

PART 6: LOCAL CONFLICTS

6.1 Introduction

The NAP also attempts to address local conflicts in the Federally Administered Tribal Areas (FATA) (#12), Karachi (#16), and Balochistan (#17). The FATA conflict is being addressed partly by driving out the militants under Operation Zarb-e-Azb, and partly through much-needed potential reforms in the region.

The Ministry of Interior and Narcotics Control presented a report in the National Assembly in January, 2016. According to this report, a committee on FATA reforms has been constituted, surrender of and reconciliation with Baloch insurgents is under way, an urban pacification operation in Karachi has created a significant decline in murder and violence (particularly target killings), and thousands of terrorists have been arrested or killed.¹

6.2 FATA Reforms

6.2.1 Historical Background of FATA

FATA is geographically located along the Durand line, with KP on its eastern border. The semi-autonomous region is comprised of seven agencies — Bajaur, Mohmand, Khyber, Orakzai, Kurram, North Waziristan and South Waziristan.

The Frontier Crimes Regulations (FCR), an archaic, draconian piece of legislation, serves as the manifestation of government writ in the Federally Administered Tribal Areas (FATA) of Pakistan, dating back to the British colonial period in pre-partition India. The “excluded areas” as they were called by section 91 of the colonial constitutional law of Government of India Act are still the excluded areas from the realm of development, investment, and modern civilization. FATA has no

LOCAL CONFLICTS

NAP POINT 12: Administrative and development reforms in FATA with immediate focus on repatriation of IDPs.

NAP POINT 16: Ongoing operation in Karachi will be taken to its logical end.

NAP POINT 17: Balochistan government to be fully empowered for political reconciliation with complete ownership by all stakeholders.

¹ Questions and Oral Answers, 28th session of the National Assembly. (2016, January 15). Retrieved March 15, 2016, from http://www.na.gov.pk/uploads/documents/questions/1452850149_459.pdf.

network of the state institutions in the modern sense. Almost seven decades after independence, tribal Pashtuns remain subject to the application of this ludicrous, inhumane set of regulations.

Article 247 of the constitution states: “Subject to the Constitution, the executive authority of the Federation shall extend to the Federally Administered Tribal Areas and province shall extend to the Provincially Administered Tribal Areas”. NWFP’s provincial governor exercises executive authority in FATA as the president’s representative. The overall administrative and political control of FATA falls under the Federal Ministry of States and Frontier Regions (SAFRON).

6.2.2 FCR versus 1973 Constitution

Pakistan’s constitution affords fundamental human rights, including equal citizenry, to all Pakistanis under articles 8-28. However, under article 247 these provisions are null and void for FATA. No act of the parliament extends to these areas unless the president directs so. In fact, even lawmakers elected from the region can legislate for any part of the country, except for FATA. The FCR discriminates both in civil and criminal matters, classifies citizens, does not require proof for conviction or a civil decree, and gives no right of defense by a counselor, or a right of appeal. In short, the Constitution of the Islamic Republic of Pakistan as a whole, for all practical purposes, is a redundant and tautological document as far as its application in FATA is concerned. Consequently, the people of FATA have neither any ‘human rights’ nor can they claim any other status, privilege, position conferred upon other citizens of Pakistan by the constitution.

Please see Section 6.6 for a detailed argument on FATA reforms.

6.2.3 Current Status: FATA Reforms

FATA Reforms Committee, the latest in a line of many, was formed in May 2014, prior to the enactment of NAP, to frame strategic objectives for the volatile tribal areas. This committee released its report after thorough deliberation.² But unfortunately the report didn’t come up with any suggestions on FATA reforms.

Another committee was formed by the Prime Minister, almost a year after the APS attack, in November, 2015.³ The move was seen by many as a means to appease

² Ali, Z. (2014, March 20). Another commission formed on Fata reforms. Retrieved March 04, 2016, from <http://www.dawn.com/news/1107498>.

³ Manan, A. (2015, November 09). Govt forms high-powered panel on FATA reforms - The Express Tribune. Retrieved March 04, 2016, from <http://tribune.com.pk/story/987775/notification-is->

FATA lawmakers for withdrawal of their candidate against Sardar Ayaz Sadiq, a mere five days before the election of the National Assembly speaker. The report presented to the National Assembly details no progress on FATA reforms, except that the committee has been formed, Special Advisor to the Prime Minister Sartaj Aziz has been appointed as the head, and consultations are under way.¹ The committee was meant to deliberate over three core issues:

1. extending the jurisdiction of the superior courts to FATA;
2. shifting the legislative powers for the tribal areas from the hands of the president and governor KP to the parliament, and to the Balochistan/KP Assemblies; and
3. deciding if FATA should be made part of mainstream KP or of the Provincially Administered Tribal Areas (PATA) in KP or if it should be given the status of a province of Pakistan.

Thus far, the committee has offered nothing substantial.

A FATA Tribunal was re-formed by the government in May 2015, to take up cases dispensed by administrators. The previous tribunal had expired in January, 2015.⁴ This is an ad-hoc measure that does little to help the people of FATA, and has very limited powers to affect change.

6.3 FATA: Operation Zarb-e-Azb

Operation Zarb-e-Azb is a joint military offensive being conducted by the Pakistan Armed Forces against various militant groups, including the Tehreek-i-Taliban Pakistan (TTP), the Islamic Movement of Uzbekistan (IMU), the East Turkestan Islamic Movement (ETIM), Lashkar-e-Jhangvi (LeJ), al-Qaeda (AQ), Jundallah and the Haqqani Network. The operation was launched on June 14, 2014 in North Waziristan, but has since expanded to include urban pacification operations in the port city of Karachi in Sindh province. The operation has 30,000 soldiers on the front lines, and was launched following the breakdown of negotiations with extremist elements and a brazen attack on Karachi airport.⁵

sued-govt-forms-high-powered-panel-on-fata-reforms/.

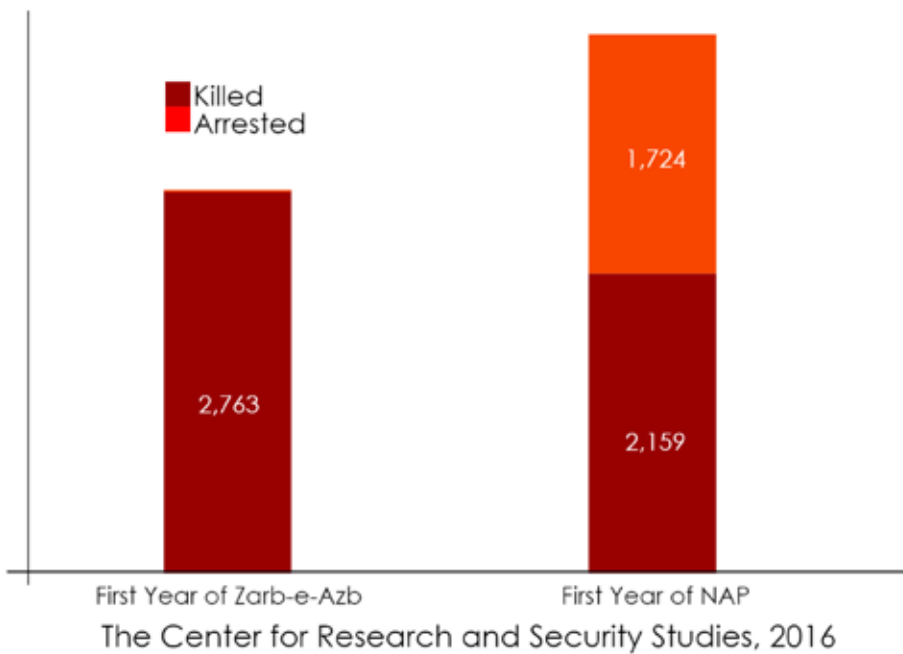
⁴ Bureau Report. (2015, March 28). 'Much awaited' Fata Tribunal formed. Retrieved March 04, 2016, from <http://www.dawn.com/news/1184671>.

⁵ Salahuddin, Z. (2014, April 24). Countering Insurgency. Retrieved March 04, 2016, from <http://www.worldpolicy.org/blog/2014/08/29/pakistan-countering-insurgency>.

6.3.1 Progress

On June 13, 2015, the Pakistani military reported progress over the operation in the course of a year. Director General of the Inter Services Public Relations (ISPR) Asim Saleem Bajwa reported that 2,763 militants had been killed so far, including 218 terrorist commanders in 9,000 intelligence based operations (IBOs).⁶ The update also listed 837 hideouts destroyed, 253 tons of explosives recovered, and 18,087 weapons seized. 347 officers and soldiers had also sacrificed their lives in the operation. This accounts for the first year of the operation. The report presented in the National Assembly in January, 2016 claims 2,159 terrorists killed, and another 1,724 arrested over the course of the first year of the NAP.¹

Graph 6.1 Progress against Militancy and Armed Combatants



This goes on to show that the law enforcement agencies in Pakistan are particularly adept at killing the extremist threat. However, this asymmetrical warfare is not sustainable as it does nothing to eliminate the radical ideology that forms the root of this conflict. Pakistan needs significant policy changes and law reforms to

⁶ ISPR. (2015, June 13). ISPR Press Release - No PR170/2015-ISPR. Retrieved March 04, 2016, from https://www.ispr.gov.pk/front/main.asp?o=t-press_release&date=2015/6/13.

ensure the relative peace acquired is maintained in the long run.

Please see [Section 6.7](#) for a detailed discussion on the future of NAP in FATA and KP.

[6.3.2 Internally Displaced Persons](#)

Please see [Section 8.3.3: IDPs – Rehabilitation Plans](#).

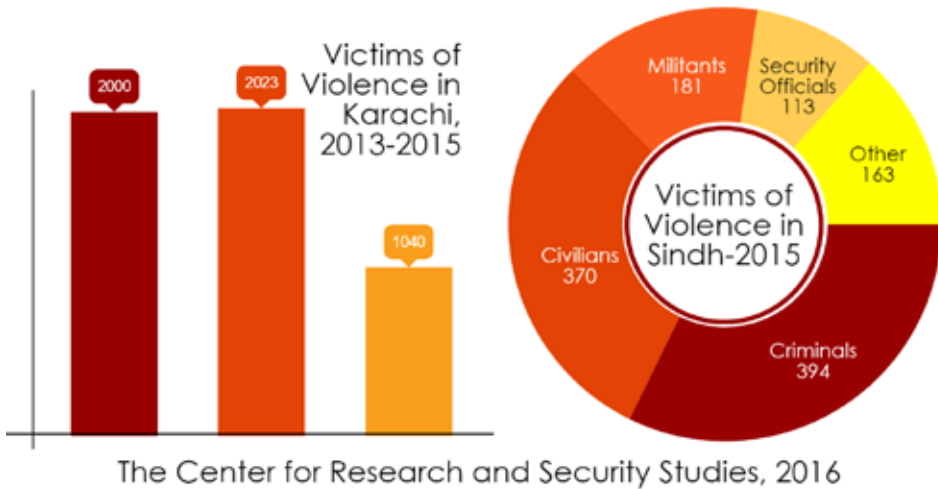
6.4: Karachi Operation

[6.4.1 Violence in Karachi](#)

Data collected by the Center for Research and Security Studies (CRSS) shows that despite the violence in FATA, Karachi remained the most violent and volatile district in Pakistan the last several years running. Karachi lost 5,063 persons to violence in the last three years. However, the level of violence has reduced by nearly 78% in Sindh, while Karachi witnessed a 48% drop in the fatalities from different forms of violence in the year 2015.⁷

⁷ Nafees, M., Gul, I., & Salahuddin, Z. (2016, February 26). CRSS Annual Security Report - 2015. Retrieved February 26, 2016, from <http://crss.pk/wp-content/uploads/2010/07/CRSS-Annual-Security-Report-2015.pdf>.

Graph 6.2 Violence in Karachi – 2013 – 2015



6.4.2 Ranger’s Deployment in Karachi

Rangers are a paramilitary force under control of the Ministry of Interior, and their primary task is to guard, defend and secure borders in peace time as well as war time, provide and maintain security in war zones and areas of conflict, and maintain law and order which includes providing assistance to the police.

The Rangers Karachi operation was inaugurated by Prime Minister Nawaz Sharif on September 5, 2013, to rid the city of crime, political militancy and violence.⁸ Two years later, the Rangers announced the completion of phase one, with the second phase to commence from August 14, 2015.⁹

The Rangers operation in Karachi continues at the time of writing this report.

6.4.3 Shift in Focus since NAP

A new sense of urgency was observed in January, 2015, when the PM called a

⁸ Tunio, H. (2013, September 04). Karachi law and order: Rangers to launch operation in two days - The Express Tribune. Retrieved March 04, 2016, from <http://tribune.com.pk/story/600064/karachi-law-and-order-rangers-to-launch-operation-in-two-days/>.

⁹ Khan, F. (2015, August 10). First stage of Karachi security operation complete: Rangers - The Express Tribune. Retrieved March 04, 2016, from <http://tribune.com.pk/story/935314/fist-stage-of-karachi-security-operation-complete-rangers/>.

high level meeting on the law and order situation in Karachi.¹⁰ There was a clear shift in mandate, as just over a month later, political militancy, a long-standing source of extreme violence in the city was targeted in Karachi. Rangers raided the headquarters of Muttahida Qaumi Movement (MQM), arresting absconders and recovering banned, unlicensed weaponry.¹¹ Thus both sources of violence in Karachi, religious militancy and political militancy, were targeted.

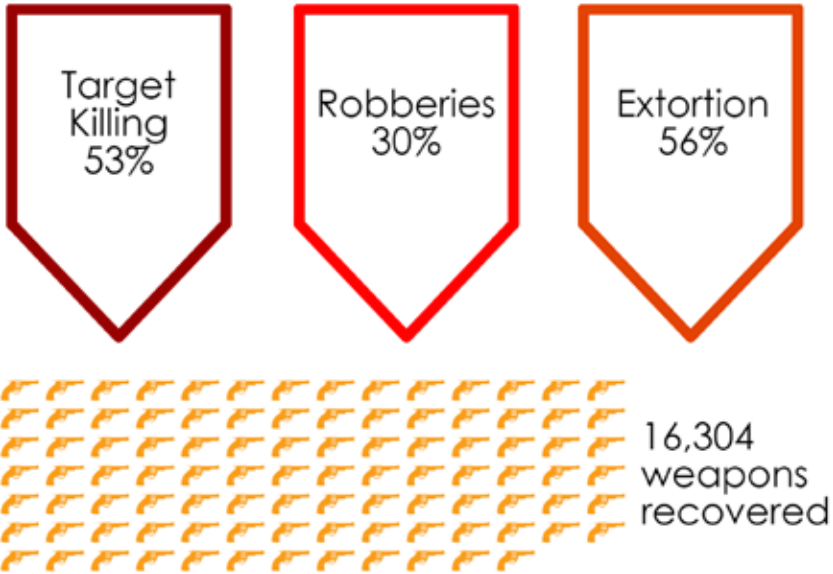
6.4.4 Outcomes of Karachi Operation

In the January, 2016 report to the National Assembly, it was shared that a significant decline in violence, militancy and crime was observed in Karachi.¹ According to the report, target killing was down by 53%, robberies down by 30%, and extortion down by 56%. 69,179 criminals had been arrested, which include 890 terrorists, 676 proclaimed offenders, 10,426 absconders, 124 kidnappers, 545 extortionists, and 1,834 murderers. The report also claimed that 16,304 weapons had been recovered.

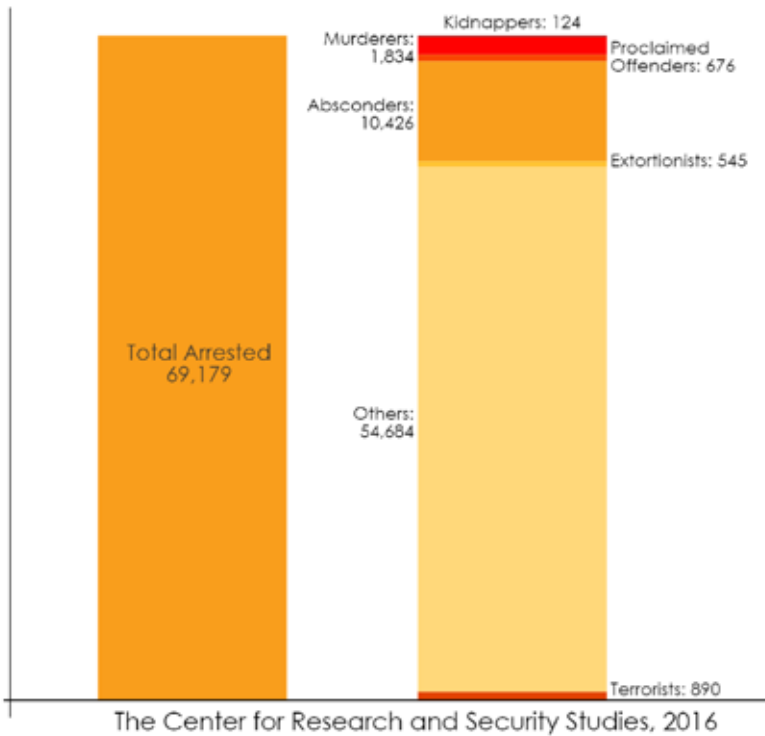
¹⁰ Khan, F. (2015, August 10). PM summons high-level meeting on law and order situation in Karachi tomorrow - The Express Tribune. Retrieved March 04, 2016, from <http://tribune.com.pk/story/829573/pm-summons-high-level-meeting-on-law-and-order-situation-in-karachi-tomorrow/>

¹¹ Salahuddin, Z. (2015, April 15). A New Turn for Pakistan's Fight Against Militancy. Retrieved March 04, 2016, from <http://foreignpolicy.com/2015/04/15/a-new-turn-for-pakistans-fight-against-militancy/>.

Graph 6.4 Karachi Operation Outcomes - Milestones



The Center for Research and Security Studies, 2016

Graph 6.3 Karachi Operation Outcomes - Arrested

This data is backed by findings from the Center for Research and Security Studies, although the figures differ somewhat.⁷

Please see [Section 6.8](#) for a detailed discussion on Karachi.

6.5: Baluchistan Insurgency

6.5.1 Baluchistan Nationalist Movement

Baloch nationalism in its contemporary form began nearly a century ago in the 1920s in the form of the Anjuman-e-Ittehad-e-Balochan (AIB - Organization for Unity of the Baloch). The movement claims that the Baloch people are a nation, and emphasizes ethnic loyalty over religious loyalty; an idea that is contrary to the ideology behind Pakistan's creation. Their demands have ranged from cultural,

economic and political reforms, to political autonomy, to outright secession from Pakistan. The movement is secular and heavily influenced by leftist Marxist ideology.¹²

6.5.2 Baloch Insurgent Groups

The ongoing insurgency is not the first of its kind. In fact, the current conflict, started in 2003, is the fifth of its kind.¹³ The insurgents in Pakistan are fragmented into several groups, mainly the Baloch Liberation Army (BLA), the Baloch Republican Army (BRA), the Baloch Liberation Front (BLF) and the Lashkar-e-Balochistan (LeB -Baluchistan's army). While this fragmentation is reflective of the tribal nature of Baloch nationalists, their demands are deeply rooted in Baloch nationalist ideology.

6.5.3 Missing Persons

Missing persons is a generic term used in Pakistan to refer to the ostensibly hundreds of persons in Pakistan who have disappeared in conflict zones.

The number of missing persons is a contested issue, with a huge gulf between the claims by Baloch activists, human rights bodies and the statistics of the government. Mama Qadeer's Voice for Baloch Missing Persons (VBMP) has always claimed the highest toll at 21,000+¹⁴. This is abnormally different from official numbers, as the Commission of Inquiry on Enforced Disappearances (CIED) informed the Supreme Court that 982 missing persons had been traced in the last four years.¹⁵ According to CIED's report, 1,273 cases of enforced disappearances are still unresolved, with only 122 of them belonging to Balochistan. Meanwhile, Defence of Human Rights, an NGO that traces missing people, puts the number at 5,149 from all over Pakistan.¹⁶

Missing persons remain a thorny issue for authorities to navigate. Without a proper resolution of the problem, reconciliation efforts will be hampered in Balochistan.

¹² Breseeg, T. M. (2004). *Baloch nationalism: Its origin and development*. Karachi: Royal Book Company.

¹³ BBC. (2014, February 22). *Balochistan: The untold story of Pakistan's other war* - BBC News. Retrieved March 04, 2016, from <http://www.bbc.com/news/world-asia-26272897>.

¹⁴ Correspondent. (2015, April 17). *Raising his voice: 21,000 missing in Balochistan, says Mama Qadeer* - The Express Tribune. Retrieved March 04, 2016, from <http://tribune.com.pk/story/871142/raising-his-voice-21000-missing-in-balochistan-says-mama-qadeer/>.

¹⁵ Malik, H. (2015, February 22). *Enforced disappearances: Up to 982 missing persons traced in the past four years* - The Express Tribune. Retrieved March 04, 2016, from <http://tribune.com.pk/story/842656/enforced-disappearances-up-to-982-missing-persons-traced-in-the-past-four-years/>.

¹⁶ Iqbal, N. (2015, January 14). *SC seeks report on number of missing persons*. Retrieved March 2, 2016, from <http://www.dawn.com/news/1156658>.

Please also see [Section 4.3: CPEC Security](#).

[6.5.4 Reconciliation Efforts](#)

The government currently believes that reconciliation and addressing grievances is the best way to appease the Baloch nationalists and to end the conflict in the province. The report presented to the lawmakers in the National Assembly by the Interior Minister Chaudhary Nisar is fairly vague. Verbatim, it states that “surrender and reconciliation/rehabilitation of absconders/outlaws in progress”.¹⁷ The exact figure for insurgents who have surrendered varies from source to source, but it was reported that 625 insurgents laid down their arms in the last six months.¹⁷

According to another report, some 1,025 militants, belonging to various proscribed outfits, have surrendered before the provincial government during the past year.¹⁸

In April 2015, Balochistan Chief Minister Dr. Abdul Malik also said that a reconciliation strategy had been devised to help mainstream Baloch nationalists.¹⁹ The Prime Minister also visited Balochistan in August and launched a “Peaceful Balochistan Plan” to bring angry Balochs back into the fold.²⁰ After a meeting in October between the CM and the PM, the CM announced that he would hold a tribal council to meet exiled leaders and persuade them to join the political mainstream.²¹ Balochistan Minister Nawab Sanaullah Zehri had also met the Khan of Kalat²² in London earlier in August, 2015 as part of the reconciliation policy.²³

Please see [Section 6.9](#) for a detailed discussion on Balochistan.

¹⁷ Correspondent. (2016, February 08). Balochistan reconciliation: 625 insurgents surrendered in six months - The Express Tribune. Retrieved March 04, 2016, from <http://tribune.com.pk/story/1042338/balochistan-reconciliation-625-insurgents-surrendered-in-six-months/>.

¹⁸ (2016, April 26). 1,025 militants surrendered in Balochistan during past year. Retrieved March 06, 2016, from <http://www.dawn.com/news/1254551>.

¹⁹ Khan, A. (2015, April 26). Reconciliation plan drawn up for estranged Baloch leaders: CM - The Express Tribune. Retrieved March 06, 2016, from <http://tribune.com.pk/story/876111/reconciliation-plan-drawn-up-for-estranged-baloch-leaders-cm/>.

²⁰ Shahid, S. (2015, August 07). Plan for ‘peaceful Balochistan’ approved. Retrieved March 04, 2016, from <http://www.dawn.com/news/1198912>.

²¹ Ali, S. (2015, October 08). Sharif intensifies efforts to reconcile with exiled Baloch leaders. Retrieved March 04, 2016, from <http://nation.com.pk/national/08-Oct-2015/sharif-intensifies-efforts-to-reconcile-with-exiled-baloch-leaders>.

²² Current Khan-e-Kalat, Mir Agha Suliman Daud, went into self-exile in the United Kingdom after the assassination of Nawab Akbar Bugti in 2006 and decided to form a government in exile of Balochistan.

²³ Shah, S. A. (2015, August 15). Zehri meets Khan of Kalat in London. Retrieved March 04, 2016, from <http://www.dawn.com/news/1200640>.

6.6 ARTICLE: FATA Reforms: the Political Economy
by Imtiaz Gul²⁴

Down the Rabbit Hole

In December 2006, at the height of General (ret'd) Pervez Musharraf's controversial career as the President of Pakistan, a large meeting was convened. The attendees included officials from FATA, FATA Secretariat (including the Political Agents), SAFRON, and the then NWFP Governor, as well as a number of FATA elites such as ministers and clerics, and a contingent of the military establishment. The President's intent was to put all the FATA stakeholders in one room, and determine the future of FATA. For nearly three days, fiery speeches, ambitious plans and reform proposals bounced back and forth between the political and military elite, the only common thread being universal praise for Musharraf for taking the initiative.

However, the enthusiasm gave way to caution on the third day, when participants universally admonished Musharraf to not tinker with the existing system, lest he was prepared to face catastrophic consequences. Despite days of deliberation and discussion, the group rose, undecided, perhaps to meet another day. One of the Political Agents (PAs) recounted these proceedings to me at the Parliamentarian's Lodges in Islamabad. He was not particularly thrilled about future movement on the status of FATA either, and perhaps understandably so. Military officials, he said, disfavored any changes in the view of the ongoing "religious insurgency".

The military's stake in FATA also came to light in 2009, when a 27-member Committee on Constitutional Reforms deliberated extensively and climaxed with amendments to 105 articles of the federal constitution. However, not one of these applied to Part XII: Miscellaneous – Chapter III: Tribal Areas. Specifically, Article 246 - which geographically defines "Tribal Areas", "Provincially Administered Tribal Areas" and "Federally Administered Tribal Areas" - and article 247 - which gives the President sweeping powers, and excludes these areas from any parliamentary legislation, or legal jurisdiction from the Supreme Court or any High Court - were simply missing from the suggested list.

Representatives from the Awami National Party (ANP) and Pakistan People's Party (PPP) told me in background interviews that the military opposed any discussion on FATA. Jameat-e-Ulema-e-Islam Fazl-ur-Rehman (JUI-F) members remained vague when asked about FATA. Nearly everyone agreed on the need for reforms, but none had any solutions, and most blamed the GHQ. Military officials, including General Tariq Khan, the then Inspector General of the Frontier Corps, told me the parliamentarians "asked us for our opinion and we told them that the timing

²⁴ Article re-printed with author's permission.

was not right". But, he underscored, the military left it to the will of the parliamentarians to do whatever they wanted with FATA.

The net result was that there was not even an "expression of intent with regards to changes in FATA" in the 18th Amendment, passed on April 10, 2010. However, to solely blame the military's manipulation of the FATA reform agenda would be feigning obliviousness to the political economy of the region. This rabbit hole goes the deeper the more you traverse it.

A Matter of Regulations

In order to understand the political economy of the region, it is important to first take a look at the history and nature of FATA's current status, as well as the Frontier Crimes Regulation (FCR).

Historically, FATA has always presented a complex set of judicial and administrative problems. The FCR, formed in 1901, was an evolution of the Murderous Outrages Regulation of 1867, which gave British rulers, historically unable to establish their writ in the tribal region, powers to prosecute individuals for heinous crimes, such as murder. In 1947, Pakistan not only adopted the FCR, but added the clause that would allow for an individual's arrest without even specifying the crime. Since then, the FCR is almost universally seen as a system of oppression, outdated, ill-advised, and draconic. Over time, the regulation has been amended several times, but never to the benefit of the people of FATA.

The FCR contains 64 sections, most of them ill-intended, but the most detrimental ones are sections 21-30, 32, 34 and 40. Sections 21-30, also known as the Collective Responsibility clause, allow a tribe to be punished for the actions of one member. Section 34 allows for homes and property of the tribesmen to be demolished, if, for instance, the state wishes to acquire that land. Section 32 allows for entire settlements to be burned to the ground. Section 40, perhaps the most abused of all, allows the administration to detain a person, potentially for years, on mere suspicion, and without proof. This also implies that there is no provision for the accused to appeal and prove his innocence under the FCR.

The FCR is also credited with the rise of militancy in Pakistan. Professor Ijaz Khan of Peshawar University believes that as a tool to impose rule of law and improve service delivery in the justice sector, the FCR only became weaker than it already was after 9/11. When the Taliban fled Afghanistan, they came to FATA because there was already a security vacuum due to poor governance, lack of development, with no judicial or administrative system working for the welfare of the people, illiteracy, and anti-state angst, all of which helped the militants make this region their safe haven.

The FCR is also completely silent on women, and affords them no rights.

Understandably, the continuation of the FCR and the lack of progress on the status of FATA only widened the gulf between the citizens of FATA and the federation.

FATA is the only region in Pakistan where the parliament cannot legislate, and the apex courts cannot adjudicate. The area is administered by the Governor (as a representative of the president) of the Khyber Pukhtunkhwa province, under the supervision of SAFRON in Islamabad. Oddly, the 12 members in the National Assembly and 8 in the Senate from FATA can vote and legislate on bills in any part of the country, but the constituents they represent. They have no technical or political power under article 247 of the constitution. The real power belongs with the Political Agents.

Politically Economical

John Dalberg-Acton, the English Catholic historian, writer and politician once said, "Power tends to corrupt, and absolute power corrupts absolutely." In Pakistan, nowhere is this more evident than the role of the PAs. Political Agents are a) the symbol of the state's authority, b) the tribal people's advocate, and c) the liaison between the people and the government. The PA serves in three official capacities, a) the titular office, b) district magistrate, and c) sessions judge. He can even impose curfew, reject bail, and hold someone in confinement indefinitely.

Near universally, the PA role is viewed as corrupt officials enjoying unchecked, boundless power. Facilitated and powered by the roughly 35,000 or so *Maliks* (title-holders/representatives of tribes), the FCR is often used as a fulcrum to exact political vengeance. The elite and rich can easily leverage the FCR as a mechanism to escape punishment (a vote of confidence from four *Maliks* can prevent detention), and as a tool to eliminate competition, punish enemies, or clear the playing field. It is easy to see how this oppressive and unjust system can be exploited by those with resources and power, and abhorred by youth and the lowest rungs of the socio-economic strata.

The anecdote at the top suggests that the military establishment is adamantly and historically opposed to changes in the status of FATA. They present a formidable blockade against progress on FCR reforms. The 35,000 or so *Maliks* in FATA, and the elite, including the ministers, the businessmen and other affluent influentials that enjoy a life of luxury and privilege without consequence, also oppose reforms in the region. Finally, the FATA Secretariat and SAFRON are a key stakeholders. The Secretariat under the governor, including the seven Political Agents, and their respective staffs (essentially a smattering of super-empowered bureaucrats in Islamabad and Peshawar), have a huge monetary stake in the status quo. The most powerful and vocal of these hail from Khyber and Bajaur Agencies, Bannu (North

Waziristan) and D. I. Khan (South Waziristan).

Current Progress

The attempt at FATA reforms is not new. The meeting with Musharraf in 2006, and the constitutional reforms in 2009, are just two examples. In 2010, eleven reforms in the FCR were proposed by the Political Parties Joint Committee on FATA Reforms. These were chided for being invariably chained to government interests. In August 2011, the then President Asif Ali Zardari passed a Presidential Order to amend the FCR. Although minimal in its scope, it is still recognized as the most practical and significant change in the regulation since its inception.

Years later, in May 2014, we at CRSS had another opportunity to discuss FATA, this time through a 20-episode series of TV shows and 60 radio shows - involving about 50 notables such as FATA MPs, businessmen, civil society members, and representatives from mainstream political parties. Ironically, all these discussions yielded a fragmented picture; most of the youth - students, civil society, and younger parliamentarians vociferously advocated for the abolition of FATA's current status. Most of the parliamentarians and businessmen, however, pleaded for a phased, incremental change to the status of FATA through extension of the writ of the Peshawar High Court and the local government elections. Even some of the officials we spoke to also argued that touching FATA in existing circumstances was a dangerous proposition. This mirrors the political economy dichotomy in the previous sections.

Most recently, in September 2015, nearly three months after the FATA Reforms Commission's report, sources indicate that a "step-by-step procedure for merging tribal areas into settled districts" is underway. To precipitate this, Bajaur and Mohmand Agencies from FATA will be merged into PATA. The estimated time for this transition is 8-10 months, and it will serve as a stepping stone for other areas to be brought into the national fold. On the 9th, the 22nd Constitutional Amendment Bill was presented in the National Assembly by FATA lawmakers, proposing amendments to Articles 246/247 to grant full citizenship rights to the tribesmen, extend the reach of apex courts to the region, and the merger of FATA into KP.

The Way Forward

Moong Qabail, the series of media programs CRSS conducted on FATA reforms, brought forth a range of suggested solutions and ideas on how to manage this century-old problem. The series publically and empirically confirmed the sentiment that the people of FATA hold FCR responsible for the ills being suffered, and that it was time it was repealed, reformed, or abolished altogether. The status quo simply cannot continue. The people in FATA may hold the green passport, but the Constitution's Article 247 and the FCR deprives them of fundamental human

rights and civil liberties, even though they are afforded to citizens in all other parts of the country. These Federally “Alienated” Tribal Areas are denied their right to life, security, justice and expression.

The abolishment of the FCR presents three options for the status of FATA. FATA could be merged into KP, become its own province, or FATA could run with its own Governor with Central Council, as well as agency and tehsil councils. The 22nd Constitutional Amendment proposes the first of these. Failing this, a plethora of issues need to be managed. These include the influence of the political agents, the separation of administration and judiciary, the FATA council, holding local body elections, representation of women, development, education and health facilities and the influence of the government within the ambit of the judiciary.

As it stands, two things seem to be happening simultaneously: the ginger first step of merging two agencies into PATA, and doing away with FCR altogether, and merging FATA into the KP. Both are good news for a people subjugated by over a century of bad governance, archaic policies, and dated regulations, but it must be said that neither is official or expected soon. Most of the older FATA MPs believe in a gradual shift from the current status to mainstreaming of FATA. However, the pull of the forces of status quo is simply much stronger than those who favor comprehensive reform, whereby the law of the land could be extended to the FATA and it could be thus mainstreamed. To turn the tide, a series of mechanisms will need to be deployed to help mitigate the powerful political economy that so vehemently resists any attempt at change.

Imtiaz Gul is a noted media analyst and author of several books. He is also the Executive Director at CRSS. He can be reached at imtiaz@crss.pk.

6.7 OPINION: NAP has to go a long way in KP/FATA by Shiraz Paracha

The Pakistan Tehreek-e-Insaf (PTI) led by Imran Khan has been leading a coalition government in the Khyber Pakhtunkhwa Province of Pakistan for the past two years and a half.

The cricketer-turned-politician claims his party's government has transformed the provincial police into the best police force of the country but it is hard to prove that claim if one looks at the law & order situation and the crime rate in the province.

Just two days before the turn of the year, the carnage in Mardan, the second largest city of Khyber Pakhtunkhwa, was a stark reminder that a lot more needs to be done by the provincial government before it claims that situation is back to normal in the province. At least 26 people were killed when a suicide bomber blew himself up at the office of National Database and Registration Authority (NADRA) in the city. Another 52 were wounded.

It was the first major attack in the province since the dastardly gun and bomb attack at the Army Public School in Peshawar in which nearly 150 people, most of them innocent students, were mowed down by a group of terrorists associated with the Tehreek-e-Taliban Pakistan. It was the attack which sent shockwaves not only throughout Pakistan but across the world.

Observers say had security guard been not posted at the NADRA office gate and he would not have stopped the attacker from getting into the office, the fatalities could have crossed the 200 marks as the NADRA office was packed with scores of people looking for their national identity cards.

Questions are being asked that how could the bomber manage to come to the office of the NADRA riding on motorbike without being noticed.

The attack is all the more shocking for it has taken place in an area which is the birthplace of 2500-year-old ancient Gandhara Civilization.

Monks trained at Buddhist schools of Mardan region would travel to present day Japan, Korea and China to spread Buddha's message of peace and tranquility.

Nearly 90 years ago, from here, Khan Abdul Ghafar Khan also known as Bacha Khan, had launched a non-violent movement for the independence of India from the colonial rule from the same region.

Unfortunately, this entire region was turned into a bastion of Taliban and extrem-

ists over past few decades.

Many people suspect that extremism spread in the Pakhtun region on the prodding of the powerful establishment which pampered extremists groups to achieve foreign policy objectives in Afghanistan and India.

Dubbed as “military-mullah” alliance, the this two-way cooperation and coordination continued until the APS deadly attack on 16 December 2014.

Following that tragedy, Pakistani political and military leadership agreed on a comprehensive strategy in the shape of National Action Plan (NAP) to fight terrorism.

The government claims the NAP is being successfully implemented but that claim is being widely disputed.

It is true that over the past one year coordination among intelligence agencies has improved, a special counter terrorism force has been established in Khyber Pakhtunkhwa, but, target killings, kidnappings and radicalization of people continues in the province.

Government sources say the number of terrorist attacks has been fallen due to the successful crackdown of the law enforcement forces’ successful and better coordination among various security agencies.

Officials of federal and provincial agencies regularly meet; exchange information and plan counter terrorism action.

Nonetheless, many officers admit that mutual trust among various agencies over information sharing is still a challenge.

The KPK police are believed to be used as PR tool by the PTI government though in reality there is widespread dissatisfaction among rank and file of the police force.

Officers and constables feel that their sacrifices are not duly acknowledged.

The Police have been pushed into a war for which they are neither properly trained nor being equipped. The Police are not trained to fight terrorism.

The provincial government is said to be not supporting the police force they deserved to be backed up.

The morale of the force cannot be raised just by only announcing financial compensation for those who lay down their lives or get injured in the line of duty.

Police officers expect that provincial ministers would stand shoulder to shoulder

with the Police in the fight on terror.

Nasir Durrani, the provincial police chief, is a competent officer.

Mr. Durrani has been trying his level best to make the force worth of its name but but he has to go a long way to go to achieve this objectives.

There is a discontent in the rank and file of the officers throughout the province, Many civilian officers deputed in the police force are not happy either.

There is a clear-cut division among civil bureaucracy over promotions, postings and transfers in the province.

It is unrealistic to expect good performance from a demoralized force.

Due to lack of appreciation and encouragement, civil servants and police officers are just doing their routine work. This lack of interest is negatively affecting progress in the implementation of the NAP.

In November 2015, I saw hundreds and thousands of highly charged pro-Taliban people in the funeral of a religious figure in Akora Khattak, a small town just six kilometers east of Nowshera Cantonment.

These radicalized people were drawn from all over province, FATA as well as Afghanistan to pay homage to their teacher and spiritual leader, Maulana Sher Ali Shah.

The deceased was a colleague of Maulana Sami-ul-Haq, who is known to have contacts both with the military and militants.

New construction is underway n the Haq's sprawling at Darul Uloom Haqania or seminary in Akora Khattak which has served as a alma mater for severa;l Taliban leaders.

More and more young people are getting themselves enrolled with the seminary. Top government leaders are also among the visitors.

Just military and police operations cannot wipe out terrorism. The places like Darul Uloom Haqania need to be turned into bastion of love, peace and humanity. Until that happens, no National Action Plan will work.

Shiraz Paracha is an analyst, commentator, journalism professor, and his areas of interest include Afghanistan, Pakistan, Central Asia, Russia and China. He can be reached at shiraz_paracha@hotmail.com.

6.8 OPINION: Karachi's Woes by Amir Zia

The ongoing operation in Karachi remains a key component of the 20-point National Action Plan (NAP) without which Pakistan cannot hope to achieve a decisive victory in its war against extremism and terrorism.

The NAP declaration says that the Karachi Operation will be taken to “its logical conclusion.” But more than two years after the paramilitary Rangers were empowered to go after criminals and terrorists responsible for politically and religiously-motivated killings, extortion, kidnappings for ransom and terrorism, this much trumpeted campaign -- launched in September 2013 -- is nowhere close to its “logical conclusion.”

Yes, the operation brought “targeted-killings” sharply down in this restive port city. Sindh Police figures say that 986 people were killed in 2015 compared to the highs of around 1,925 in 2014. In 2013 – the deadliest in recent years – more than 2,500 people had been killed, mostly in tit-for-tat killings among criminal-cum-political mafias and various sectarian and religious groups, while in 2012 such killings were a little over 2,000.

The crackdown also helped end the reign of terror of various political, ethnic and criminal mafias in many volatile parts of the city. Extortion, which was widespread and forced shopkeepers and traders to stage a series of unprecedented lock-outs of their businesses in 2009 & 2010 onwards, witnessed a sharp decline.

Kidnapping for ransom cases, which peaked to 283 in 2013, fell to 115 in 2014 as a result of the arrests and killings of a number of kidnappers in “encounters.” And in 2015, only 25 kidnapping for ransom incidents were reported, according to the figures compiled by the Citizen-Police Liaison Committee, which specializes in resolving such cases with the help of the law enforcement agencies.

The Human Rights Commission of Pakistan (HRCP) in its 2015 report on Karachi also highlighted the declining trend in the incidents of organized violence and terrorism. The HRCP figures show almost a 50 percent drop in the number of bomb explosions in Karachi in 2015.

But despite successes, there are legitimate concerns about the sustainability of these gains.

The ongoing tussle between the Sindh and the federal governments over the operational autonomy for paramilitary Rangers is not the only factor triggering uncertainty. There are a number of other fundamental issues, which if remain unresolved will not just obstruct the Karachi Operation from achieving its objectives,

but hurt the country's overall effort in the war against terrorism and extremism. Therefore, the success of Karachi Operation remains pivotal if the government is serious in establishing the rule of law and bringing peace in the country.

To achieve this goal, our politicians – both at the federal and provincial level – must show political will, maturity and consistency. They also need to rise above their narrow self and political interests and sincerely work to break the ties between crime and politics which has been thriving here for the past several decades.

However, the foremost and immediate challenge that threatens to wipe-out the gains of Karachi Operation stems from the lack of consensus among key stake holders regarding its targets, direction and methods.

The Pakistan Peoples' Party-led (PPP) Sindh Government is trying to clip the operational autonomy of Rangers and narrow down the ambit of their assignment after raids on provincial government offices and arrest of "its own men."

The arrest of former federal minister Dr Asim Hussain – a close friend of PPP Co-Chairperson Asif Ali Zardari – on the alleged charges of corruption and assisting terrorists triggered fears among many Sindh Government stalwarts and party's central leaders that they could also be among the possible targets. Therefore, the PPP aims to blunt the operation and restrict its focus mainly to the banned sectarian and religious groups or the other political forces, including the Muttahida Qaumi Movement (MQM).

However, the argument of the law enforcement agencies makes sense that without choking finances and apprehending supporters, abettors and patrons of criminals and terrorists, their job will only be half done.

Although the federal government has supported the Rangers in this tussle, the friction between Sindh government and the security establishment is a bad news in Pakistan's fight against terrorism.

The PPP, other opposition parties and the rights groups might be raising some legitimate concerns about the alleged high-handed actions of the Rangers, but they should be addressed without compromising the operational autonomy and independence of the Rangers.

The authorities should consider setting up an independent monitoring committee to address complaints or grievances about the conduct of the Operation. The proposed Committee can comprise of retired judges and civil society members and work in tandem with an in-house watch-dog of the security establishment.

The PPP and the other political forces should realize that there is an overwhelm-

ing support for the operation among the masses. Any attempts to derail it would only create complications and unintended consequences. Therefore, the political forces should support the operation in its present form and refrain from changing rules of the game to save a select few.

Besides, the civilian leadership must focus on the following initiatives if they want to see Karachi Operation a success and achieve the goals set in the NAP.

Firstly, the government needs to move on a war-footing to implement the long overdue police reforms. These reforms must include granting the police force a complete operational autonomy and independence. They should also put an end to political interference in the Police Department, establish a merit-based recruitment process, ensure modern training and guarantee transparency in all transfers and postings.

Secondly, sweeping judicial reforms have also been pending for a long time. The NAP declaration calls for upgrading the judiciary. This includes increasing the number of judge and courts, establishing a protection program for witnesses, prosecutors and judges and capacity-building and training of prosecutors and investigators.

Thirdly, the government should also focus on abolishing the breeding grounds of crime and terrorism. This can be done only through investment on education and social, economic and infra-structure uplift and development.

Sadly, civilian authorities fare poorly on these three fronts. The media, the civil society and various stakeholders should create awareness and build pressure on the federal and provincial governments to initiate measures on these three key fronts as arrests and killings of criminals and terrorists can only work to an extent. The real challenge in the mid- to long-term is to eliminate those factors which breed criminals and terrorists. Karachi Operation can only be successful if the authorities take a holistic approach and along with the use of force, focus on reforms and development as well.

Amir Zia is a senior journalist, who has worked for some leading national and international media organizations in a career spanning over two decades. He can be reached at amir.zia@gmail.com.

6.9 OPINION: The Balochistan Saga by Shahzada Zulfiqar

The government has succeeded in controlling terrorism to a considerable extent in Baluchistan, particularly in areas affected by the Baluch separatist violence, with the implementation of the National Action Plan (NAP).

However it has not yet taken any tangible steps to initiate dialogue with the Baloch separatists living in exile.

In the first apex committee meeting held in Quetta in February last, a road map was drawn for the implementation of NAP.

The meeting, chaired by the Prime Minister Nawaz Sharif and attended by Army Chief General Raheel Sharif along with heads of security agencies, formulated a policy to implement the NAP by using carrot and stick policy.

Under this policy, the military was allowed to launch intelligence based operations and at the same time the provincial government is directed to start reconciliation efforts with Baloch separatist leaders.

The apex committee also approved a general amnesty scheme under which monetary benefits, employment opportunities and security for those who are willing to surrender have been announced.

Under this policy, half a million to two million rupees were to be awarded to the fighters ranging from an ordinary fighter to a local commander who lay down their arms.

The policy was aimed at luring the militants to abandon fighting in return for monetary benefits and security assurances.

It has also been decided that efforts would be made to seek deportation of the separatists leaders living in exile in the western countries as well as confiscation of their all moveable and immovable properties in order to choke the financing to their banned organizations.

Besides federal agencies like FIA, Customs and NAB, Police have also been directed to probe financial sources of the separatist and insurgent groups.

The people providing money to these insurgents through Hawala under the garb of money exchange business are being interrogated while revenue records are being checked at the tehsil level to obtain the property details of the insurgent leaders. However, no breakthrough has been achieved on this count, so far.

The pro-government tribal Chieftains like Nawab Sanaullah Zahri, Nawab Chagaiz Marri – son and successor of the separatist leader Nawab Khair Bux Murri -- and Sardar Sarfaraz Dombki -- the grandson of Nawab Akbar Bugti -- played active role in trying to persuade the outlawed comrades to lay down arms.

Around six hundred fighters besides six commanders of the banned organizations have so far surrendered from Awaran, Lahri, Dera Bugti and Kohlu in a special ceremonies.

There are some suspicions among general public about genuineness of these surrendering people amidst reports that the tribes loyal to pro-government tribal notables were included in the list of 'surrendering' insurgents for the sake of monetary benefits.

On the other hand, major separatist elements rejected the general amnesty offer and vowed to continue fighting till independence.

The Baloch nationalist groups, however, believe that such amnesty schemes aimed at winning loyalties through money instead of addressing genuine issues would not yield any positive result in the long run.

In the anti-insurgents operation, three nephews, a brother and a brother-in-law of top fugitive Dr Allah Nazar besides a number of colleagues were killed in Awaran.

Initially, there were reports that Dr. Nazar, who heads separatist Baloch Liberation Front, was also killed, but later a video was released purportedly showing him alive.

Some 204 suspected terrorists of banned organizations including TTP and LEJ were also killed and 29 injured in 1935 operations during last one year while 9176 were arrested besides recovering of 3290 weapons. No figure is available about the causality of forces in these operations.

Eight laws were proposed to reform the Criminal Justice System and two of them have been approved by the provincial assembly while rest are pending.

In order to curb hate speech, 13 people were arrested while 1200 books and 284 hate material were confiscated.

However no action has been taken against Madaris fuelling sectarian hatred.

116 cases of sectarian militants are pending in courts while 54 cases have been referred to Special Trial (military) courts.

The security forces are credited with killing of top militants of Lashkar-e-Jhangvi

like Usman Saifullah and Mahmood Kurd alias Wadeed , the masterminds of deadly suicide attacks, killings of hundreds of Shia Muslims in Balochistan and Sindh.

After the killing of LeJ leader Malik Ishaq along with his whole top hierarchy in police encounter in Punjab, there was general expectations that their counterparts in Baluchistan would also be brought to justice.

An important commander of Al-Qaeda's Umar Lateef was killed in August 2015 in Chaghi area bordering Afghanistan while his wife Tayyaba who is said to be head of the women wing of the banned organization was arrested.

His brother, identified as Bilal, however, managed to escape into Afghanistan.

A provincial government delegation comprising ministers and parliamentarians cum tribal elders of the National Party in Ramadan paid a visit to Khan of Kalat Mir Suleman Daud living in exile in London.

Nawab Sanaullah Zahri, the newly appointed Chief Minister and provincial head of PML(N), has also visited London to meet Khan Suleman.

Although government and its ministers have been claiming success, but both meetings remained inconclusive.

Khan went abroad to fight a legal battle in the International Court of Justice against Pakistan for its failure to abide by the instrument of accession reached between Quaid-e-Azam and Mir Ahmadyar Khan, the last Khan of the princely state of Kalat.

After killing of Nawab Akbar Bugti in a military operation, Khan of Kalat had convened a tribal Jirga in Kalat in September 2006 that had given him the mandate to seek justice from ICJ.

The outgoing Chief Minister Dr. Abdul Malik Baloch met Brahamdagh Bugti in Switzerland and is believed to have conveyed some of his demands to the military establishment.

No Baloch party except National Party of Dr. Malik Baloch is in the favour of making Gwader port operational and construction of CPEC unless reservations of Baloch population that it is being turned into minority due to these mega projects are removed.

Another major issue Baloch population is confronted with is the registration of Afghan refugees in millions as Pakistani nationals in NADRA record besides voters' lists.

Dr Malik and other Baloch parties opposed holding of census in 2016 in the presence of Afghan refugees who are estimated to be two and an half million in Balochistan.

The military high ups in apex committee meetings have assured provincial government to apprise their top brass as well as federal government about its reservations and apprehensions through their channel.

Pashtoon based political parties particularly PKMAP, however, reject these reservations and oppose the proposal of provincial government in this regard.

Although Home department claims to have taken stern action against the private militias, but many people doubt it.

These armed groups are believed to have been given in the control of pro-government tribal notables.

The officials claim that government has enough evidence that Shafiq Mengal, who heads a government-backed private militia, harbors the hard core elements from banned sectarian organizations and TTP who also involved in killing of eight Levy men.

The religious minorities particularly Hindus have been persecuted by these militias during the past 15 years long insurgency.

Hindu traders in restive districts particularly Khuzdar, Kalat and Mastung were being forced to pay Bhatha to these private militias. Consequently hundreds of Hindu families have migrated to India or to neighboring Sindh province.

The activists of these militias have been involved in crimes like highway robbery, rape, car snatching/lifting and abduction for ransom.

According to a report of the Home Department, 2441 seminaries have been registered while 518 have yet to be registered.

Some 143,446 students including 5,862 foreigners have been enrolled in these Madaris.

Still, it is believed, around a thousand Madaris situated in the far flung areas of the province have yet to be registered.

Dozens of facebook accounts, tweeters and websites have been blocked which were being used for propaganda in favour of separatists or against the state and security agencies.

Shazada Zulfiqar is a veteran journalist from Balochistan who reports for AFP. He can be reached at ahmadzee63@gmail.com.

