognizes the right to participate in public affairs at local levels while the UN Sustainable Development Goals (SDG) 16.7 advocates for responsive and participatory governance at all levels

Preserving Provincial Autonomy and Enhancing Federal-Provincial Coordination: The Constitution should aim to preserve the autonomy of the provinces and balance it against the need for greater coordination at the level of the Federation. Any shifts in the division of power between provinces and Federation must be explicitly stated and subjected to a broad-based consultative approval process by Parliament. Existing

institutional mechanisms such as Council of Common Interests can be used to negotiate and resolve disputes over policy mandates, financial responsibilities and administrative authority. In this way, the principles of cooperative federalism can be reinforced while still preserving provincial autonomy. For its part, ICCPR Article 25, by recognizing the freedom of choice of representative mechanisms at all levels of government, offers a useful global reference point for federalism.

Reforming Fiscal Federalism and the NFC Framework:

The division of finances must be linked to the distribution of policy mandates. The NFC mechanism must be made more transparent and predictable in its operations and in its fiscal implications for the Federation and the provinces. At the same time, financial procedures must be designed to ensure that the devolution of authority to provinces and local bodies is not undermined by a lack of fiscal resources at their disposal.

Setting out a Coherent Division of Responsibilities:

The Constitution must be explicit in laying out the spheres of responsibility of the various levels of government. In so far as possible, overlapping policy jurisdictions must be avoided while institutional mechanisms must be put in place to adjudicate disputes over administrative authority. In addition, when responsibilities are devolved to a particular agency at any level of government, the

necessary resources must accompany this shift. This will enhance accountability since the public will know which authority is responsible for which functions. The theme of institutional responsibility is further elaborated upon in SDG 16 which advocates for the need to strengthen effective, accountable and transparent institutions at all levels.

Parliamentary Oversight and Transparency in the

Amending Process: The process of amending the Constitution should involve extensive parliamentary consultations and leave ample time for debates on the legal, fiscal and institutional implications of any proposed changes. The relevant legislative drafts and documentation must be made public and provincial governments must be consulted where necessary. In this way, the principles of transparency and accountability can be advanced at the highest levels of governance. In fact, by virtue of its very mandate, the process of adopting the new Constitution provides an opportunity to promote democratic governance at all levels. To this end, ICCPR Article 25 can provide useful guidance in enshrining principles of representativeness and openness in the processes of amending the Constitution.

Encouraging Broader Public Participation: The public, media, civil-society organizations and special interest groups must be encouraged to participate in the process

of amending the Constitution. Information pertaining to the proposed changes must be made public in formats that facilitate broad-based consultations. These consultations must be viewed as supplements to formal legislative processes rather than as substitutes for them. In this way, the constitutional reforms can build upon the values of participation and inclusiveness embodied in the original Constitution. At the global level, ICCPR Article 25 recognizes the rights of citizens to participate freely in public affairs.

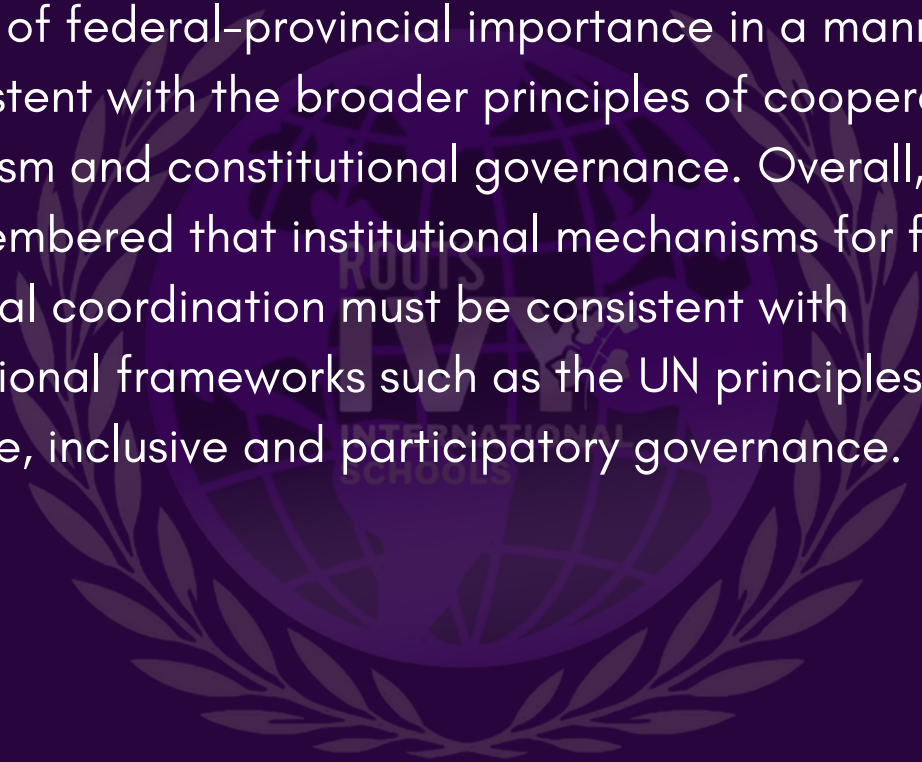
Advancing Institutional Responsiveness to Promote

Accountability: At all levels of government, institutional mechanisms should be developed to ensure that policy mandates are carried out effectively. For devolved authorities, performance indicators should be set against which expenditures can be audited and public accounts settled. It is important to ensure that the devolution of responsibility works hand-in-hand with the devolution of authority. In this way, the principles of accountability and transparency can be advanced at all levels of governance. Both SDG 16 and 16.7 advocate for the need for effective, transparent and accountable institutions while also promoting the need for responsive and inclusive governance.

Enhancing the Role of the Council of Common

Interests: The Council of Common Interests must be

strengthened as a key institution for deliberating on issues affecting the Federation and the provinces. It should be used to negotiate disputes over policy mandates and fiscal responsibilities as well as other related matters. By relying on existing institutional mechanisms, the need for prolonged and disruptive controversies over constitutional mandates can be avoided. In other words, the Council can provide a forum for managing disagreements over matters of federal-provincial importance in a manner that is consistent with the broader principles of cooperative federalism and constitutional governance. Overall, it must be remembered that institutional mechanisms for federal-provincial coordination must be consistent with international frameworks such as the UN principles of effective, inclusive and participatory governance.



Questions A Bill Must Answer

I. What is the precise scope of the amendment, does it create new provinces, new administrative units, or empower local governments under Article 140A?

II. Does the bill meet the procedural requirements of Article 239, including the two-thirds approval of affected provincial assemblies?

III. How will the bill revise the National Finance Commission Award to ensure equitable fiscal redistribution among existing and any new provinces?

IV. What is the framework for dividing assets, land, infrastructure, institutions, and financial reserves, between parent provinces and newly created units?

V. How does the bill balance the creation of new provinces against strengthening local governments, and what is the rationale for prioritizing one approach?

VI. What mechanism will be used to obtain public consent?

VII. How does the bill address the concerns of provinces like Sindh that oppose boundary changes and have passed resolutions rejecting any alteration of their limits?

VIII. What is the estimated administrative and financial cost of creating new units, including new capitals and institutions, and how will it be funded?

IX. What safeguards does the bill include to preserve national cohesion, protect minority rights, and prevent politicization of ethnic or linguistic identity?

X. What is the timeline and sequencing for implementation?

