

CRSS NAP TRACKER 2016

The Second Year Audit of the National Action Plan

CRSS NAP TRACKER 2016

The Second Year Audit of the National Action Plan

written and compiled by:
Zeeshan Salahuddin

Table of Content

Acronyms	1
Introduction	1
Acknowledgments	2
National Action Plan: Excerpt from Interview with NSA, Lt. Gen. (retd.) Naseer Khan Janjua	3
Part 1: Moratorium Lifted	
1.1 Introduction	6
1.2 Methods of Execution	6
1.3 Worldwide Comparison	6
1.4 Execution by Month since December, 2014	9
1.5 Controversies and Criticism	11
1.6 Does the Death Penalty Serve as a Deterrent?	14
1.7 Conclusion	14
Part 2: Military Courts	
2.1 Introduction	16
2.2 Number of Cases and Outcomes	18
2.3 Controversies and Criticism	19
2.4 Military Courts around the World	21
2.5 Conclusion	22
Part 3: Proscribed Organizations	
3.1 Introduction	24
3.2 List of Proscribed Organizations in Pakistan	24
3.3 Measures against Proscribed Organizations	28
3.4 Pitfalls in the Government's Approach	39
3.5 OPINION: What does the term “proscribed” solve? by Zeeshan Salahuddin	40
Part 4: Counterterrorism	
4.1 Introduction	43
4.2 National Counter Terrorism Authority (NACTA)	46
4.3 Armed Militias and Afghan Strategy	58
4.4 Obstacles	60
4.5 CPEC Security	60
4.6 Special Anti-Terrorism Force / Pakistan Special Services Group	63
4.7 Counter Terrorism Department	65
4.8 Conclusion	65
4.9 Excerpt from Interview with NSA, Lt. Gen. (retd.) Naseer Khan Janjua	66
	40
Part 5: Sectarianism	
5.1 Introduction	68
5.2 Minorities in Pakistan	68
5.3 Government Progress against Spreading Hatred/Sectarianism	73
5.4 The Council of Islamic Ideology (CII)	75
5.5 OPINION: How Pakistan Institutionalized Discrimination Against Minorities by Zeeshan Salahuddin	76
5.6 Excerpt from Interview with NSA, Lt. Gen. (retd.) Naseer Khan Janjua	78

Part 6: Local Conflicts

6.1 Introduction	80
6.2 FATA Reforms	80
6.3 FATA: Operation Zarb-e-Azb	82
6.4 Karachi Operation	84
6.5 Balochistan Insurgency	90
6.6 Punjab	94
6.7 ARTICLE: FATA Reforms: the Political Economy by Imtiaz Gul	95
6.8 ARTICLE: The Situation in Sindh by Hasan Mansoor	98
6.9 ARTICLE: The Situation in Balochistan by Shehzada Zulfiqar	102
6.10 ARTICLE: The Situation in Punjab - A Long Way to go by Waqar Gillani	105
6.11 ARTICLE: NAP in KP – A Ray of Hope by Imtiaz Gul	109
6.12 Excerpt of Interview with NSA, Lt. Gen. (retd.) Naseer Khan Janjua	111

Part 7: Seminaries

7.1 Introduction	114
7.2 Seminaries in Pakistan	114
7.3 Understanding Seminaries	119
7.4 History of Seminary Reforms	120
7.5 Funding / Financing of Seminaries	121
7.6 Obstacles	121
7.7 Conclusion	122
7.8 Excerpt of Interview with NSA, Lt. Gen. (retd.) Naseer Khan Janjua	

PART 8: REFUGEES AND IDPs

8.1 Introduction	
8.2 Refugees	
8.3 Internally Displaced Persons (IDPs)	

PART 9: CRIMINAL COURTS

9.1 Introduction	132
9.2 The Criminal Procedure Code of Pakistan	132
9.3 Progress on Legal Reforms	134
9.4 ARTICLE: National Action Plan by Ahmer Bilal Soofi	

ANNEX I	136
----------------	-----

ANNEX II	150
-----------------	-----

ANNEX III	151
------------------	-----

ANNEX IV	152
-----------------	-----

ACRONYMS

#	Abbreviation and Meaning	
1	ADR	Alternative Dispute Resolution
2	Ael-B	Anjuman-e-Ittehad Balochan
3	AHF	Al Harmain Foundation
4	AIB	Anjuman-e-Ittehad Balochan
5	AJK	Azad Jammu Kashmir
6	AL	Awami League
7	AMLA	Anti-Money Laundering Act
8	ANP	Awami National Party
9	ANSF	Afghan's National Security Forces
10	APC	All Parties Conference
11	APMSO	All Pakistan Mohajir Students Organization
12	APNS	All Pakistan Newspaper Society
13	APS	Army Public School
14	AQ	Al-Qaeda
15	ASWJ	Ahl-e-Sunnat Wal Jamaat
16	ATA	Anti-Terrorism Act
17	ATCs	Anti-Terrorism Courts
18	AUH	Ansar ul Hussain
19	BLA	Baloch Liberation Army
20	BLF	Balochistan Liberation Front
21	BLUF	Balochistan Liberation United Front
22	BMDT	Balochistan Musalla Defa Tanzeem
23	BNM	Baloch National Movement
24	BRA	Baloch Republican Army
25	BRP	Baloch Republican Party
26	BSO-A	Baloch Students Organizations Azad
27	BVS	Biometric Verification System
28	CFT	Combating the Financing of Terrorism
29	CIED	Commission of Inquiry on Enforced Disappearances
30	CII	Council of Islamic Ideology
31	CM	Chief Minister
32	CNIC	Computerized National Identification card
33	COAS	Chief of Army Staff
34	CPEC	China Pakistan Economic Corridor
35	CrPC	Code of Criminal Procedure
36	CRSS	Center for Research and Security Studies
37	CSTC	China Ship Trading Company

38	CT	Counter Terrorism
39	CTD	Counter Terrorism Department
40	CTFU	Counter Terrorism Financing Unit
41	CVE	Countering Violent Extremism
42	DCC	District Coordinating Committee
43	DG	Director General
44	DHA	Defence Housing Authority
45	DIK	Dera Ismail Khan
46	DPC	Difa-e-Pakistan Council
47	DSPs	Deputy Superintendents of Police
48	EAD	Economic Affairs Division
49	ETIM	East Turkestan Islamic Movement
50	EU	European Union
51	FATA	Federally Administered Tribal Areas
52	FBR	Federal Board of Revenue
53	FC	Frontier Corps
54	FCR	Frontier Crimes Regulations
55	FIA	Federal Investigation Agency
56	FIF	Filah-i-Insaniat Foundation
57	FIR	First Information Report
58	FMU	Financial Monitoring Unit
59	GB	Gilgit Baltistan
60	HRC	Human Rights Committee
61	HRCP	Human Rights Commission of Pakistan
62	HRW	Human Rights Watch
63	IB	Intelligence Bureau
64	IBO	Information based Operations
65	ICCPR	International Covenant on Civil and Political Rights
66	ICG	International Crisis Group
67	ICJ	International Commission of Jurist
68	ICT	Islamabad Capital Territory
69	IDPs	Internationally Displaced Persons
70	IEDs	Improvised Explosive Devices
71	IGP	Inspector General of Punjab Police
72	IHC	Islamabad High Court
73	IHL	International Humanitarian Law
74	IJU	Islamic Jihad Union
75	IMCWE	Inter Ministerial Committee for Website Evaluation
76	IMPASS	Immigration and Passports, Ministry of Interior

77	IMU	Islamic Movement of Uzbekistan
78	IPC	Inter-Provincial Coordination
79	IS	Islamic State
80	ISI	Inter Services Intelligence
81	ISPR	Inter-Services Public Relations
82	ITMP	Ittehad-e-Tanzeemat-e-Madaris Pakistan
83	IVBMP	International Voice for Baloch Missing Persons
84	JeM	Jaish-e-Muhammad
85	Jl	Jamaat-e-Islami
86	JID	Joint Intelligence Directorate
87	JPP	Justice Project Pakistan
88	JSMM	Jeay Sindh Muttahida Mahaz
89	JuA	Jamaat-ul-Ahrar
90	JuD	Jamaat-ud-Dawa
91	JUI	Jamiat-e-Ulema-e-Islam
92	KP	Khyber Pakhtunkhwa
93	LEA	Law Enforcement Agency
94	LeB	Lashkar-e-Balochistan
95	LeJ	Lashkar-e-Jhangvi
96	LeT	Lashkar-e-Talba
97	MARS	Madras Audit Reporting Standardization
98	MCS	Military Courts Service
99	MIP	Millet-e-Islami Pakistan
100	MNA	Member National Assembly
101	MOFA	Ministry of Foreign Affairs
102	MoIT	Ministry of Information Technology
103	MOU	Memorandum of Understanding
104	MPA	Member Provincial Assembly
105	MQM	Muttahida Qaumi Movement
106	MQM-H	Muttahida Qaumi Movement-Haqiqi
107	MSO	Muslim Students Organization
108	NA	National Assembly
109	NACTA	National Counter Terrorism Authority
110	NADRA	National Data Registration Authority
111	NAP	National Action Plan
112	NATO	North Atlantic Treaty Organization
113	NBP	National Police Bureau
114	NCEP	National Counter Extremism Policy
115	NFC	National Finance Commission

116	NGO	Non Governmental Organization
117	NRC	Norwegian Refugee Council
118	NRCC	National Response Center for Cyber Crime
119	NSA	National Security Advisor
120	NSC	National Security Council
121	NSGI	National School of Government International
122	NTC	National Technology Council
123	NTFID	National Terrorist Financial Investigation Directorate
124	NWA	North Waziristan
125	NWFP	North-West Frontier Province
126	PA	Political Agent
127	PAC	People's Aman Committee
128	PACT	Pakistan's Action to Counter Terrorism
129	PATA	Provincially Administered Tribal Areas
130	PECB	Pakistan Electronic Crime Bill
131	PEMRA	Pakistan Electronic Media Regulatory Authority
132	PICSS	Pakistan Institute for Conflict and Security Studies
133	PILDAT	Pakistan Institute of Legislative Development and Transparency
134	PITRO	Punjab Information of Temporary Residents Ordinance
135	PML-N	Pakistan Muslim League-Nawaz
136	PoR	Proof of Registration Card
137	PPA/PoPA	Protection of Pakistan Act
138	PPC	Pakistan Penal Code
139	PPP	Pakistan People's Party
140	PRC	Proof of Registration Card
141	PSSG	Pakistan Special Service Group
142	PTA	Pakistan Telecommunication Authority
143	PTI	Pakistan Tehreek-e-Insaf
144	PUC	Pakistan Ulema Council
145	RAF	Royal Air Force
146	RAW	Research and Analysis Wing
147	RN	Royal Navy
148	RRU	Rehabilitation and Reconstruction Unit
149	RT	Rabita Trust
150	RUSI	Royal United Services Institute
151	SAC	Summary Appeal Court
152	SAFRON	Federal Ministry of States and Frontier Regions
153	SATP	South Asia Terrorism Portal
154	SBCA	Sindh Building Control Authority

155	SBP	State Bank of Pakistan
156	SC	Supreme Court
157	SCBA	Supreme Court Bar Association
158	SCC	Service Civilian Court
159	SCP	Supreme Court of Pakistan
160	SEARCCT	Southeast Asia Regional Centre for Counter Terrorism
161	SECP	Securities and Exchange Commission of Pakistan
162	SHO	Station House Officers
163	SMP	Sepah-e-Muhammad Pakistan
164	SSG	Special Services Group
165	SSP	Sipah-e-Sahaba Pakistan
166	STR	Suspicious Transaction Report
167	SWA	South Waziristan Agency
167	TGG	Tariq Geedar Group
168	TI	Tehreek-e-Islami
169	TNA	Tanzeem Naujawana-e-Ahle-Sunnat
170	TNSM	Tehreek-e-Nifaz-e-Shariat-e-Mohammad
171	ToRs	Terms of reference
172	TTB	Tehrik-e-Taliban Bajaur
173	TTM	Tehrik-e-Taliban Mohmand
174	TTP	Tehreek-e-Taliban ,Pakistan
175	TTS	Tehrik-e-Taliban Swat
176	UBA	United Baloch Army
177	UK	United Kingdom
178	UN	United Nations
179	UNHCR	United Nations High Commissioner for Refugees
180	UNOCHA	United Nations Office for the Coordination of Humanitarian Affairs
181	UNODC	United Nations Office on Drugs and Crime
182	UNRWA	United Nations Relief and Works Agency
183	UNSC	United Nations Security Council
184	UNSCR	United Nations Security Council Resolution
185	US	United States
186	USIP	United States Institute of Peace
187	WoT	War on Terror

INTRODUCTION

What is the National Action Plan?

On December 16, 2014, armed militants broke into the Army Public School (APS) in Peshawar Cantonment area of the Khyber Pukhtunkhwa (KP) province. In the brazen attack they murdered 133 schoolchildren, as well as 10 teachers, including the principal. This atrocious attack was a major paradigm shift in Pakistan, and will forever remain the incident that damaged and radically altered our collective national psyche.

On December 25, 2014, the National Action Plan (NAP) was enacted. This was established by the state to crack down on terrorism and to supplement anti-terrorist offensives. It is a major coordinated state retaliation following the deadly Peshawar school attack, but has since taken a life of its own as Pakistan's dominant strategy to combat terrorism and extremism. NAP received unprecedented levels of support and cooperation across the country's political spectrum, the military leadership, and civil society.

There are 20 points in the NAP (please see Annex II), and they pertain to a wide variety of interventions and mechanisms across the country. The government has loosely divided the twenty points into three broad categories:

1. Hardcore Terrorism (#3, #18, #7, #16, #17, #15)
2. Terrorism Enablers (#5, #9, #11, #6, #13, #14, #10, #19)
3. State Enablers (#4, #8, #12, #1, #2, #20)

What is NAP Tracker?

The NAP Tracker is the only publication of its kind that tracks the Pakistani state's progress on all 20 points of the National Action Plan. The points are loosely divided into nine categories, with each category encompassing one or more points from the NAP. These nice categories include:

1. The lifting of the moratorium on the death penalty (#1)
2. The formation of military courts (#2)
3. Proscribed organizations in Pakistan (#3), their operations (#7), communication networks (#13, #14), and funding sources (#6)
4. Counterterrorism, including the strengthening of the National Counterterrorism Authority

THE THEMES

1. Moratorium Lifted
2. Military Courts
3. Proscribed Organizations
4. Counterterrorism
5. Sectarianism/Minorities
6. Local Conflicts
7. Seminaries
8. Refugees/IDPs
9. Criminal Justice System

These nine themes have been derived from the 20 points of the NAP.

- (NACTA) (#4), establishing a dedicated counterterrorism force (#8), as well as generic goals (#15) for eliminating terrorism
5. Sectarianism, proliferation of hatred and intolerance (#5, #9, #18)
 6. Local conflicts in the Federally Administered Tribal Areas (FATA) (#12), Karachi (#16), Balochistan (#17), and also Punjab (#)
 7. Seminary reforms (#10)
 8. Afghan refugees and rehabilitating the Pakistani population displaced due to internal conflicts or military operations (#12, #19)
 9. Criminal justice sector reforms

Each of the subsequent chapters deals with these issues one by one. The data quoted in these chapters is very carefully sourced. Both primary and secondary methods were used. Two of the primary sources were multiple interviews with the National Security Advisor (NSA), Lt. Gen. (retd) Naseer Khan Janjua, between December 2016 and March, 2017, and an interview with Ihsan Ghani, the current head of the NACTA. This report cites the data provided by them across many of these parameters as the primary data, but also delves into other publically available sources.

Overall, Pakistan has done remarkably well in the last few years in its fight against terrorism on the kinetic front. According to data collected by this organization, violence-related fatalities have dropped drastically, 45% between 2015 and 2016, and 66% between 2014 and 2016, across Pakistan. This is a tremendous achievement, and should not be discounted.

However, Pakistan's mechanisms and interventions for dealing with the root cause of terrorism, extremism in the society, remains largely ineffective. With victories on the physical front, there seems to be a shift in thought and focus towards some of the elements that drive radical thoughts and ideologies. Thus there is hope that the softer side of things will be addressed as well.

In private conversations, NSA Janjua has repeatedly stated that Pakistan must counter both terrorism with hard power, and the mother evil of extremism with soft power. This is an important and crucial development, as it shows both awareness and the need to go beyond military interventions and terror sweeping operations.

Acknowledgements

This report was authored by Zeeshan Salahuddin, but was made possible through the dedication and hard work of dozens of individuals. First and foremost, it would not have been possible without the guiding hand of Imtiaz Gul, Executive Director of CRSS, who arranged for several primary source interviews for this publication.

Hooria Khan was instrumental in the editing of this report. Research Associates Farhana Kanwal, Sitwat Bokhari, Zehra Zaidi, and Abdul Rehman assisted in writing and compiling several chapters. CRSS would especially like to thank the many reporters and stringers that gathered information and data crucial to this report, as well as the many analysts that informed the opinions in this report. Additionally, Imtiaz Gul, Waqar Gillani, Hassan Mansoor, Shehzada Zulfiqar and Ahmer Bilal Soofi, and Zeeshan Salahuddin contributed articles to this publication.

EXCERPT FROM INTERVIEW WITH NSA, Lt. Gen. (retd.) NASEER KHAN JANJUA¹

by Zeeshan Salahuddin

Lt. Gen. (retd.) Nasser Khan Janjua was appointed as Pakistan's National Security Adviser (NSA) on October 26, 2015. His mandate is to oversee the national security of the country and build sustainable policies and mechanisms that render a positive, progressive, peaceful, and secure Pakistan. The following are critical excerpts from several interviews with General Janjua between December 2016 and March 2017, specifically with regard to the National Action Plan (NAP).

Zeeshan Salahuddin (ZS): What is your view on the current evaluation/execution of NAP?

Lt. Gen. (retd.) Naseer Khan Janjua (NSA): First, let me briefly explain what NAP is. It is the identification of all those areas which we need to improve to get rid to the menace of extremism, violence, terrorism, and militancy. It was evolved through a national consensus to make Pakistan a secure country for furthering our progress. In many ways, NAP is our national stance and unity to say no to terrorism. It reflects on our attitude that we as a society reject extremism and the resultant terrorism.

ZS: Speaking of clarity, can you point to what you feel is the central issue, the root cause of terrorism?

NSA: It is simple. In this case extremism is the mother evil. Extreme thought is the most damaging thing for the people of Pakistan. It manifests itself in the form of violence and terrorism. Terrorism is merely an outcome of extreme thought, and by fighting terrorism alone, we will never defeat this menace. We need to mitigate and moderate our extreme thought in the intellectual and ideological domains, with a well-thought-out strategy at the national level while making the people its effective stakeholders. Fighting terrorism is still very important, because it affects us immediately and creates this false sense that Pakistan is constantly under threat. But to mitigate extremism is the bigger goal. I believe it is all about the people. Mainstreaming the fringe, educating the population, and building public ownership of this fight are very important.

ZS: The NAP consists of 20 points, a lot of which overlap or have similar objectives. Are you going to review the progress and work on an implementation strategy point-by-point?

NSA: As you said, the NAP has a lot of overlapping areas. The way I envision it, I see three broad, thematic areas that we can then address separately.

¹ Salahuddin, Z. (2017, Apr 07). Pakistan's National Security Adviser on Counterterrorism. Retrieved April 12, 2017, from <<http://thediplomat.com/2017/04/pakistans-national-security-adviser-on-counterterrorism/>>.

First, there is the theme of fighting hardcore terrorism. This consists of points such as dealing with armed militias (NAP point #3), sectarian terrorism (#18), proscribed organizations (#7), the Karachi operation (#16), and the situation in Balochistan (#17) as well as some areas of Punjab (#15).

The second broad theme is terrorism enablers. These are elements which cannot be classified as hardcore terrorism, that may need to be dealt with a combination of kinetic and non-kinetic means, but they facilitate terrorism and must be dismantled. These include hate speech (#5), religious persecution (#9), media glorification of terrorism (#11), choking finances (#6), communications (#13), internet and social media proliferation (#14), madrasas (seminaries) (#10), and preventing terrorist from using the cover of Afghan refugees (#19).

Finally, the third category is that of state enablers. These are steps that, if implemented, could greatly aid the state in combating the menace of terrorism. These include the strengthening of National Counter Terrorism Authority (NACTA) (#4), the formation of the dedicated counterterrorism force (#8), reforms in FATA (#12), the lifting of the moratorium on the death penalty for terrorists (#1), military courts (#2), and the reforms in the criminal justice sector (#20).

PART 1: MORATORIUM LIFTED

NAP POINT 1: Implementation of death sentence of those convicted in cases of terrorism.

Part 1: Table of Contents

- 1.1 Introduction
- 1.2 Methods of Execution
- 1.3 Worldwide Comparison
- 1.4 Execution by Month since December, 2014
- 1.5 Controversies and Criticism
- 1.6 Does the Death Penalty Serve as a Deterrent?
- 1.7 Conclusion

PART 1: MORATORIUM LIFTED

1.1 INTRODUCTION

The very first point in the NAP, and the first theme, is the lifting of the moratorium that had been in effect since 2008. Pakistan People's Party came into power in 2008 elections, installing former Prime Minister Benazir Bhutto's husband Asif Ali Zardari as the President. Bhutto was a lifelong opponent of the death penalty, and in her honor, the party instated an indefinite moratorium on the death penalty in Pakistan.

Most believe the moratorium was lifted after the Army Public School (APS) attack on December 16, 2014. In actuality, the moratorium had come to an end two years prior when a former soldier, Muhammad Hussain, was hanged at Central Jail Mianwali on November 14, 2012 after being convicted of murder by a military court. The enactment of NAP drastically accelerated this process, but the moratorium had already been violated. Even after the APS attack, the first executions occurred on December 19, 2014, six days before the NAP was formally announced and adopted.

1.2 METHODS OF EXECUTION

Pakistan exclusively uses hanging as its chosen method of execution. Stoning was also introduced into the law in 1979 as part of the Hudood Ordinances and was prescribed as the punishment for adultery and rape but stoning has never officially been used and all executions occur by hanging.

Various other methods are used around the world, including lethal injection, shooting, electrocution, stoning and several others.

1.3 WORLDWIDE COMPARISON

In the two years since the National Action Plan (December 2014-January 2017), a total of 428 individuals have been executed in Pakistan.¹ According to a report by Amnesty International, some of the individuals that were executed were juveniles at the time of the commission of the crime or suffered from a mental disability.²

Of the 428, various sources confirm that over 300 individuals were executed in the year 2015 alone which is the highest number ever recorded for Pakistan by Amnesty International.

The Human Rights Commission of Pakistan (HRCP) places this figure at 333,³ while Amnesty

¹ Who has been executed? (n.d.). Retrieved February 16, 2017, from <http://hrcp-web.org/hrcpweb/who-has-been-executed/>.

² "The State of the World's Human Rights," Amnesty International Report 2016/17, accessed February 28, 2017, <<https://www.amnesty.org/download/Documents/POL1048002017ENGLISH.PDF>>.

³ Who has been executed? (n.d) Retrieved February 18, 2017, from <<http://hrcp-web.org/hrcpweb/executions-in-2015/>>.

⁴ "Death Sentences and Executions in 2015." Retrieved January 17, 2017, from <<https://www.amnesty.org/en/latest/research/2016/04/death-sentences-executions-2015/>>.

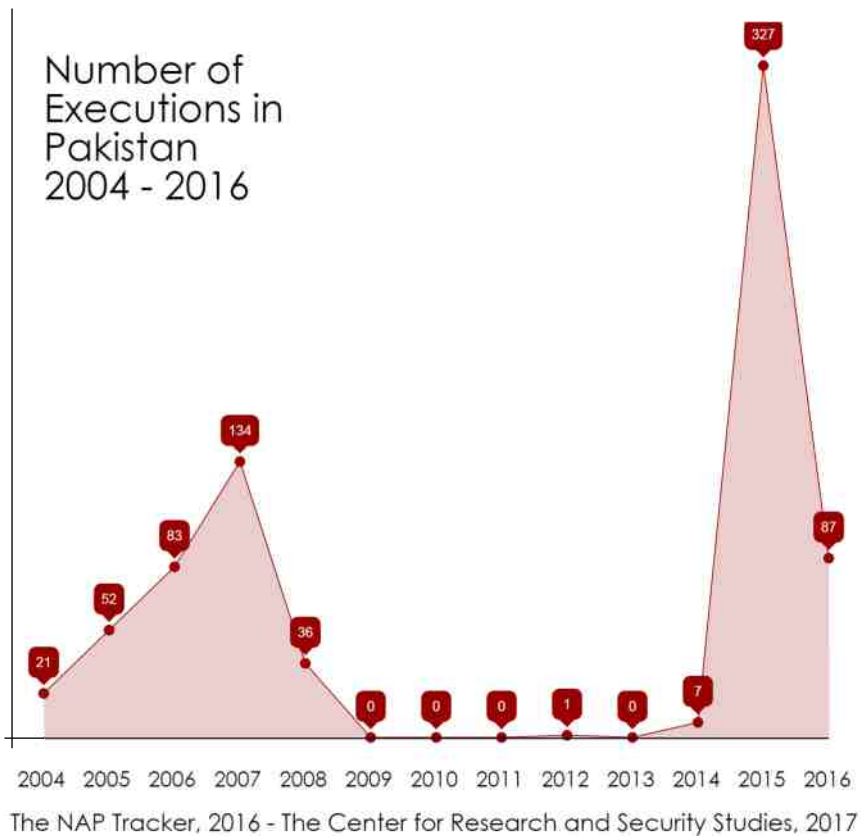
⁵ Justice Project Pakistan. (2017). Number of people Executed in Pakistan since 2014. Retrieved March 21, 2017, from <<http://www.jpp.org.pk/>>.

International puts this figure at 326.⁴ A non-governmental organization, Justice Project Pakistan (JPP), which works on death penalty issues in Pakistan, places this figure at 327.⁵

The year 2016 saw a decline in the rate of executions in Pakistan with a total of 87 individuals executed.⁶ A comparative analysis according to the figures collated by Reprive reveals that with regard to global executions in the year 2016, Pakistan ranked fifth with China still widely recognized as the country with the most executions even though as has been mentioned before, the figures are a state secret.

Before the NAP, 2007 was the year with the most number of executions in the last decade in Pakistan with 134 people executed.⁷

Graph 1.1: Executions since 2004⁴



⁶ Final Execution, 2016. Retrieved January 17, 2017, from <<http://hrcp-web.org/hrcpweb/wpcontent/uploads/2016/12/Final-Executions-2016.xlsx-9.pdf>>.

⁷ HRCP alarmed over record executions. Retrieved February 1, 2017, from <<http://hrcp-web.org/hrcpweb/hrcp-alarmed-over-record-executions/>>.

The executions in 2015 placed Pakistan third in the world in terms of the number of individuals executed by the state. China is widely recognized as the country with the most number of executions, but because this data is considered as a state-secret, there are no official figures available. There were an estimated 2,400 executions each in China in 2013 and 2014.⁸ This is down significantly from 2002, when an estimated 12,000 people were executed in China.

#	Country	Executions
1	China	2.000+*
2	Iran	969-1084
3	Pakistan	327
4	Saudi Arabia	158
5	US	28
6	Indonesia	14

***Note:** Executions in China are a state secret; this is an estimate.

Iran ranked second in 2015 with an estimated 969¹⁰ – 1,084¹¹ people executed in 2015, although the government officially maintained that 364 were executed. Even with the government count, Pakistan ranked third in the world in terms of executions assuming China's unknown executions rank highest. This was followed by Saudi Arabia, which reportedly executed 158 people in 2015.¹²

#	Country	Executions
1	China	1.000+*
2	Iran	534+
3	Saudi Arabia	154
4	Iraq	101+
4	Pakistan	87
4	US	20

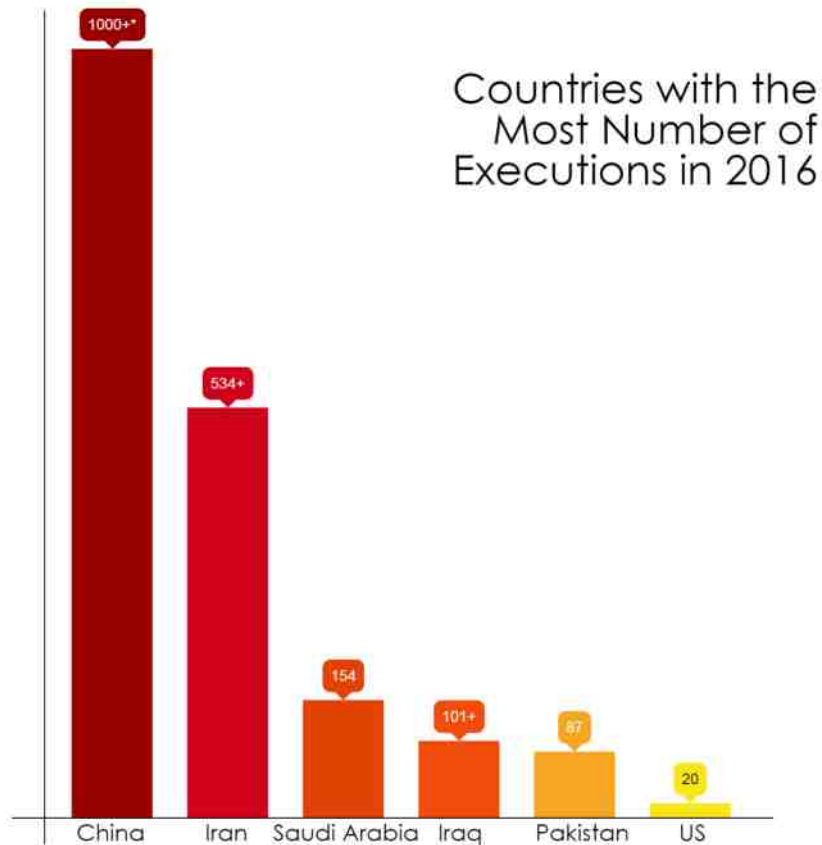
***Note:** Executions in China are a state secret; this is an estimate.

In 2016, Iran ranked at number 2 with over 534 executions. According to Reprieve the actual number of executions that have taken place might be higher because the government underreports these figures. Saudi Arabia overtook Pakistan and ranked at three with 154 executions that according to Reprieve also included juveniles.¹³

⁸ China Executed 2,400 People in 2013, Dui Hua. Retrieved May 2, 2016, from <http://duihua.org/wp/?page_id=9270#.VEYCPVN1sYg.twitter>.

⁹ Death Penalty Worldwide – Executions in 2015. (n.d.). Retrieved February 16, 2016, from <<http://www.deathpenalty.org/country-search-post.cfm>>.

¹⁰ IHRDC Chart of Executions by the Islamic Republic of Iran - 2015. (n.d.). Retrieved February 16, 2016, from <<http://www.iranhrdc.org/english/publications/human-rights-data/chart-of-executions/1000000564-ihrc-chart-of-executions-by-the-islamic-republic-of-iran-2015.html>>.

Graph 1.2: Executions in 2016 by country⁶

The NAP Tracker, 2016 - The Center for Research and Security Studies, 2017

1.4 Executions by Month Since December, 2014

For 2015, October ranked the highest with 45 total executions in a single month, and February saw the fewest executions at 4. Aside from a slow start, Pakistan has been fairly consistently executing just under one convict a day.

As regards the year 2016, April ranks the highest with 19 executions in a single month. There were no executions that took place in the months of September and October and the months of August, November and December saw the state executing a total number of 3 individuals (one person per every month).

¹¹ Reported Executions 2015. (2016). Retrieved February 17, 2016, from <<https://iranrights.org/>>.

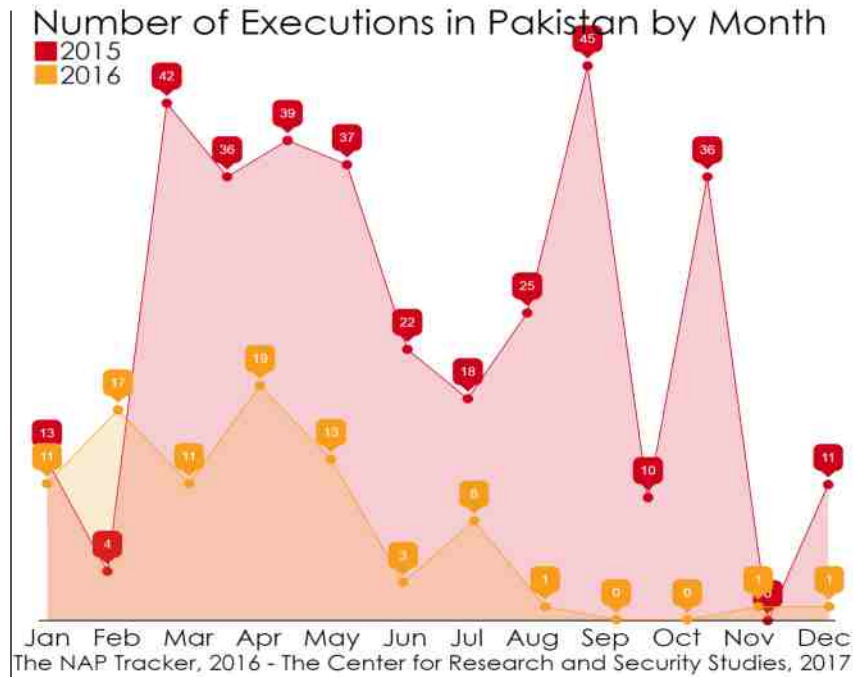
¹² Cornell Law University (2016). Death Penalty Database - Saudi Arabia. Retrieved February 17, 2016, from <<http://www.lawschool.cornell.edu/research/death-penalty-project/resources.cfm>>.

¹³ Global executions in 2016. (2016, December 29). Retrieved February 1, 2017, from <<http://www.reprieve.org.uk/press/global-executions-2016/>>.

Month	Executions	Month	Executions
January, 2015	13	January, 2016	11
February, 2015	4	February, 2016	17
March, 2015	42	March, 2016	11
April, 2015	36	April, 2016	19
May, 2015	39	May, 2016	13
June, 2015	37	June, 2016	3
July, 2015	22	July, 2016	8
August, 2015	18	August, 2016	1
September, 2015	25	September, 2016	0
October, 2015	45	October, 2016	0
November, 2015	10	November, 2016	1
December, 2015	36	December, 2016	1

Note: December, 2014, the first month, had 7 executions.

Graph 1.3: Executions in Pakistan by month since December, 2014.



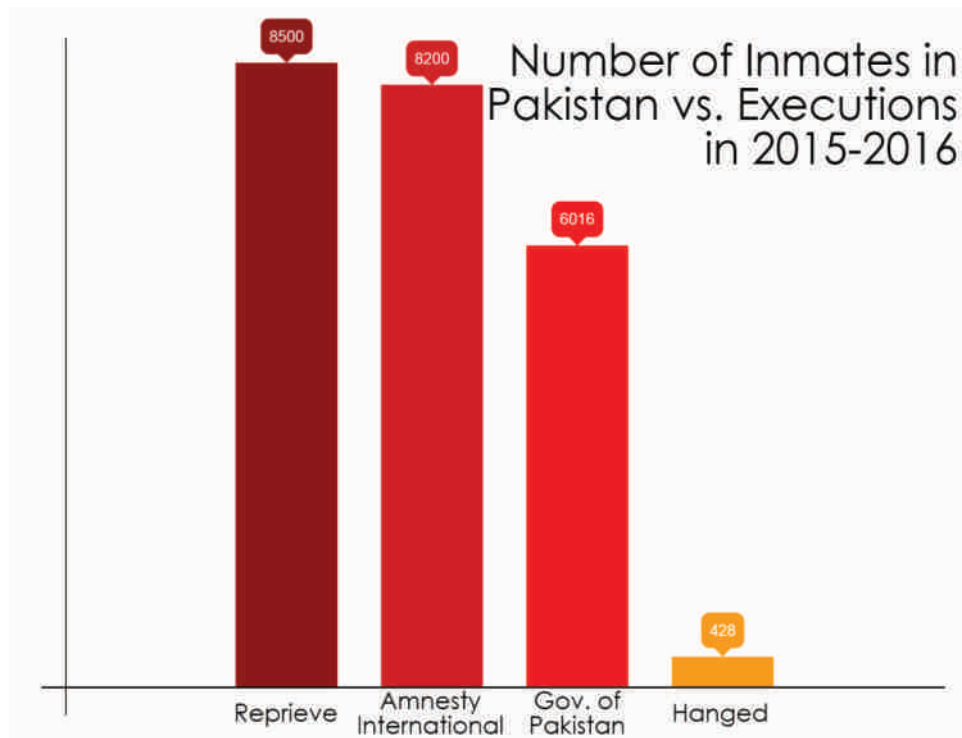
1.5 Controversies and Criticism

The decision to lift the moratorium has come under significant criticism from both foreign governments and human rights activists and organizations.

1.5.1 Number of Inmates on Death Row

Amnesty International reports that over 8,200 are currently on death row in Pakistan.¹⁴ Reprive puts this number at 8,500.¹⁵ This figure is contradicted by Minister of State for Interior Baleegh ur Rahman, who told the Senate of Pakistan in October 2015 that 6,016 prisoners were on death row in the country's jails. Either way, given the current rate, Pakistan will take four decades to execute all death row convicts, not accounting for any additional convictions in the said time period.¹⁶

Graph 1.4: Number of reported inmates on death row in Pakistan



The NAP Tracker, 2016 - The Center for Research and Security Studies, 2017

¹⁴ Amnesty International. (2015, March 31). Death Sentences and Executions in 2014, ACT 50/001/2015.

¹⁵ Reprive - Pakistan reaches 150 hangings, amid plans for juvenile execution. (2015, June 04). Retrieved February 28, 2016, from <<http://www.reprive.org.uk/press/pakistan-reaches-150-hang-ings-amid-plans-for-juvenile-execution>>.

¹⁶ Niaz, T. (2015, October 07). Over 6000 condemned prisoners in Pakistan. Retrieved February 28, 2016, from <<http://nation.com.pk/national/07-Oct-2015/over-6000-condemned-prisoners-in-paki-stan>>.

1.5.2 Human Rights Watch

Human Rights Watch (HRW) termed Pakistan's decision to lift a ban on capital punishment as a “flawed and reckless response” to the horrific Peshawar School

Attack and urged Pakistan to reinstate the moratorium on death penalty as a step towards its abolition. A day later, on December 19, 2014, the first hangings took place.

Deputy Asia Director, Phelim Kine, said instead of this emotional response in a state of national grief, the Government of Pakistan must address the security threats that create these situations for criminals and militants to thrive. He termed the death penalty as an inherently cruel and irrevocable punishment and stated that “The Pakistan government can take a powerful symbolic stand against the mass murder in Peshawar by reaffirming its opposition to killing and immediately reinstating the death penalty moratorium”.¹⁷

More criticism followed in March, 2015. Kine said, “The Pakistani government's ill-conceived decision to completely abandon its death penalty moratorium puts thousands of lives at risk. Government approval of a potential nationwide execution spree is a knee-jerk reaction to a terrible crime rather than a considered response to legitimate security concerns.”

Pakistani law dictates capital punishment for 27 offenses, including murder, rape, treason, and blasphemy.^{18,19} A joint report issued earlier in December by the non-governmental human rights organization Justice Project Pakistan (JPP) and Reprieve concluded that an overuse of anti-terrorism laws by Pakistan's security forces and judiciary has been observed which is reflected by a high number of people on death row for terrorism related convictions. The report states that “instead of being reserved for the most serious cases of recognizable acts of terror, the anti-terror legislation is in fact being used to try ordinary criminal cases, either in a deliberate attempt to evade the procedural safeguards guaranteed by ordinary courts or due to the vague and overly broad definitions of 'terrorism' in the legislation.”²⁰

1.5.3 International Community and the EU

The EU and most western countries have also expressed grave concerns over the death penalty and its impact in Pakistan. EU spokesperson, Catherine Ray, said the EU has constantly called for the universal abolition of capital punishment.²¹

EU's envoy to Pakistan Lars-Gunnar Wigemark and other delegates reacted to the lifting of moratorium in a joint statement which said: “We believe that the death penalty is not an effective tool in the fight against terrorism.” EU demanded the immediate restoration of the moratorium on the

¹⁸ Death penalty offences. (2015, November 26). Retrieved February 16, 2016, from <<http://hrcp-web.org/hrcpweb/death-penalty-offences/>>.

¹⁹ See Annex III: Death Penalty Offenses.

²⁰ Pakistan: Take Death Penalty Off the Table Resuming Executions for All Capital Crimes a Huge Step Backward. (2015, March 12). Retrieved February 28, 2016, from <<https://www.hrw.org/news/2015/03/12/pakistan-take-death-penalty-table>>.

²¹ Haider, M. (2015, January 11). EU demands reinstatement of death penalty moratorium in Pakistan. Retrieved February 27, 2016, from <<http://www.dawn.com/news/1187562>>.

death penalty. The head of the European Parliament Sub-Committee on Human Rights, Ana Gomes, voiced the EU's stance against the death penalty and said that "The EU is opposed to the capital punishment in all cases without exception. The EU delegation hopes that the moratorium on the death penalty will be extended, which will be a key step in the right direction," Gomes said, adding that it will be viewed as major setback if Pakistan lifted the moratorium.^{22,23}

In an Op-Ed published in The Nation, Mr. Jean-Francois Cautain, the current Ambassador of the European Union in Pakistan, once again reiterated Europe's stance against the death penalty in Pakistan and worldwide. He added that he very much hopes to see Pakistan "re-join the ever growing family of abolitionist nations" in the near future.²⁴

1.5.4 Human Rights Commission of Pakistan

Pakistan has had to face opposition both on the international as well as the national level on the lifting of the moratorium. The Human Rights Commission of Pakistan (HRCP) had concerns regarding the high number of executions and the hangings of inmates allegedly convicted as juveniles. In a statement, the HRCP said: "The resumption of executions as well as the pace with which they are being carried out is matter of concern. The state of Pakistan executed 134 persons in the 12 months of 2007. In a little over five months in 2015, that number has already been exceeded. What is even more troubling is that this figure has been reached when nearly seven months of the year are still left."¹⁹

The HRCP stated that wrongful and unjust convictions were possible because of the well documented deficiencies and flaws in the law and the criminal justice system. In fact, the prevailing circumstances have made it considerably more difficult for the accused to assert their due process rights, particularly the presumption of innocence until guilt is proved. Even if the government thinks that a complete abolition of executions is not possible immediately for any reason, the HRCP has urged the government to stop executing all but those found guilty of committing the most serious crime.

1.5.5 Amnesty International

Amnesty International's response is as expected. "Pakistan's ongoing zeal for executions is an affront to human rights and the global trend against the death penalty," David Griffiths, the group's South Asia Research Director, said in a statement.

The government of Pakistan has had to face severe criticism from rights based organizations and the international community for scheduling the execution of a paraplegic inmate on death row.²⁵

²²Haider, M. (2014, December 24). EU opposes removal of moratorium on death penalty in Pakistan. Retrieved May 2, 2016, from <<http://www.dawn.com/news/1152894>>.

²³Gishkori, Z. (2013, August 28). Capital punishment: EU cautions against lifting moratorium. Retrieved May 2, 2016, from <<http://tribune.com.pk/story/596285/capital-punishment-eu-cautions-against-lifting-moratorium/>>.

²⁴Staff Reporter. (2016, October 12). Retrieved February 1, 2017, from <<http://nation.com.pk/columns/12-Oct-2016/day-against-the-death-penalty>>.

²⁵Hall, J. (2015, August 22). Pakistan plans to execute a severely disabled man by hanging him to death while he remains seated in his wheelchair. Retrieved February 17, 2016, from <<http://www.dailymail.co.uk/news/article-3204936/Pakistan-plans-execute-severely-disabled-man-hang-ing-death-remains-seated-wheelchair.html>>.

“Even if the authorities stay the execution of Abdul Basit, a man with paraplegia, Pakistan is still executing people at a rate of almost one a day,” Griffiths said.²⁶

The rights group also alleged that many of the executions do not meet international fair trial standards.²¹

1.6 Does the Death Penalty Serve as a Deterrent?

The Pakistani government believes that the death penalty serves as a significant deterrent to the criminal mindset. “You’ve seen the number of terrorist attacks going down drastically,” the Prime Minister’s Special Assistant for Law, Ashtar Ausaf Ali, told Reuters. “One of the reasons is fear. Fear of being executed.”

Data suggests that terrorism and overall casualties have seen a significant decline in 2015 and 2016. However, there is no data to suggest a correlation between executions and reduction in crime. Further, it appears that militants are in the extreme minority in the number of people executed in Pakistan.²⁷

1.7 Conclusion

According to the government, executing inmates on death row has been a necessary and successful step towards the implementation of the NAP but the complexity of the situation in Pakistan has serious implications as regards to this position. The criticism from rights-based organizations as well as foreign governments in addition to the lack of evidence that the death penalty serves as a deterrent continues to put pressure on the government to reconsider its stance. However, there is no evidence to suggest that this process will reverse, although it has slowed down significantly. In all likelihood, executions will continue unabated in the year to come.

²⁶AFP. (2015, November 25). Execution of disabled man delayed for fourth time. Retrieved February 11, 2016, from <<http://nation.com.pk/islamabad/25-Nov-2015/execution-of-disabled-man-de-layed-for-fourth-time>>.

²⁷Hourelid, K. (2015, July 27). Insight - Militants in minority in Pakistan execution drive, deterrent effect debated. Retrieved January 11, 2016, from <<http://uk.reuters.com/article/uk-pakistan-executions-insight-idUKKCNOQ00W120150727>>.

PART 2: MILITARY COURTS

NAP POINT 2: Special trial courts under the supervision of Army. The duration of these would be two years.

Part 2: Table of Contents

- 2.1 Introduction
- 2.2 Number of Cases and Outcomes
- 2.3 Controversies and Criticism
- 2.4 Military Courts around the World
- 2.5 Conclusion

Part 2: Military Courts

2.1 Introduction

2.1.1 Formation of the Military Courts

The second point in the National Action Plan, and the second theme of this report, is the establishment of military courts to try terrorists under the Anti-Terrorism Act (ATA) 1997. In the first phase, nine military courts were established with three in Khyber Pukhtunkhwa (KP), three in Punjab, two in Sindh and one in Balochistan.¹ In 2015 there were 11 military courts functional in Pakistan, with the last two established in Karachi, Sindh, in August 2015 by the Chief of Army Staff (COAS).²

The military courts had been given legal cover through a Constitutional Amendment which was opposed by the major political parties because of victimization in the past. An All Parties' Conference (APC) was called to create a consensus, which was reached after a discussion and assurance that politicians, traders and the media etc. will not be tried in the military courts.⁴

Prime Minister Nawaz Sharif stated that the courts will only try hardcore terrorists. "Special courts are part of the National Action Plan and are meant to provide an extraordinary solution for an extraordinary problem. All institutions would have to carefully scrutinize cases to be sent for prosecution in the special military tribunals."⁵

The Federal Interior Minister, Chaudhry Nisar, mirrored the PM's statements by stating that only terrorists will be tried in military courts.⁶ He also tried to dispel the impression that the establishment of military courts meant that the existing judicial system of the country was not delivering justice. Pakistan needs some extraordinary measures to deal with terrorism; the establishment of military courts is the need of the time, he said.

Please see [Section 9.2.1: Pending Cases in Pakistan's Courts](#).

The 21st Constitutional Amendment was passed by both the National Assembly and the Senate on

¹ Staff Reporter. (2015, January 10). Nine military courts set up. Retrieved February 27, 2016, from <<http://www.dawn.com/news/1156104>>.

² AFP. (2015, August 26). Army Chief Approves More Military Courts. Retrieved February 24, 2016, from <<http://newsweekpakistan.com/army-chief-approves-more-military-courts/>>.

³ 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>.

⁴ Khalti, S. (2015, January 01). Military Courts: Old Fears, New Hopes. Retrieved February 24, 2016, from <<http://pique.pk/military-courts-old-fears-new-hopes/>>.

⁵ Staff Reporter. (2014, December 31). Military courts will try only hardcore terrorists: Nawaz. Retrieved February 24, 2016, from <<http://www.dailytimes.com.pk/national/31-Dec-2014/military-courts-will-try-only-hardcore-terrorists-nawaz>>.

⁶ Web Desk. (2015, January 03). Army did not put any pressure over formation of military courts: Nisar - The Express Tribune. Retrieved February 24, 2016, from <<https://tribune.com.pk/story/816609/army-did-not-put-any-pressure-over-formation-of-military-courts-nisar/>>.

January 6, 2015, providing constitutional cover to the establishment of military courts.⁷

2.1.2 Scope Extension

During a high-level meeting in Islamabad to review the implementation of NAP, the government decided that the scope of military courts would be extended to cover Gilgit Baltistan (GB). It was decided that the Councils GB and Azad Jammu and Kashmir (AJK) would also adopt the 21st Constitutional Amendment to facilitate the formation of military courts.⁸ But this is something that remains pending.

2.1.3 Sunset Clause

The military courts are only around for two years. They formally ceased to exist on January 7, 2017.⁹ There has, however, been a move by the government to grant these courts a more permanent status. The Interior Ministry has prepared a draft law that will integrate the Anti-Terrorism Act and the Protection of Pakistan Act and which if passed would grant military courts trying cases of terrorism a permanent status.¹⁰

At the time of writing this report, the draft law was yet to be presented before Parliament. The extension has seen significant opposition, such as from Jamaat-e-Islami (JI) Amir Siraj ul Haq, who said to instead strengthen civilian courts.¹¹ This sentiment was also echoed by Jamiat Ulema-e-Islam (F) chief Maulana Fazl-ur-Rehman in December.¹² Meanwhile Pakistan Tehrik-e-Insaaf's Shah Mehmood Qureshi demanded to know who would handle terrorism cases once the sunset clause was reached.¹³

2.1.4 Criticism of Military Courts and Response

Analysts and pundits in the country were quick to label the 21st Amendment a “soft coup”, and labeled the establishment of military courts as tacit acceptance of the failure of the justice system in Pakistan, particularly when it came to trying alleged terrorists.

Before the appointment of the new Chief of Army Staff (COAS) General Qamar Javed Bajwa, the Defense Minister Khawaja Asif announced in November that there was no change in the military

⁷ Rasheed, P. (n.d.). Constitution (Twenty-first Amendment) Act, 2015. Retrieved February 24, 2016, from <http://www.na.gov.pk/uploads/documents/1420547178_142.pdf>.

⁸ Haider, M. (2015, January 13). Govt extends scope of military courts to Gilgit-Baltistan, AJK. Re-trieved February 24, 2016, from <<http://www.dawn.com/news/1156747>>.

⁹ Al-Jazeera. (2017, January 07). Pakistan law allowing military 'terror' courts expires . Retrieved February 18, 2017, from <<http://www.aljazeera.com/news/2017/01/pakistan-law-allowing-military-terror-courts-expires-170107154324900.html>>.

¹⁰ Staff Reporter. (2016, December 29). Military courts to get permanent status. Retrieved February 18, 2017, from <<https://tribune.com.pk/story/1278239/military-courts-get-permanent-status/>>.

¹¹ Mohmand. M. (2017, January 01). Siraj opposes extension in military courts tenure. Retrieved February 18, 2017, from <<https://tribune.com.pk/story/1280930/siraj-opposes-extension-military-courts-tenure/>>.

¹² Geo News. (2016, December 29). Instead of forming military courts, give security to civil judges: Fazl-ur-Rehman. Retrieved February 18, 2017, from <<https://www.geo.tv/latest/125417-Instead-of-forming-military-courts-give-security-to-civil-judges-Fazl-ur-Rehman>>.

¹³ Staff Reporter. (2016, December 18). Nisar's remarks tantamount to attack on Supreme Court, says Qureshi. Retrieved February 19, 2017, from <<https://www.dawn.com/news/1303099>>.

strategy.¹⁴ "The military policy will continue and there will be no immediate change in it. The legacy of General Raheel Sharif would continue in the light of the examples he set," said Asif.

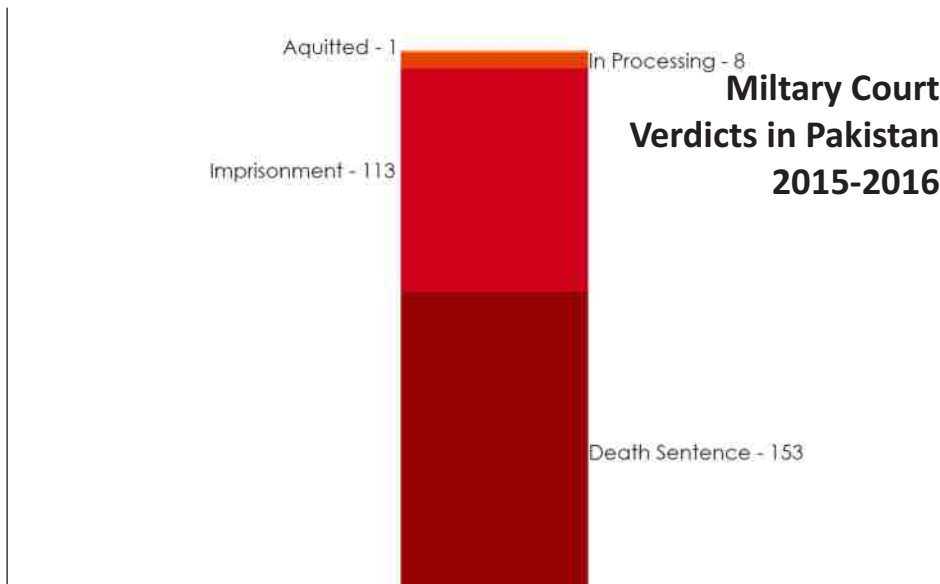
Former COAS, General Raheel Sharif, said that the military courts had helped Pakistan win the war on terror. He termed the courts the "need of the hour", which is indicative of the military's displeasure over the slow pace of the criminal justice system.¹⁵ The fact that this statement came just a few days after the sunset clause on the military courts is no coincidence.

Please also see section 2.3: Controversies and Criticisms for a more detailed discussion.

2.2 Number of Cases and Outcomes

Since February 2015, in the first two years of the NAP, a total of 267 individuals have been put under trial in military courts. So far, the courts have sentenced 153 individuals to death, 12 of whom have been executed, and 113 have been given jail terms (mostly life sentences). One person has also been acquitted, while eight cases remain in prosecution.¹⁶

Graph 2.1: Military Court Verdicts



The NAP Tracker, 2016 - The Center for Research and Security Studies, 2017

¹⁴ Reuters. (2016, November 29). Pakistan's new army chief brings no change in policy: Defense minister. Retrieved February 28, 2017 from <<http://nation.com.pk/national/29-Nov-2016/pakistan-s-new-army-chief-brings-no-change-in-policy-defense-minister>>.

¹⁵ Rana, S. (2017, January 18). Military courts helped win terror war: Raheel. Retrieved February 18, 2017, from <<http://herald.dawn.com/news/1153385>>.

¹⁶ CRSS held exclusive interviews with the NSA in December 2016, January 2017 and February 2017. The NSA leads the National Security Decision, and is responsible for the security of Pakistan. The implementation of the NAP is one of his tasks.

2.3 Controversies and Criticism

The establishment of military courts has come under severe criticism. Human rights organizations have been concerned about whether the prisoners are provided due process. This was a concern which was echoed by the US State Department Spokesperson, Jen Psaki, who said Pakistan has to be careful while trying civilian terrorism suspects in military courts and assure that they will be provided due process of justice.¹⁷

2.3.1 Supreme Court's Verdict on Military Courts

The Supreme Court also summarily rejected appeals against military courts decisions on August 29, 2016.¹⁸ A total of seventeen appeals had been filed, and a five member bench, presided by the Chief Justice of Pakistan had heard said appeals. The appeals included accusations of coerced confessions and constitutional rights' abuses.¹⁹ This verdict follows an earlier landmark decision by the Supreme Court regarding the legality of the military courts, in 2015, as detailed below.

In April 2015, Rights activist Asma Jehangir filed an application on behalf of the Supreme Court Bar Association (SCBA) against the execution of the six militants convicted by the military courts.^{20,21} This was one of the fifteen petitions taken up by the apex court regarding the legality of the 21st Constitutional Amendment.

"Military courts violate Article 10 of the Constitution which gives citizens the right to an open trial" said Kamran Murtaza, President of the SCBA. He further said that he would appeal against the Supreme Court's decision as it "violates the fundamental constitutional rights of the people."²²

On August 5, 2015, the Supreme Court upheld the establishment of the military courts. The apex court reasoned that the military courts were authorized and legalized by the supreme authority in the land: the Parliament. Prime Minister Nawaz Sharif's Special Assistant for Law Ashtar Ausaf Ali called the decision "another strike against terror", labeling it a success for Pakistan.

"The European Union, the United States and other democracies need to understand that we need to make decisions according to our circumstances ... And we know best how to rid ourselves of terrorists," he said.

¹⁷ Iqbal, A. (2015, January 09). Military courts: US calls for ensuring due process. Retrieved January 19, 2016, from <<http://www.dawn.com/news/1155812>>.

¹⁸ Web Desk. (2016, August 29). SC rejects appeals against military courts' death sentences. Retrieved on February 26, 2017 from <<https://www.thenews.com.pk/latest/146139-SC-rejects-appeals-against-military-courts-death-sentences>>.

¹⁹ Hashim, A. (2016, June 27). Pakistan's new military courts challenged over abuse claims. Retrieved March 03, 2017 from <<http://www.reuters.com/article/us-pakistan-military-courts-insight-idUSKCN0ZD2ZL>>.

²⁰ Staff Reporter. (2015, August 06). Six judges declare 21st Amendment, military courts illegal. Retrieved February 24, 2016, from <<http://www.dawn.com/news/1198632>>.

²¹ Iqbal, N. (2015, April 05). Military courts get Supreme Court nod. Retrieved February 24, 2016, from <<http://www.dawn.com/news/1198533>>.

²² Shams, S. (2015, August 07). Pakistan's military courts - a solution or a problem? Retrieved February 27, 2016, from <<http://www.dw.com/en/pakistans-military-courts-a-solution-or-a-prob-lem/a-18633959>>.

2.3.2 Human Rights Watch

Human Rights Watch's Deputy Director Asia Division, Phelim Kine said, "Pakistan's Prime Minister, Nawaz Sharif, claims to have a silver bullet to rid the country of terrorism: military courts. A constitutional amendment was signed into law on January 7, 2015 permitting military courts to prosecute terrorism suspects. The amendment justifies the use of military courts as a means "to permanently wipe out and eradicate terrorists from Pakistan". Nawaz Sharif's hyperbole has been no less extravagant, describing military courts as the antidote to "overcome 60 years of unrest". Although the constitutional amendment stipulates a two-year time limit on their use, it poses a long-term threat to legal due process and rule of law."²³

2.3.3 International Commission of Jurists

The International Commission of Jurists (ICJ) published a briefing paper in 2016 where it claimed that "the government and military authorities have failed to make public information about the time and place of their trials; the specific charges and evidence against the convicts; as well as the judgments of military courts including the essential findings, legal reasoning, and evidence on which the convictions were based".²⁴

Additionally, many claim that the establishment of military courts is indicative of the country's judicial system having failed to provide justice. Military courts have also been called a parallel system. Oddly, one justification offered for the existence of the military courts is the speedy trial of terror suspects, as well as shunning perceived ambiguities and shortcomings of the criminal justice system in Pakistan. The country's civilian courts have a well-earned reputation for prosecutions undermined by corruption, violence against prosecution and witnesses, and glacial service delivery.

2.4 Military Courts around the World

2.4.1 Military Tribunals in the United States

The Army Public School incident in Pakistan is sometimes referred to as the 9/11 of Pakistan. While a crude comparison, it does illustrate the fact that the incident marked a major policy shift in the country, much like it did in the US. While the American stance on the death penalty is driven in-part by the majority of the public favoring the punishment for a crime such as murder,²⁵ its history of military courts and orders is a separate matter altogether.

Post 9/11, President George W. Bush signed a new military order in the war on terror, intended to detain non-citizens accused of terrorism. The Secretary of Defense was given the power to establish

²³ Kine, P. (2015, January 17). Are military courts the best way to fight terror? Retrieved February 24, 2016, from <<https://www.hrw.org/news/2015/01/17/are-military-courts-best-way-fight-terror>>.

²⁴ Military Injustice in Pakistan. A Briefing Paper. (2016, June). Retrieved February 20, 2017, from <<https://www.icj.org/wp-content/uploads/2016/06/Pakistan-Military-court-Advocacy-Analysis-brief-2016-ENG.pdf>>.

²⁵ Gallup. (n.d.). Death Penalty: Gallup Historical Trends. Retrieved February 24, 2016, from <<http://www.gallup.com/poll/1606/death-penalty.aspx>>.

military tribunals to try the accused within, or even outside of the United States, and to determine the rules and procedures, different from regular courts of law, to ensure a full and fair trial. Three to seven military officers would be commissioned to act as both judge and jury, and not all elements of the normal due process were to be afforded to the accused.²⁶

In the war of 1812, a British spy was tried by a military commission constituted by General Andrew. Committees of War, a fancy name for military tribunals, was utilized during the Mexican-American War (1846-48). The Union also leveraged military tribunals during and after the American Civil War. After the 1862 Dakota War, thirty-eight individuals were executed after being sentenced by military courts. The alleged Lincoln conspirators were likewise tried by a military commission in the spring and summer of 1865. Post the Spanish–American War, military tribunals were used in The Philippines. A tribunal was also set up by President Franklin D. Roosevelt during WWII to try eight German citizens accused for espionage and sabotage in the United States.¹⁷

2.4.2 Military Courts in United Kingdom (The Military Court Service)

Military courts also exist in the United Kingdom in the form of the Military Court Service or MCS, granting criminal court administration to the Royal Navy (RN), Army and Royal Air Force (RAF) in the Court Martial, Summary Appeal Court (SAC) and Service Civilian Court (SCC). The MCS is headquartered in Upavon, Wiltshire, and there are five permanently manned MCCs in the UK. However, the courts are “portable” and can hold proceedings anywhere in the world. Their function is to deliver a criminal court service for the three branches of the armed services.

2.5 Conclusion

The government of Pakistan has declared military courts to be a success despite widespread and damning criticism that these courts are a parallel judicial system with a lack of openness and due process. The first half of the first year was marked by significant blowback and overshadowed by the proceedings of the Supreme Court. However, in the second half of the year, the verdicts picked up pace. In fact, the rate of convictions from military courts has gone up by nearly 600% in the second year.

With the absence of any progress on the criminal justice sector reforms, the argument against military courts can also be a difficult one to make. As it stands, military courts reached their sunset clause, and will take another vote from the parliament to be reinstated.

²⁶ Constitutional Rights Foundation. (n.d.). America Responds to Terrorism: Military Tribunals. Retrieved February 24, 2016, from <<http://www.crf-usa.org/america-responds-to-terrorism/military-tribunals.html>>.

PART 3: PROSCRIBED ORGANIZATIONS

NAP POINT 3: Militant outfits and armed gangs will not be allowed to operate in the country.

NAP POINT 7: Defunct outfits will not be allowed to operate under any other name.

NAP POINT 11: Ban on glorification of terrorists and terrorist organisations.

NAP POINT 13: Communication networks of terrorists will be dismantled completely.

NAP POINT 14: Concrete measures against promotion of terrorism through internet and social media.

NAP POINT 6: All funding sources of terrorists and terrorist outfits will be frozen.

Part 3: Table of Contents

- 3.1 Introduction
- 3.2 List of Proscribed Organizations in Pakistan
- 3.3 Measures against Proscribed Organizations
- 3.4 Pitfalls in the Government's Approach
- 3.5 OPINION: What does the term "proscribed" solve? by
Zeeshan Salahuddin

Part 3: Proscribed Organizations

3.1 Introduction

Our third theme comprises of several points in the National Action Plan, specifically #3, #7, #13, #14 and #6. This theme deals with proscribed organizations and banned outfits operating on Pakistani soil.

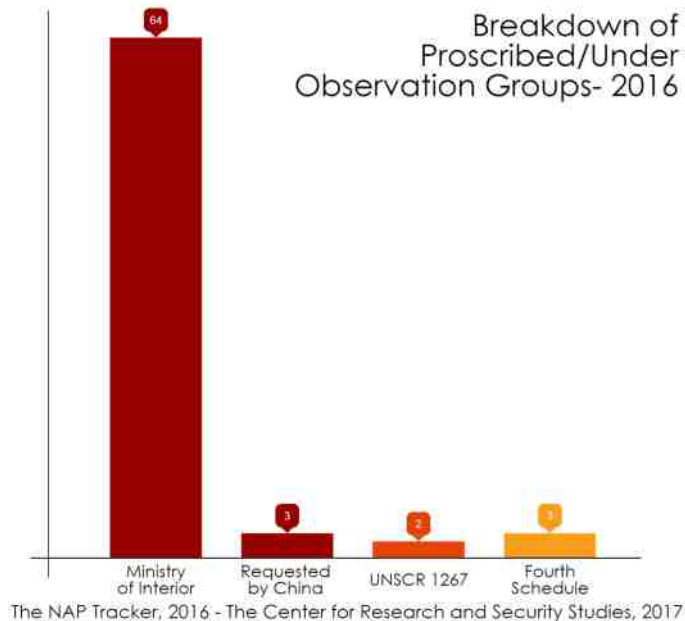
There is also significant overlap with the fourth theme, counter-terrorism, and the NAP points that constitute that theme. Specifically points #3, #11, #14 and #6 all overlap.

These organizations have engaged in terror attacks; bombings, suicide attacks, target killings, sectarian violence and propaganda that encourages hate-mongering. These banned outfits have been operating within Pakistan and have both a physical and online presence in the country.

3.2 List of Proscribed Organizations in Pakistan

Formally, and for the purposes of this report, we will use the tally from the Interior Ministry.

Graph 3.1: Breakdown of Proscribed/Under Observation Organizations



3.2.1 Proscribed by the Interior Ministry

A list issued by the National Counter Terrorism Authority of Pakistan (NACTA) and ascribed to the Ministry of Interior (MoI) identifies 64 groups as proscribed or banned organizations.¹ However, with the exception of four outfits, the rest were proscribed as such prior to the imposition of the National Action Plan.² Barring the Islamic State (IS), that was proscribed in 2015,³ three new groups have been added to this category in 2016 namely, Jamat Ul Ahrar (JuA), Lashkar-e-Jhangvi Al Alim (LeJA) and Ansar Ul Hussain (AUH).

In addition, during 2016, two charities/trusts were put under observation for six months each under the 2nd Schedule: Ghulaman-e-Sahaba (GS) and Maymar Trust.⁴ Earlier, Jamaat-ud-Dawa (JuD) was placed on the watch list by the Interior Ministry.⁵

Graph 3.2 Organizations Proscribed before and after NAP Implementation



The NAP Tracker, 2016 - The Center for Research and Security Studies, 2017

¹ National Counter Terrorism Authority. (2017). List of Proscribed Organizations. Retrieved March 21, 2017 from <<http://www.nacta.gov.pk/Downloads/2.List%20of%20proscribed%20organizations.pdf>>.

² A complete list can be found in Annex IV.

³ National Desk. (2015, August 27). Pakistan officially bans Daesh. Retrieved March 02, 2016, from <<http://www.thenews.com.pk/latest/7624-pakistan-officially-bans-daesh>>.

⁴ Mukhtar, I. (2016, November 20). Number of banned outfits surges to 63. Retrieved March 27, 2017, from <<http://nation.com.pk/newspaper-picks/20-Nov-2016/number-of-banned-outfits-surges-to-63>>.

⁵ Ghiskori, Z. (2015, June 28). 212 organisations formally banned by Pakistan - The Express Tribune. Retrieved March 02, 2016, from <<http://tribune.com.pk/story/911295/212-organisations-formal-ly-banned-by-pakistan/>>.

According to research conducted by CRSS in its own Annual Security Reports from 2015 and 2016, this list does not contain names of several groups that have carried out and claimed responsibility for terror attacks in the country. These groups include splinter factions of the TTP and can be found in the CRSS Annual Security Report 2016.^{6,7}

3.2.2 Proscribed by the Foreign Ministry

The Ministry of Foreign Affairs has also banned 171 organizations. Ten of these overlap with the list from the Ministry of Interior.

3.2.3 Proscribed in Sindh

An official report by the Sindh Home Ministry⁸ found that 62 banned religious or sectarian organizations were active in the province. The report added that 35 such groups had resurfaced after a period of hibernation. The government of Sindh enlisted 602 persons belonging to these banned outfits under the Fourth Schedule.⁹ Some of individuals and their respective affiliations were described by the report as following:

Group	IV Schedule
Sipah-i-Sahaba Pakistan (SSP)	221
Lashkar-i-Jhangvi	41
Sipah-i-Mohammad Pakistan	39
Jaish-e-Mohammad	32
Tehreek-i-Taliban Pakistan	27
Tehreek-i-Jafria Pakistan	20
Harkat-ul-Mujahideen	19
Lashkar-e-Tayyba	12
Pakistan Sunni Tehrik	10
Jamaat-ud-Dawa	10
Ahle Sunnat Wal Jamnaat	8
Jundhullah	5
Khudam-ul-Islam	4
Majlis Wahdatul Muslameen	4
Mohajir Qauimi Movement-Haqiqi	3
Jeay Sindh Muttahida Mahaz	3
Al Qaeda	3
Lyari gangs	1
Hizb ul Tahreer	1

⁶ 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>>.

⁷ Nafees, M., Gul, I., & Salahuddin, Z. (2017, March 26). CRSS Annual Security Report - 2015. Retrieved March 22, 2016, from <<http://crss.pk/wp-content/uploads/2010/07/CRSS-Annual-Security-Report-2016-Final.pdf>>.

⁸ Mansoor, H. (2016, December 08). 62 banned groups active in Sindh, says official report. Retrieved January 17, 2017, from <<http://www.dawn.com/news/1301082>>.

3.2.4 Proscribed under UNSCR 1267

On December 1, 2005, Pakistan enlisted two organizations, Al-Akhtar Trust, and Al-Rashid Trust under the United Nations Security Council Resolution (UNSCR) number 1267. The UNSCR 1267 was adopted unanimously on October 15, 1999 and deals primarily with Taliban activities in Afghanistan.¹⁰ As a member state, Pakistan is required to comply, as this resolution was adopted under Chapter VII of the United Nations Charter which sets out the power of the United Nations Security Council to maintain international peace and security.

This however cannot be viewed as a step towards the implementation of the National Action Plan, as it occurred nearly a decade prior.

3.2.5 Proscribed at the Request of China

In 2013, BBC Urdu¹¹ reported that Pakistan banned three additional organizations upon China's request:

- 1) East Turkestan Islamic Movement (ETIM)
- 2) Islamic Movement of Uzbekistan (IMU)
- 3) Islamic Jihad Union (IJU)¹²

Again, this step cannot be seen as one taken towards the execution of the National Action Plan because it was taken well over a year before the inception of the Plan.

3.2.6 Under Observation / Watch List

In addition, during 2016, two charities/trusts were put under observation for six months each under the 2nd Schedule: Ghulaman-e-Sahaba (GS) and Maymar Trust.⁴ Jamaat-ud-Dawa (JuD) was placed on the watch list by the Interior Ministry as early as December 2005 and this action was renewed for the fourth time in January 2016. In November 2015, the Foreign Secretary, Aizaz Chaudhary, also confirmed that in addition to the JuD, the Filah-i-Insaniat Foundation (FIF) had also been put on the watch-list.¹³ This no longer seems to be the case. The total number of under observations organizations is thus three.

⁹ Schedule IV of ATA 1997 is a section of the Anti-Terrorism Act of 1997 which subjects the suspects of terrorism to close observation and regular attendance before the local police. It is a monitoring mechanism for people who are not directly involved in terrorism activities, but whose affiliation with banned outfits or their previous criminal record makes them suspicious. Implementation of the fourth schedule, however, has been lamentable at best. They are kept under surveillance by the police to remove the possibility of their involvement in any terrorism activity in future. As part of the process, the people are required to provide fresh pictures to the local police station every month and inform the law-enforcers before leaving the jurisdiction of their police stations. They are regularly check and monitored by police and intelligence officials.

¹⁰ UN Security Council Resolution 1267 (1999). (1999, October 15). Retrieved March 02, 2016, from <<http://www.state.gov/j/ct/rls/other/un/5110.htm>>.

¹¹ Malik, S. (2013, October 23). Three Organizations Proscribed Upon Request from China (translated). Retrieved March 02, 2016, from <http://www.bbc.com/urdu/pakistan/2013/10/131023_organisations_banned_fz.shtml>.

¹² Web Desk. (2013, October 23). Pakistan bans three extremist outfits, on orders from China - The Express Tribune. Retrieved March 02, 2016, from <<http://tribune.com.pk/story/621400/pakistan-bans-three-extremist-outfits-on-orders-from-china/>>.

¹³ Haider, M. (2015, November 19). JUD and FIF not banned, foreign secretary tells Senate commit-tee. Retrieved March 05, 2016, from <<http://www.dawn.com/news/1220795>>.

3.2.7 Proscription Controversies

Pakistan had initially planned to ban 12 additional terror groups in January 2015, including Jamaat-ud-Dawa and the Haqqani Network. Had this become a reality, the number of proscribed groups in Pakistan would have been 73.¹⁴ This list, however, appeared to be controversial as it was taken down days after being uploaded with JuD and FiF becoming the main source of the controversy. Foreign Secretary, Aizaz Chaudhary, confirmed to a Senate committee in November, 2015 that the two groups had, in fact, not been banned, but were being closely monitored.¹³

The original list of 61 was re-confirmed by the Interior Minister in December, 2015.⁴ The NACTA website confirms the current number of 64, at the time of putting together this publication.⁵ The Central Information Secretary of the Pakistan People's Party, Mr. Qamar Zaman Kaira, claimed on January 24, 2016 that the government of Pakistan had lost control over the activities of banned outfits. According to him, the passive attitude of the Interior Minister as regards to the lenient and slow execution of the National Action Plan depicts the inefficiency of the government of Pakistan in the face of its counter-terrorism strategies.¹⁵

Government progress on proscribed organizations seems to be a mixed bag. In February 2016, it was decided that Computerized National Identification cards (CNIC) and telephone SIMs of members of banned outfits would be blocked.¹⁶ However, no further update was ever provided on this front. In May, it was reported that banned outfits are extensively recruiting,¹⁷ while in June it was revealed that banned outfits continue to operate under different names.¹⁸

But perhaps the most damning evidence of the state's helplessness with some organizations came to light in October, 2016, when the Interior Minister Chaudhary Nisar Ali Khan met with the Difa-e-Pakistan Council (DPC),¹⁹ a loose coalition of banned groups in the country. The DPC delegation was headed by Maulana Samiul Haq, premie of JUI-S (Jamiat Ulema-e-Islam-Sami) and known as father of the Taliban. As a result of the meeting, blocked CNICs of banned outfit members were reinstated. This move also sparked widespread criticism of the minister and the state.

Please also see [Section 3.4](#) for a brief analysis on why simply labeling an organization as proscribed is insufficient, and a brief analysis of what the term implies.

3.3 Measures against Proscribed Organizations

3.3.1 Efficacy of Proscription

¹⁴Ghiskori, Z. (2015, January 15). Revealed: Govt decides to ban Haqqani Network, JuD - The Express Tribune. Retrieved March 17, 2016, from <http://tribune.com.pk/story/822087/revealed-govt-decides-to-ban-haqqani-network-jud/>.

¹⁵Staff Reporter. (2016, January 24). Govt blamed for ignoring banned groups' activities. The Nation. Retrieved May 02, 2016, from <http://nation.com.pk/lahore/24-jan-2016/govt-blamed-for-ignoring-banned-groups-activities>.

¹⁶Staff Report. (2016, February 26). Govt decides to block CNIC, SIMs of members of banned outfits. Pakistan Today. Retrieved March 21, 2017, from <http://www.pakistantoday.com.pk/2016/02/29/govt-decides-to-block-cnic-sims-of-members-of-banned-outfits/>.

¹⁷Ghiskori, Z. (2016, May 28). Banned outfits still recruiting Jihadis: official report. Geo.tv. Retrieved March 21, 2017, from <https://www.geo.tv/latest/106807-Banned-outfits-still-recruiting-Jihadis-official-report>.

¹⁸Tanoli, Q. (2016, June 8). Banned groups continue to resurface under new names. The Express Tribune. Retrieved March 20, 2017, from <https://tribune.com.pk/story/1118483/weak-enforcement-banned-groups-continue-resurface-new-names/>.

The National Counter Terrorism Authority (NACTA) has the mandate to monitor banned groups in the country but there have been repeated claims that the government is not releasing funds for the authority. The mechanism for monitoring groups is also unclear. Former NACTA Chief, Hamid Khan, along with the Interior Secretary Shahid Khan, while briefing a parliamentary committee in June 2015, said that the implementation of NAP as regards banned outfits was not at the pace it needed to be. They also said that the act of banning a group was largely ineffective.²⁰

For a detailed analysis of the individuals placed on the Fourth Schedule, please see [Section 4.2.5: Formulating a Consolidated Fourth Schedule List at the National Level](#).

3.3.2 Proscribed and Watch Lists

The Ministry of Interior believes that most proscribed organizations do not have radical annexes and the Ministry does not intend to take action against such groups. According to the Ministry, it would be illogical to instantaneously act against all banned outfits.²¹ As has already been mentioned, under the National Action Plan, along with the Islamic State there are three additional organizations that have been added to the proscribed list,² while three others have been added to the watch list.¹¹

3.3.3 Progress against Banned Organizations

Apart from the agenda of the National Action Plan, section 11E of the Anti-Terrorism Act details the following actions to be taken against such groups²² a) sealing its offices b) seizing/freezing its money and property c) not issuing passports to its members d) stopping their banking transactions e) cancellation of armed licenses that were issued to them earlier and not issue them new ones f) mandatory disclosure of all income and expenditure accounts, and g) prohibition of publication, printing or dissemination of any press statements, press conferences or public utterances.

In theory, there is a detailed framework on how to deal with the menace of terrorist organizations but at the implementation level, progress has been rather slow, uncoordinated, patchy, and at times self-contradictory.

As has been mentioned already, the Federal government decided to ban two militant organizations for their involvement in terrorist activities; Jamaat-ul-Ahrar and Lashkar-i-Jhangvi Al-Alami. While Lashkar-i-Jhangvi Al-Alami was found to be behind the sectarian terrorism in Karachi, Jamaat-ul-Ahrar perpetrated horrific attacks in Balochistan and Sindh.²³

In an exclusive interview with CRSS, the National Security Advisor (NSA),²⁴ General (retd.) Naseer

¹⁹ Mukhtar, I. (2016, October 23). Nisar's meeting with DPC triggers wide criticism. The Nation. Retrieved March 22, 2017, from <<http://nation.com.pk/newspaper-picks/23-Oct-2016/nisar-s-meeting-with-dpc-triggers-wide-criticism>>.

²⁰ Khan, A. (2015, June 29). No outfits banned after APS massacre, top court told - The Express Tribune. Retrieved March 02, 2016, from <<http://tribune.com.pk/story/911569/no-outfits-banned-after-aps-massacre-top-court-told/>>.

²¹ Khan, I. A. (2015, January 11). Govt to act against 'violent banned outfits' only. Retrieved March 02, 2016, from <<http://www.dawn.com/news/1156321>>.

²² The Supreme Court of Pakistan. (2016, December 15). Quetta Inquiry Commission Report. The Supreme Court of Pakistan. Retrieved January 13, 2017, from <http://www.supremecourt.gov.pk/web/user_files/File/QuettaInquiryCommissionReport.pdf>.

²³ Staff Reporter. (2016, November 19). Two more militant outfits banned. Retrieved January 17, 2017, from <<http://www.dawn.com/news/1297314>>.

²⁴ CRSS held exclusive interviews with the NSA in December 2016, January 2017 and February 2017. The NSA leads the National Security Decision, and is responsible for the security of Pakistan. The implementation of the NAP is one of his tasks.

Janjua, said that over the last two years, 1,816 terrorists from proscribed and terrorist organizations have been killed and 5,611 have been arrested in different operations throughout the country.

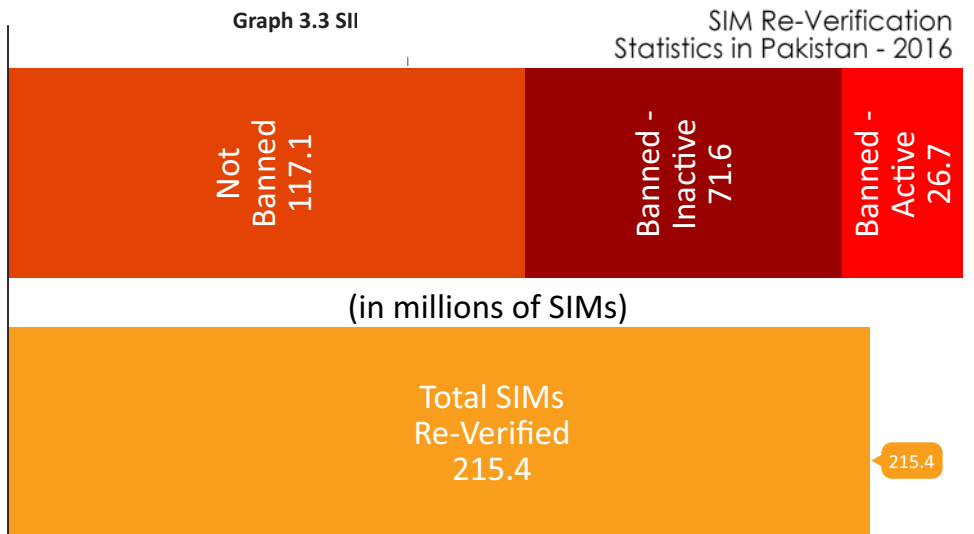
3.3.4 Progress in the Provinces

The Sindh government stated⁸ that out of 602 people enlisted under the VI Schedule, 28 accused had been arrested in 48 different cases. The officials noted that 29 such cases had been registered in the Karachi division, eight in Hyderabad, six in Sukkur, four in Benazirabad and one in Mirpurkhas. In addition, the provincial government wrote to the Interior Ministry for further information as regards the banned organizations.

In July 2016, the Home Department of Punjab ordered the provincial police to take strict action against activists of the proscribed militant organization Jamaat-ud-Dawa (JuD) Pakistan.²⁵ Additional Inspector General of Police Operations and divisional police chiefs across the province were asked to collect details about the illegal fundraising activities of JuD and other banned outfits. The NSA informed CRSS that apart from madaris (religious seminaries), Punjab has also geo-tagged Non-Governmental Organizations (NGOs). Out of a total 8,286 NGOs in the province, 4,200 are geo-tagged and 3,427 deregistered. Special audit of 150 NGOs were carried out and the audit reports of 40 NGOs were reviewed with the Social Welfare Department taking action against 4 NGOs.²⁴

3.3.5 Communication Systems - Mobile SIMs

Under the National Action Plan, the government began the process of verifying mobile SIMs in the country. According to the figures released by the Pakistan Telecommunication Authority's (PTA) Annual Report 2015, out of the 215.4 million SIMs that were verified in total 98.3 million SIMs had been blocked by the authorities under the Biometric Verification System (BVS). The blocked SIMs also contained 26.7 million active SIMs. In addition, re-verification of SIMs has reduced the number of total subscribers to 114.7 million, which comes to a 60.7% penetration.



The NAP Tracker, 2016 - The Center for Research and Security Studies, 2017

Ostensibly, the idea is that since SIMs are connected to the National Database and Registration Authority's (NADRA) unique ID numbers for each citizen, any illicit use can and should be tracked. However, in order to ensure that innocents are not prosecuted, both the registration and verification of SIMs is underway. However, there has been no update in the past year on these figures.

Between December 2014 and January 2016, mobile services were shut down on seven several days over multiple events to "prevent untoward incidents". This step treats symptoms, but not the root cause of the problem, and is proven to have little efficacy.

Mobile services were suspended on the following dates during this period:

1. March 23, 2015. Pakistan Day Parade²⁶
3. August 14, 2015. Independence Day²⁷
4. September 6, 2015. Defence Day (Islamabad)²⁸
5. October 23 and 24, 2015. Youm-e-Ashura²⁹
6. November 27, 2015. Abdul Aziz sermon, former cleric Red Mosque (G-6, G-7, Islamabad)³⁰
7. December 18, 2015. Red Mosque administration protest (Islamabad, Rawalpindi)³¹
8. March 20, 2016. Pakistan Day Parade Rehearsal (Islamabad)³²
9. March 23, 2016. Pakistan Day Parade (Islamabad)³³
10. March 27-30, 2016. Mumtaz Qadri Protests (Islamabad, Rawalpindi)³⁴
11. March 28, 2016. Lahore Bombing Aftermath (Various)³⁵

²⁵ Asghar, M. (2016, July 29). Punjab police told to keep an eye on JuD fundraising activities. Retrieved January 17, 2017, from <<http://www.dawn.com/news/1273884>>.

²⁶ (2015, March 23). Mobile, internet services suspended for parade. Retrieved March 05, 2016, from <<http://nation.com.pk/islamabad/23-Mar-2015/mobile-internet-services-suspended-for-pa-rade>>.

²⁷ (2015, August 13). Cellular services suspended in Islamabad ahead of Independence Day. Retrieved March 05, 2016, from <<http://tribune.com.pk/story/937276/cellular-services-suspend-ed-in-islamabad-ahead-of-independence-day/>>.

²⁸ (2015, September 03). No cell phone service on 6th. Retrieved March 05, 2016, from <<http://na-tion.com.pk/islamabad/03-Sep-2015/no-cell-phone-service-on-6th>>.

²⁹ Web Desk. (2015, October 20). Mobile services to be suspended in 68 districts on Muharram 9, 10, Retrieved March 05, 2016, from <<http://nation.com.pk/national/20-Oct-2015/mobile-services-to-be-suspended-in-68-districts-on-muharram-9-10>>.

³⁰ Ali, K. (2015, November 28). Cellphone service 'suspended'. Retrieved March 05, 2016, from <<http://www.dawn.com/news/1222836>>.

³¹ Rana, S. (2015, December 18). Cellular services restored after temporary suspension in parts of Islamabad. Retrieved March 06, 2016, from <<http://tribune.com.pk/story/1012238/cellular-ser-vices-suspended-in-parts-of-islamabad/>>.

³² Web Desk. (2016, March 21, 2016). Mobile phone service suspended in Islamabad for Pakistan Day parade rehearsal. Pakistan Today. Retrieved March 20, 2017 from <<http://www.pakistantoday.com.pk/2016/03/21/mobile-phone-service-suspended-in-islamabad-for-pakistan-day-parade-rehearsal/>>.

³³ APP/Web Desk. (2016, March 23, 2016). Military parade to mark Pakistan Day held in Islamabad. The Express Tribune. Retrieved March 20, 2017 from <<https://tribune.com.pk/story/1071013/pakistan-day-celebrations-kick-off-with-military-parade/>>.

³⁴ News Desk. (2016, March 28). Qadri supporters continue sit-in for second day outside Parliament. The Express Tribune. Retrieved March 21, 2017, from <<https://tribune.com.pk/story/1074165/pro-qadri-supporters-continue-sit-in-for-second-day-outside-parliament/>>.

³⁵ Hassan, D. (2016, March 28). Pakistan in mourning as toll from Lahore bombing rises. The Boston Globe. Retrieved March 21, 2017, from <<https://www.bostonglobe.com/news/world/2016/03/28/pakistan-mourning-toll-from-lahore-bombing-rises/AlmcD1wKwalWe3QAEIjHM/story.html>>.

³⁶ Altaf, A. (2016, August 13). Independence Day: Cell service to be suspended in capital till noon. The Express Tribune. Retrieved March 20, 2017, from <<https://tribune.com.pk/story/1161243/independence-day-cell-service-suspended-capital-till-noon/>>.

³⁷ Raja, M. (2016, September 06). Mobile phone services suspended in Rawalpindi. The Express Tribune. Retrieved March 21, 2017, from <<https://tribune.com.pk/story/1176709/defence-day-mobile-phone-services-suspended-rawalpindi/>>.

12. August 14, 2016. Independence Day (Islamabad)³⁶
13. September 5, 2016. Defense Day (Rawalpindi)³⁷
14. October 19-21. Ashura Processions (Various – 42 cities)^{38,39}
15. November 21, 2016. Imam Hussain Chehlum (Karachi, Peshawar, Lahore, GB)⁴⁰

This suspension of mobile phone services, a controversial tactic that clearly addresses a small part of the symptom, and not the cause, was challenged in the Islamabad High Court (IHC). The IHC, in turn, put the Pakistan Telecommunication Authority (PTA) and three private telecom service providers in connection with petitions against frequent suspension of mobile phone service in the federal capital. The petition argued that service may only be suspended at the threshold statutory requirement of issuance of “Proclamation of Emergency” by the President.⁴¹

3.3.6 Communication Systems – Print and Electronic Media

Sections 11, 13 and 14 of the National Action Plan are relevant when looking at government efforts against the glorification of proscribed organizations through communication networks, i.e. print, electronic media and the internet.

In November 2015, nearly a year into the implementation of NAP, the Pakistan Electronic Media Regulatory Authority (PEMRA) ordered a blackout of all coverage pertaining to proscribed activities; a fact that in itself shows the impunity with which said organizations continued to operate and receive coverage.⁴² Television channels claim that they strictly ban any such coverage now.

There is no regulatory authority for print media. The All Pakistan Newspaper Society (APNS) acts as a de-facto alliance of newspapers but there is no check and balance over the coverage or glorification of terror groups or activities in certain print outlets. The Chief Justice of the Supreme Court of Pakistan, Jawwad S. Khawaja, observed that PEMRA and APNS had yet not implemented the requisite code of conduct.⁴³

3.3.7 Communication Systems – Online

According to the figures released by the Pakistan Telecommunication, teledensity is at 71.66% as of January 2017, as opposed to 70.81 in 2015.⁴⁴ Mobile users grew from 133,241,465 in 2015-16 to

³⁸ Mansoor, H. (2016, September 29). Govt decides to suspend cellphone, internet services on Ashura. Dawn. Retrieved March 20, 2017, from <<https://www.dawn.com/news/1287002>>.

³⁹ Correspondent. (2016, October 11). Cellular service to be blocked in 42 cities. The Express Tribune. Retrieved March 20, 2017, from <<https://tribune.com.pk/story/1196926/muharram-security-cellular-service-blocked-42-cities/>>.

⁴⁰ Firdous, I. (2016, November 21). Cellular services suspended in parts of Pakistan. The Express Tribune. Retrieved March 19, 2017, from <<https://tribune.com.pk/story/1238106/cellular-services-suspended-parts-pakistan/>>.

⁴¹ Shehzad, R. (2016, April 26). Mobile service suspension: PTA, service providers put on notice. The Express Tribune. Retrieved March 20, 2017, from <<https://tribune.com.pk/story/1092273/mobile-service-suspension-pta-service-providers-put-on-notice/>>.

⁴² AFP. (2015, November 03). PEMRA orders blackout of proscribed groups - The Express Tribune. Retrieved March 02, 2016, from <<http://tribune.com.pk/story/984060/media-coverage-pemra-orders-blackout-of-proscribed-groups/>>.

⁴³ (2015, August 20). SC enforces media code of conduct forthwith. Retrieved March 10, 2016, from <<http://www.thenews.com.pk/print/14175-sc-enforces-media-code-of-conduct-forthwith>>.

⁴⁴ Pakistan Telecommunication Authority. (2017, February). Telecom Indicators. Retrieved March 25, 2017 from <<http://www.pta.gov.pk/index.php?Itemid=599>>.

⁴⁵ Pakistan Telecommunication Authority. (2017, February). Annual Report, 2016. Retrieved March 26, 2017, from <http://www.pta.gov.pk/ann_report_171116.pdf>

137,095,352 in January 2017. Over 38 million of these have 3G/4G services. Broadband users nearly doubled from over 16 million in 2014-15 to over 32 million in 2015-16.⁴⁵ Pakistan average internet speed also increase by 150% in 2016.⁴⁶

Coupled with the introduction of 3G and 4G services, Pakistan is experiencing massive growth in the field of telecommunications. This is also something that comes with its own set of challenges as regards the National Action Plan.

According the military intelligence services, Twitter has become a weapon of choice for terrorists and their organizations. Hizbut Tahrir is a key banned outfit in Pakistan which has been advancing its extremist agenda via internet. The terror facilitators used words both from the Arabic and English for coded messages on their blocked accounts. The use of Twitter was specially highlighted during the attached on Badaber Air Based in September, 2015, when the Inter-Services Public Relations seemed to be in competition with the attackers for information sharing on the popular social media outlet.⁴⁷

During the 28th session of the National Assembly (January 2015) the interior Minister, Chaudhary Nisar revealed that 933 URLs and 10 websites belonging to proscribed organizations has been blocked by the Ministry of Information Technology.⁴⁸ However, NSA told CRSS that 35 accounts on Twitter and 27 on Facebook have been suspended.⁴⁴

Freedom House, an NGO that conducts research and advocacy on democracy, political freedom, and human rights, published its 2016 annual study of internet freedom around the world. The freedom on the Net report, conducted in 65 countries, examined the civil liberty, freedom and censorship trends in Pakistan over 2016. With Pakistan's internet freedom status at 'not free', 2016 the fifth consecutive year that Pakistan joins the host of nations that share the same score as a consequence of policies that curtail freedom and civil liberties.⁴⁹

Several laws that have been enacted to curtail the spread of terrorism can also be exploited against internet users. The Protection of Pakistan Act (PoPA) is one such piece of legislation which, even though it has undergone some amendments, critics are still of the view that it fails to address concerns expressed by lawyers and civil society groups, who argue that the language criminalizing unspecified cybercrimes as acts of terror is vague and open to abuse.⁵⁰

In August 2016, the 'Prevention of Electronic Crimes Bill 2015' (PECB) was passed by the National Assembly. This was considered a major achievement as the government was seen to have come up with an effective legal tool to tackle more comprehensively the activities of proscribed organizations

⁴⁶ News Desk. (2016, July 01). Pakistan's average internet speed increased by 150% in 2016: report. The Express Tribune. Retrieved March 27, 2017 from <<https://tribune.com.pk/story/1133434/pakistans-average-internet-speed-increased-150-2016-report/>>.

⁴⁷ BBC. (2015, September 18). Gunmen attack Pakistan air force base in Peshawar - BBC News. Retrieved March 02, 2016, from <<http://www.bbc.com/news/world-asia-34287385>>.

⁴⁸ 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>.

⁴⁹ (2015, October 28). Freedom on the Net 2015: Pakistan, The State of Insecurity. Retrieved May 05, 2016 from <https://freedomhouse.org/sites/default/files/FOTN_2016_Full_Report.pdf>.

⁵⁰ Freedom House. Retrieved May 05, 2016, from <https://freedomhouse.org/sites/default/files/resources/FOTN%202015_Pakistan.pdf>.

through the electronic media. The legislation deals with all the crimes related to electronic communication mediums including the glorification of banned organizations. It prescribes up to seven years imprisonment, Rs. 100 million fine or both for the crime of glorifying the cause of terrorism, proscribed individuals and organizations.⁵¹

However this law has also come under strong criticism by human rights activists, politicians, IT specialists and civil society experts who label it a violation of Article 19 of the Constitution of Pakistan that guarantees freedom of speech and expression, as well as freedom of the press to the people of Pakistan.

The NSA told CRSS that there has been a visible improvement in the implementation of the ban on glorification of terrorist/proscribed organizations in the media, as violations are instantly reported to the concerned quarters for taking action. He noted that Punjab has enforced Section VI (a) of maintenance of public order whereby the glorification of terrorism has been made an offence punishable with imprisonment of up to 3 years.

3.3.8 Terror Financing - Sources

The finances and funding of proscribed organization are covered by point number 6 of the National Action Plan. This section requires that the funding sources of terrorists and terrorist outfits be frozen.

Terror financing remains a significant hurdle to overcome for Pakistan. Former NACTA Chief, Hamid Khan, along with Interior Secretary Shahid Khan, while briefing a parliamentary committee in June 2015, stated that labeling an organization as proscribed alone was ineffective as this did nothing to impede the financial supply lines of these groups.¹⁶

A leaked missive that was jointly released with thousands of others by Wiki Leaks in 2008 claimed that in Pakistan the Deobandi and Ahl-e-Hadith clerics annually receive 100 million in foreign funding.⁵²

The Federal Minister for Inter-Provincial Coordination (IPC), Riaz Hussain Pirzada, let it slip in January, 2015, that the Saudi government was destabilizing the Muslim world, including Pakistan, by extensively funding groups to propagate its religious ideology.⁵³ Even the Interior Minister accepted that seminars in Pakistan, several run by these proscribed organizations, were receiving foreign funding.⁵⁴

Additionally, the premier Indian intelligence agency RAW (Research and Analysis Wing), and its associates in Afghanistan are also suspected of terror financing in Pakistan. The Foreign Secretary,

⁵¹ Khan, Raza. (2016, August 11). Cyber crime bill passed by NA: 13 reasons Pakistanis should be worried. Retrieved January 19, 2017, from <<http://www.dawn.com/news/1276662>>.

⁵² Cable 08LAHORE302_a: Extremist Recruitment on the Rise in Southern Punjab. (n.d.). Retrieved March 02, 2016, from <https://wikileaks.org/plusd/cables/08LAHORE302_a.html>.

⁵³ Haider, M. (2015, January 20). Federal minister accuses Saudi govt of destabilising Muslim world. Retrieved March 02, 2016, from <<http://www.dawn.com/news/1158244>>. <http://www.dawn.com/news/1158244>>.

⁵⁴ Khan, I. (2015, January 13). Only 23 seminars receiving foreign funding: minister. Retrieved May 02, 2016, from <<http://www.dawn.com/news/1160627>>.

⁵⁵ Haider, M. (2015, May 14). RAW involved in terrorist activities across Pakistan: Foreign secretary. Retrieved March 02, 2016, from <<http://www.dawn.com/news/1181908>> <http://www.dawn.com/news/1181908>>.

⁵⁶ Bennett-Jones, O. (2015, June 24). Pakistan's MQM 'received Indian funding' - BBC News. Retrieved March 02, 2016, from.

Aizaz Ahmad Chaudhry, claimed in May 2015 that RAW is involved in various terror activities in Pakistan.⁵⁵ The BBC released a documentary in June, 2015, claiming that the clandestine Indian agency had funded hundreds of militants in Pakistan.⁵⁶ In October, 2015, Prime Minister Nawaz Sharif shared dossiers containing proof of Indian involvement in terror activities in Pakistan with both the United Nations Secretary General, Ban Ki Moon, and United States Secretary of State, John Kerry.⁵⁷

Some other sources of terror financing include abduction, charities, drugs and arms trafficking, smuggling, robbery, and kidnapping for payment.⁵⁸ Animal hides are also a source of terror financing in Punjab and Sindh and Balochistan with billions of rupees being earned through the sale of these hides every year.⁵⁹

3.3.9 Terror Financing - Steps

To trace and halt terror funding in Pakistan, a sub-committee was instituted under the NAP implementation committees. Provincial authorities have been directed to observe the activities of radical outfits which are forbidden from collecting animal hides and to take legitimate action against proscribed organizations working under new identities. At least 40 radical organizations were barred from collecting animal hides and donations on Eid-ul-Azha by the Ministry of Interior. The Ministry had enforced a national proscription on Zakat and Fitrana collection by radical groups in Ramzan.³³

The following organizations have been booked by the government of Punjab for illicit terror financing, emboldened by the Anti-Money Laundering Bill (Amendment) 2014.

- Al-Rasheed Trust (Maymar Trust)
- Al-Rehmat Trust in Multan
- Ansarul Ummah
- Sipa-i-Sahaba
- Tehreek-i-Ghulbai-i-Islam in Bahawalpur
- Jaish-e-Muhammad in Gujranwala⁶⁰

The Federal government also decided to adopt strict measures against the supporters of activists of Al-Rasheed Trust and rest of the declared banned outfits.⁶¹

On the recommendation of NACTA, a task force has been working in coordination with federal and

⁵⁷ APP. (2015, October 22). Evidence of India's terror sponsorship shared with US - The Express Tribune. Retrieved March 02, 2016, from <<http://www.bbc.com/news/world-asia-33148880>>.

⁵⁸ Javed, A. (2013, September 27). Strict check on terror-financing key to end terrorism. Retrieved February 24, 2016, from <<http://nation.com.pk/laure/27-Sep-2013/strict-check-on-terror-financing-key-to-end-terrorism>>.

⁵⁹ Hussain, A. (2015, September 24). MQM among 293 parties permitted to collect animal hides on Eid. Retrieved March 05, 2016, from <<http://www.pakistantoday.com.pk/2015/09/24/city/karachi/mqm-among-293-parties-permitted-to-collect-animal-hides-on-eid/>>.

⁶⁰ Iqbal, N. (2015, July 30). Banned outfits collecting funds booked, Punjab tells SC. Retrieved May 05, 2016, from <<http://www.dawn.com/news/1197226>>.

⁶¹ Khan, I. (2015, December 19). IS among 61 banned outfits, minister tells Senate. Retrieved May 05, 2016, from <<http://www.dawn.com/news/1227402>>.

provincial stakeholders to frame a comprehensive model law to regulate NGOs and charities working in Pakistan.⁶² There also has been a move towards regulating the activities of NGOs, although progress on this front has been a mixed bag of seemingly confused actions.

Since the commencement of the National Action Plan and Operation Zarb-e-Azb⁶³ law enforcement agencies have been challenged by the coalescing of various banned outfits like Lashkar-e-Jhangvi (LeJ) and Jaish-e-Muhammad (JeM). The banned outfits have been found active under the cover of new names like Ahl-e-Sunnat-Wal-Jamaat (ASWJ) which is a new form of the SSP, LeJ and Lashkar-e-Taiba (LeT).⁶⁴ This, in turn, makes tracking their finances more difficult.

The military management asked the federal and provincial administrations to activate special courts set up under the Protection of Pakistan Act (PPA), 2014, and adopt proper measures to halt terrorists funding.⁶⁵ This is yet to be implemented.

The financial crimes circle of the FIA targeted radical groups entangled in what is known as the hundi/hawala business.⁶⁶ It was revealed by the Interior Minister Chaudhary Nisar during the 28th session of the National Assembly (January 2016), that 214 cases have been registered, 322 arrests made and 356.56 million rupees been recovered in the hundi/hawala investigation. Further, it was shared 137 arrests had been made in money laundering cases, and that 67 Suspicious Transaction Reports (STR) had been received by the Financial Monitoring Unit (FMU), of which 15 had been processed and 52 remained under investigation. This activity occurred in the first year of the implementation of NAP.

In January, 2017, the NSA General (retd.), Naseer Janjua shared in an exclusive interview with CRSS that 498 hundi/hawala cases have been registered and 692 people have been arrested consequently, since the beginning of NAP. He added that Rs. 804.839 million which was illegally transacted and received by proscribed organizations has been recovered by the Federal Investigation Agency (FIA).

⁶² CRSS conducted exclusive interviews with the National Counter Terrorism Authority (NACTA) Chief in February 2017. NACTA is the premier counter-terrorism institution in the country, tasked with a large number of objectives, including portion of the NAP. Practically, this is far from the truth, as NACTA has been historically neglected and underfunded. At the time of putting together this report, they did not even have a dedicated office premises.

⁶³ Imran, K. A. (2016, January 6). Banks punished for violating anti-terror financing rules. Retrieved March 02, 2016, from <<http://nation.com.pk/national/2016-01-07/banks-punished-for-violating-an-ti-terror-financing-rules>>.

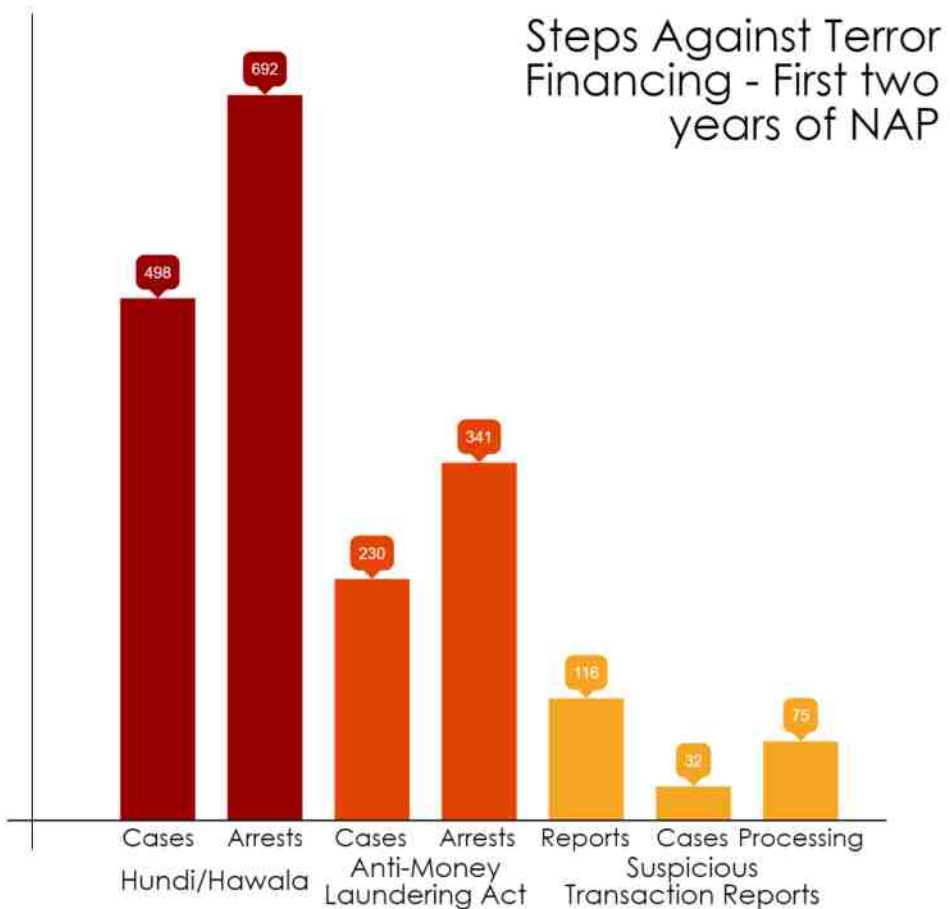
⁶⁴ Syed, B. S. (2016, September 25). SBP tells banks to freeze terror financing accounts. Dawn. Retrieved March 21, 2017 from <<https://www.dawn.com/news/1285955>>.

⁶⁵ Ghuman, K. (2015, September 11). Military asks govt to choke terror financing. Retrieved Feb-ruary/March, 2016, from <<http://www.dawn.com/news/1206209>>.

⁶⁶ Hawala, also known as Hundi, is an alternative remittance channel that exists outside of traditional banking systems. One definition from Interpol is that Hawala is “money transfer without money movement.” Transactions between Hawala brokers are done without promissory notes because the system is heavily based on trust. The system is used by radical outfits and money launderers to bypass a paper trail.

Similarly, 230 cases have been registered under the Anti-Money-laundering Act and 341 people have About 116 Suspicious Transaction Reports (STR) – a report automatically generated for the transaction of PKR 2 million in cash – have been created. As a result, 32 STRs have been converted into registered cases while 75 STRs are under the process of inquiry.²⁰

Graph 3.4 Steps Against Terror Financing – First Two Years of NAP



The NAP Tracker, 2016 - The Center for Research and Security Studies, 2017

The State Bank of Pakistan (SBP) announced a fine of Rs. 1.2 billion if any bank violates the prescribed regulations contained in the Anti-Money Laundering and Combating the Financing of Terrorism Act (AML/CFT).⁶⁷

⁶⁷ Imran, K. A. (2016, January 6). Banks punished for violating anti-terror financing rules. Retrieved March 02, 2016, from <<http://nation.com.pk/national/2016-01-07/banks-punished-for-violating-an-ti-terror-financing-rules>>.

On the recommendation of NACTA the State Bank of Pakistan (SBP) directed banks to freeze the accounts of 4,000 people (worth approximately Rs. 350 million) from the Fourth Schedule. These also included the accounts of the heads of proscribed organizations such as Masood Azhar of JeM and Ahmed Ludhianvi of ASWJ.⁶⁸ A spokesperson of the ASWJ said that a sum of Rs. 600,000 was frozen in its account.

The chief of National Counter Terrorism Authority (NACTA), Ihsan Ghani, however, tells a slightly different story.⁶⁹ NACTA shared the data of 6,577 individuals on the Fourth Schedule with SBP to freeze their accounts. In the process, SBP froze 5,023 accounts with total amount of over Rs. 300 million. To thwart the finances of terrorists, Counter-Terrorism Financing Units (CTFU) have been established in the Counter-Terrorism Departments (CTDs) of all the provinces.²⁰

3.3.10 Individuals placed under the Fourth Schedule

The Interior Minister, Chaudry Nisar Ali Khan, declared in March 2016 that the government was mulling the idea of cancelling the travel documents, computerized national identity cards (CNIC) and driving licenses of the suspects placed under the Fourth Schedule.⁶⁹

Although it could not be verified officially, but in October 2016 reports surfaced that the CNICs of over 2,000 people included on the Fourth Schedule (including members of some proscribed organizations) had been blocked.⁷⁰ In the aftermath of the victory of Maulana Masroor Nawaz Jhangvi in the elections for the Punjab Assembly in December 2016,⁷¹ the issue of individuals under the Fourth Schedule attained a new urgency. Masroor is not only the son of the founder of the proscribed (but defunct) Sipah-i-Shaba Pakistan (SSP) but he was supported in the elections by the banned group Ahle-Sunnat-Wal-Jamaat (ASWJ).⁷² In the face of mounting criticism, the government said that it had “proposed amendments to two acts – [The ATA-1997] & [The People's Representations Act-1976] to bar the individuals placed on the Fourth Schedule from contesting elections”.⁷³ Despite these claims, no noticeable progress has so far been made on this issue.

According to the NSA,²⁴ around 8,309 people have been put under the Fourth Schedule list under ATA and the (internal as well international) movement of 2,052 people has been restricted.

NACTA says that in a coordinated effort, the lists of individuals on the Fourth Schedule were revisited and revised by the provincial governments and shared with other stake-holders such as National Database & Registration Authority (NADRA), State Bank of Pakistan (SBP), Federal Investigation

⁶⁸ Syed, B. S. (2016, September 25). SBP tells banks to freeze terror financing accounts. Dawn. Retrieved March 21, 2017 from <<https://www.dawn.com/news/1285955>>.

⁶⁹ Our Correspondent. (2016, February 29). Govt to tighten noose around members of banned outfits. Retrieved January 18, 2017, from <<http://tribune.com.pk/story/1056813/noose-tightens-serial-offenders-face-radical-restrictions/>>.

⁷⁰ Ali, K. (2016, October 18). No order to block CNICs of fourth schedulers, officials claim. Retrieved January 18, 2017, from <<http://www.dawn.com/news/1290640>>.

⁷¹ Zahid, N. (2016, December 03). Pakistan Opposition Politicians Slam Hard-line Cleric's Provincial Win. VOA News. Retrieved March 19, 2017, from <<http://www.voanews.com/a/pakistan-opposition-politicians-slam-hard-line-cleric-provincial-victory/3622240.html>>.

⁷² Bukhari, Q. (2016, December 02). Candidate backed by banned party wins by-poll. Retrieved January 18, 2017, from <<http://www.dawn.com/news/1299959>>.

⁷³ Gishkori, Zahid. (2016, December 26). Govt to bar Fourth Schedulers from contesting polls. Retrieved January 18, 2017, from <<https://www.thenews.com.pk/print/174537-Govt-to-bar-Fourth-Schedulers-from-contesting-polls>>.

Agency (FIA), Provincial Counter-Terrorism Departments (CTDs), Arms License Issuing Authorities and Directorate General of Immigration & Passports, Ministry of Interior (IMPASS).⁴⁹

3.4 Pitfalls in the Government's Approach

The government has devised legal as well as practical tools to tackle the menace of terrorism and terrorist organizations. Still, the overall results are far from encouraging. Loopholes in the government's actions/performance against the banned organizations can be gauged from the following major incidents and reports.

3.4.1 Quetta Commission Inquiry Report

The Quetta Inquiry Commission Report revealed serious pitfalls in the government's dealing with proscribed organizations. The Commission was established by the Supreme Court of Pakistan to conduct a detailed inquiry of the suicide attack on Quetta's Civil Hospital in August 2016 which killed 74 people.

Among other findings of the report, two revelations were strikingly alarming in this respect.⁷⁴ First, the report regretted the fact that some of the organizations enjoyed unfathomable freedom in carrying out their activities even if they had been proscribed. The case at hand is that of ASWJ that held public meetings while the government displayed outright indifference. The Commission noted that making the matter worse, Interior Minister, Chaudry Nisar Ali Khan, held a meeting with Ahmed Ludhianvi “the head of three banned organizations (SSP, Millat-e-Islamia and ASWJ) heard his demands and conceded to them as per media reports.”⁷⁵

Second, despite the fact that there was ample evidence to declare Jamatul Ahrar, Lashkar-i-Jhangvi Al-Almi and Jundhullah as banned terrorist organizations, the government dithered on the decision. It not only illustrates the discrepancies in government policies but also shows the inefficiency of state institutions.

3.4.2 Reemergence of Banned Outfits

The challenge of dealing with terrorist organizations is two-fold. Point 7 of the NAP states that banned outfits will not be allowed to resurface under any other name. The government seems to be struggling on this count. Many banned outfits have resurfaced “under pseudonyms and new aliases all the while challenging the state's authority.”⁷⁵ Sipah-e-Sahaba Pakistan (SSP) that was banned in 2002 and then in 2003 has been active under the new name of Millat-e-Islami.

Similarly, Lashkar-e-Taiba (LeT), Jaish-e-Muhammad (JeM) and Tehreek-e-Jaafria Pakistan (TJP) are banned organizations but have been carrying out their activities without any effective checks and control of the state.

⁷⁴ Iqbal, N. (2016, December 16). Damning indictment of govt inaction against militant bodies. Retrieved January 20, 2017, from <<http://www.dawn.com/news/1302637/damning-indictment-of-govt-inaction-against-militant-bodies>>.

⁷⁵ Tanoli, Qadeer. (2016, June 8). Banned groups continue to resurface under new name”. Retrieved January 18, 2017, from <<http://tribune.com.pk/story/1118483/weak-enforcement-banned-groups-continue-resurface-new-names/>>.

The very election of Maulana Masroor Nawaz Jhangvi for membership of the Punjab Assembly illustrates this dilemma. Though, he contested the elections as an independent candidate, there was little reason to allow him to run for the seat. He is the son of slain Haq Nawaz Jhangvi who founded the defunct but banned SSP. Moreover, he got elected with the backing of ASWJ, another proscribed militant outfit.

3.5 OPINION: What does the term “proscribed” solve?

by Zeeshan Salahuddin

The word proscribed has become a part of the national vocabulary of Pakistan. Despite its extended usage, few understand what the term actually means. Common sense dictates that certain actions should follow the proscription decision; freezing assets, monitoring communication networks, closely observing members, disallowing public gatherings or rallies, and discontinuing all operations. There exists no specific, agreed-upon mechanism after banning any organization, and actions taken are at the behest of the Interior Ministry with no sense of consistency. Former NACTA Chief Hamid Khan, along with Interior Secretary Shahid Khan, while briefing a parliamentary committee in June 2015, said that the implementation of NAP along banned outfits was not at the pace it needed to be. They also said that the act of banning a group was largely ineffective.¹⁶

In fact, of the 60 banned organizations, all proscribed before the APS tragedy, nearly all were operating in the country unimpeded. The assets of these pro-scribed organizations, some on the list for 13 years, were finally frozen in January, 2015.⁷⁶ “The assets of all the banned outfits have been frozen,” Foreign Office spokesperson, Tasneem Aslam, said in her weekly press briefing. Nearly a year into the implementation of NAP, in November 2015, the Pakistan Electronic Media Regulatory Authority (PEMRA) ordered a blackout of all coverage pertaining to proscribed activities, a fact that in of itself shows the impunity with which said organizations continued to operate.⁷⁷

Three additional factors, among many others, impede the necessary steps to be taken to deal with proscribed groups.

First, there is significant opposition from within the government. As an example, despite JuD being added to the watch-list, Minister for Defence Production Rana Tanveer Hussain raised objections, stating that it was a charity organization, and not engaged in any terror activities.

Second, there are massive communication gaps within the system, as exemplified by the refusal of Inspector General of Islamabad Police to disallow rallies of pro-scribed organizations, stating that he had not been communicated any formal list of banned organizations.

Third, several organizations, post-proscription, simply reform under a near umbrella and continue operating. In January, 2015, it was reported that up to 23 banned organizations were operating in the

⁷⁶ Web Desk. (2015, January 22). Assets of all banned outfits, including Jamaatud Dawa, frozen: FO - The Express Tribune. Retrieved February 27, 2016, from <<http://tribune.com.pk/story/825732/assets-of-all-banned-outfits-including-jamaatud-dawa-frozen-fo/>>.

⁷⁷ AFP. (2015, November 03). PEMRA orders blackout of proscribed groups - The Express Tribune. Retrieved February 27, 2016, from <<http://tribune.com.pk/story/984060/media-coverage-pem-ra-orders-blackout-of-proscribed-groups/>>.

country under different names. The government, historically, has had some difficulty tracking reformed groups.

The government needs to seriously re-evaluate its strategy on dealing with proscribed outfits. An agreed upon set of steps need to be implemented without prejudice or bias. The sympathizers need to be brought to task, within the government and without, and political point scoring or pressure tactics need to take a back seat to stability and security.

Zeeshan Salahuddin is a Senior Research Fellow at the Center for Research and Security Studies. He can be reached at zeeshan@crss.pk and [@zeesalahuddin](https://twitter.com/zeesalahuddin).

PART 4: COUNTER-TERRORISM

NAP POINT 3: Militant outfits and armed gangs will not be allowed to operate in the country.

NAP POINT 4: NACTA, the anti-terrorism institution will be strengthened.

NAP POINT 8: Establishing and deploying a dedicated counter-terrorism force.

NAP POINT 15: No room will be left for the extremism in any part of the country.

NAP POINT 11: Ban on glorification of terrorists and terrorist organisations through print and social media.

NAP POINT 6: All funding sources of terrorists and terrorist outfits will be frozen.

Part 4: Table of Contents

- 4.1 Introduction
- 4.2 National Counter Terrorism Authority (NACTA)
- 4.3 Armed Militias and Afghan Strategy
- 4.4 Obstacles
- 4.5 CPEC Security
- 4.6 Special Anti-Terrorism Force / Pakistan Special Services Group
- 4.7 Counter Terrorism Department
- 4.8 Conclusion
- 4.9 Excerpt from Interview with NSA, Lt. Gen. (retd.) Naseer Khan Janjua

Part 4: Counter-Terrorism

4.1 Introduction

The fourth theme comprises of several points in the National Action Plan, specifically #4, #8, and #15. This theme deals with the issue of counter-terrorism efforts in Pakistan.

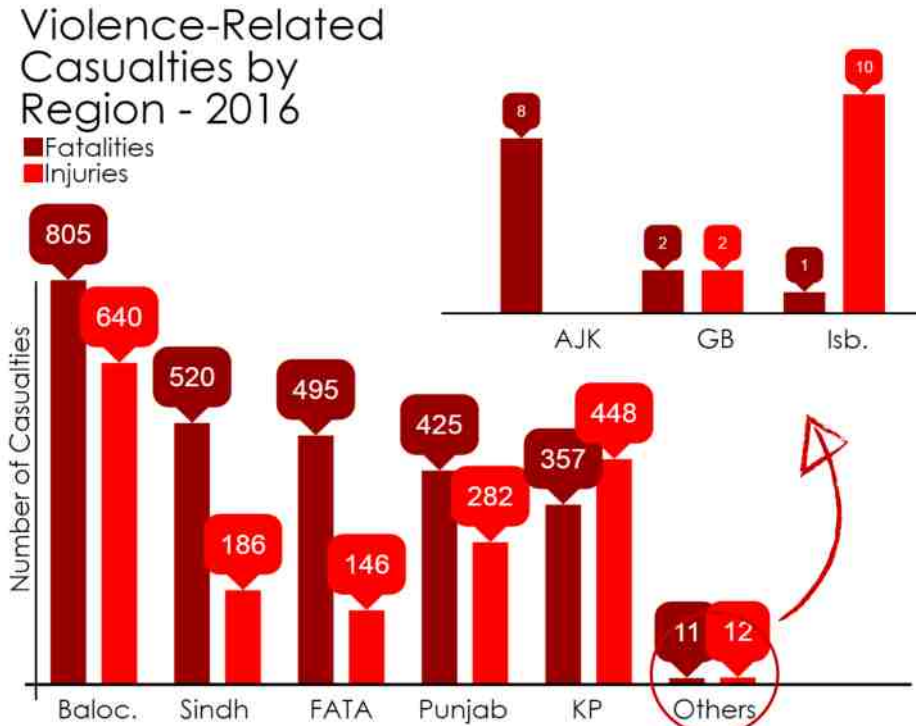
There is also significant overlap with the third theme pertaining to banned outfits and the NAP points that constitute that theme. Specifically points #3, #6, #11, and #14 all overlap. The overlapping points have been addressed by the previous chapter, specifically terror financing, cyber-crime, mobile SIMs, and print and electronic media, and will not be addressed here.

While Pakistan ranked 4th among the countries most affected by terrorism according to the Global Terrorism Index in 2015, the security situation in Pakistan seems to have improved in 2016. According to the Center for Research and Security Studies' Annual Security Report 2016, there has been a 66% decline in violence related fatalities since 2014.¹ In comparison to 6,572 casualties (4,647 dead and 1,927 injured) reported in 2015, the figures declined to 4,327 (2,613 dead 1,714 injured) in 2016.

Province/Region	2015		2016	
	Fatality	Injury	Fatality	Injury
Balochistan	719	274	805	640
Sindh	1221	320	520	186
Federally Administered Tribal Areas (FATA)	1924	576	495	146
Punjab	328	319	425	282
PunjabKhyber Puktunkhwa (KP)	441	415	357	448
Gilgit Baltistan (GB)	4	19	8	0
Islamabad	10	2	2	2
Azad Jammu and Kashmir (AJK)	0	0	1	10
Total	4647	1925	2613	1714
Percentage of last year casualties:			56.2%	89.0%

¹ Nafees, M., Gul, I., & Salahuddin, Z. (2017, March 26). CRSS Annual Security Report - 2015. Retrieved March 22, 2016, from <<http://crss.pk/wp-content/uploads/2010/07/CRSS-Annual-Security-Report-2016-Final.pdf>>.

Graph 4.1 Violence-Related Deaths in Pakistan by Region - 2016



Annual Security Report, 2016 - The Center for Research and Security Studies, 2017

Regionally, there were some exceptions to this trend. The Federally Administered Tribal Areas (FATA) and the city district of Karachi have seen the most improvement, while the fatalities in Baluchistan have seen a rise. Fatalities from violence in Balochistan increased from 719 in 2015 to 798 in 2016, an upsurge of nearly 10%. Punjab lost 424 persons to violence during in 2016 which is the highest number of fatalities in the province in the last four years. Both provinces were major targets of suicide attacks thus increasing the casualty count. Baluchistan suffered seven suicide attacks, leaving 220 persons dead, including 61 police trainers, 52 lawyers, and 62 pilgrims at a Sufi Shrine while Punjab had one suicide attack in Gulshan Iqbal Park, Lahore that left 74 persons dead of whom 29 were children.¹

The Tehreek-e-Taliban Pakistan (TTP) remained at the forefront as a prominent actor. Lashkar-e-Jhangvi was reborn as LeJ Al-Alami and was responsible for the attack on a shrine in Khuzdar, Balochistan killing at least 52 and injuring 102.² LeJ Al-Alami is believed to have widened its scope, developing linkages with global terrorist outfits, including the Islamic State (IS). In Balochistan, the TTP, Jamaat Ahrar and LeJ Al-Alami have posed a far serious threat than the Baloch insurgents

¹ Staff Reporter. (2016, November 13). At least 52 killed, 102 injured in blast at Khuzdar shrine. Dawn. Retrieved January 05, 2017 from <<http://www.dawn.com/news/1295928>>.

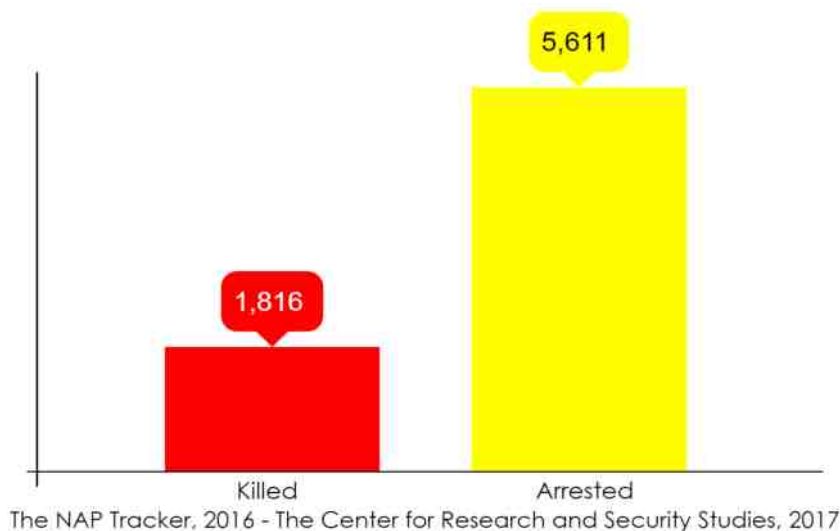
themselves, as according to PIPS' annual security report, 2016.³

According to the National Security Advisor (NSA) Lt. Gen. (retd.) Naseer Khan Janjua, since the enactment of NAP in the last two years, 1,816 terrorists have been killed across Pakistan while 5,611 have been arrested. This includes terrorists belonging to proscribed organizations such as Tehreek-e-Taliban Pakistan, Lashkar-e-Jhangvi, as well as Chotu Gang, and those killed in Zarb-e-Azb.⁴

The decline in violence reflects the success of the security operations conducted by both the military and civilian forces.

Reporting on terrorism in the Senate on January 19, 2017, the Minister for Interior Chaudhry Nisar Ali Khan informed that a decline has been observed in the number of terror-related incidents and casualties across Pakistan since 2013.⁵ In total, there have been 4,613 fatalities in 5,321 incidents of terrorism with 12,188 injured across Pakistan over the last four years. There were 1,571 incidents of terrorism in 2013 which killed 1,794 and injured 5,352. The number of terror-related incidents increased in 2014 to 1,816 but there were comparatively fewer fatalities; 1,172, and those injured; 3,185. In 2015, there were 1,139 incidents of terrorism which killed 838 people and injured 1,706. In 2016, the number of terror-related incidents drastically declined to 785 with 804 deaths and 1,914 people injured.⁶

Graph 4.2 Terrorists Killed and Arrested since NAP Implementation



³ Pakistan Institute for Peace Studies. (2017). Pakistan Security Report (Special Report). Islamabad: Pakistan Institute for Peace Studies. Retrieved, January 05, 2017 from <<http://pakpips.com/downloads/325.pdf>>.

⁴ CRSS held exclusive interviews with the NSA in December 2016, January 2017 and February 2017. The NSA leads the National Security Decision, and is responsible for the security of Pakistan. The implementation of the NAP is one of his tasks.

⁵ Riazul Haq. (2017, January 20). Some foreign spy agencies financing terrorism, says Nisar. The Express Tribune. Retrieved January 22, 2017 from <<http://tribune.com.pk/story/1301153/funding-trail-foreign-spy-agencies-financing-terrorism-says-nisar/>>.

⁶ Ibid.

4.2 National Counter Terrorism Authority (NACTA)

4.2.1 Overview of NACTA

The National Counter Terrorism Authority (NACTA) was formed in 2009, aimed at helping curb terrorism in the country. It was meant to be the premier intelligence agency for deployment of special weapons law enforcement forces conducting operations that fell outside the ambit, scope or jurisdiction of conventional law enforcement. The NACTA was designed to assess difficult situations, to confront armed conflicts, to go up against militant suspects and to conduct armed counter-terrorism operations. It is required to formulate a counter-terrorism plan to achieve short, medium and long term objectives and formulate action plans for their execution.

It is headquartered in Islamabad. The previous Coordinator of NACTA was Hamid Ali Khan who resigned in August 2015 and the Ministry of Interior appointed Lt. Cdr. (retd.) Ihsan Ghani as the new National Coordinator NACTA.⁷

Initially nothing more than an idea on paper, NACTA's power was greatly enhanced in March 2013 under the NACTA 2013 Act,⁸ but the agency remains largely defunct.

4.2.2 Functions of NACTA

The functions of this Federal organ, as available on its own website, are as follows:

- a) To receive and collate data or information or intelligence, and disseminate and coordinate between all relevant stakeholders to formulate threat assessments with periodical reviews to be presented to the Federal Government for making adequate and timely efforts to counter terrorism and extremism;
- b) To coordinate and prepare comprehensive National counter terrorism and counter extremism strategies, and review them on periodical basis;
- c) To develop action plans against terrorism and extremism and report to the Federal Government about implementation of these plans on periodical basis;
- d) To carry out research on topics relevant to terrorism and extremism and to prepare and circulate documents;
- e) To carry out liaison with International entities for facilitating cooperation in areas relating to terrorism and extremism;
- f) To review relevant laws and suggest amendments to the Federal Government; and
- g) To appoint committees of experts from Government and NGOs for deliberations in areas related to the mandate and function of the Authority.

⁷ Ghiskori, Z. (2015, August 20). Ihsan Ghani best pick for handling affairs of NACTA - The Express Tribune. Retrieved February 05, 2016, from <<http://tribune.com.pk/story/942034/improving-nap-ihsan-ghani-best-pick-for-handling-affairs-of-nacta/>>.

⁸ Act No. XIX of 2013: An Act to Establish A National Counter Terrorism Authority in Pakistan. (2013, March 26). Retrieved February 15, 2016, from <http://www.na.gov.pk/uploads/docu-ments/1364795170_139.pdf>.

⁹ NACTA Website - Main Page. (n.d.). Retrieved March 02, 2016, from <<http://nacta.gov.pk/>>.

4.2.3 Progress on NACTA

The revamping of the latent NACTA was initiated by the Prime Minister on December 28, 2014. In order to achieve the intended results, the PM stressed on sound coordination between the Provincial and Federal governments and the law enforcement agencies. However, progress on this was largely glacial and did not bear much fruit. The bulk of the direct counter-terrorism operations in the country have been carried out by the military, with assorted raids by police forces in various provinces.

Dissatisfaction with NACTA was not without reason. Thirteen months into the implementation of NAP, the government remained largely indifferent to NACTA and despite repeated requests to the premier, and a mandate that requires quarterly coordination meetings, not a single sit-down had occurred. NACTA, despite having the most powerful board of directors, had not met even once since the implementation of NAP.

Even the Interior Minister's report in January 2016 to the National Assembly, when answering questions of progress on NACTA, stated the following: "Budget released, Joint Investigation Directorate being established, strengthening in progress, issues being looked into".¹⁰ It is unfortunate that vague language such as "issues being looked into" and "strengthening in progress" was the best the government came up with, nearly thirteen months into the implementation of the NAP. It is illustrative of the lack of seriousness with regard to the re-activation of NACTA.

The only other reference to NACTA in the report presented mentioned that NACTA worked with the Ittehad-e-Tanzeemat-e-Madaris Pakistan (ITMP) to create a Uniform Registration and Data Form for the registration of seminaries, and shared it with the relevant stakeholders for input.¹⁰ In a separate question, the Interior Minister continued to insist that NACTA "being the prime agency in the counterterrorism realm is coordinating and monitoring all the endeavors exercised by various concerned agencies and administrative units of the country. Through meeting of field experts, professionals and representatives, NACTA is contemplating unified policies and extending recommendations to effectively respond to the various shades of the terrorism spectrum."¹⁰ This statement was also highly suspect, given that at the time, NACTA had no budget or structure to speak of.¹¹

In January 2017, in an exclusive interview with CRSS, the National Coordinator of NACTA, Ihsan Ghani, stated that contrary to common perceptions, the National Counter-Terrorism Authority in the last 3 years had grown and performed its functions as per Section 4 of the NACTA Act, 2013.

According to him, the inception of the National Internal Security Policy (NISP) and the National Action Plan (NAP) gave strength to the Authority to coordinate and review implementation of these policies at a Federal level. He said that it should be reiterated that despite the passage of the 18th amendment, the subject of terrorism remained within the Federal domain and therefore, as a federal review and coordination body regarding terrorism and extremism, NACTA has worked effectively in diminishing and eradicating these phenomenon from our society.

¹⁰ 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>.

¹¹ CRSS conducted exclusive interviews with the National Counter Terrorism Authority (NACTA) Chief Ihsan Ghani in February 2017.

On May 10, 2016, NACTA's Coordinator informed a Senate Standing Committee on Interior, chaired by Senator Rehman Malik, that NACTA was in close coordination with Intelligence Agencies (IAs) to establish a Joint Intelligence Directorate (JID) to counter terrorism and related activities. The meeting also discussed the National Counter Terrorism Authority (NACTA) (Amendment) Bill 2016 which proposed that the National Authority would be governed by a Board of Governors with the Prime Minister acting as its Chairman and the rest of the members comprising of federal and provincial ministers and chiefs of law enforcement and intelligence agencies.¹²

The bill also stressed the need for a mechanism to ensure the meeting of the Executive Committee at regular intervals. The amendments introduced included amendment of section 6 Act XIX of 2013 of National Counter Terrorism Authority Act 2013 and amendment of section 8 Act XIX of 2013 of National Counter Terrorism Authority Act 2013. Through clause (2) the word each quarter of existing in section 6 (4) shall be omitted and through clause (3) following sub section (7) shall be added in the section 8 as The Executive Committee may meet as and when required but it shall meet at least once in each quarter of a year.¹³

In the interview with CRSS, Ihsan Ghani stated that the Joint Intelligence Directorate (JID) is the most sensitive and integral component of the National Counter Terrorism Authority and is part of the process to strengthen NACTA for its full functionalization.¹¹ He also revealed that the brigadier for heading the JID has been nominated. JID, as envisaged under the National Action Plan, has been established where officers have begun joining from 30 agencies that were identified. Recruitment of the core group of 53 personnel is also under process. According to the National Coordinator, the JID has come a long way in a short span of about one year.¹¹

An overview of the human resource position of NACTA over the past four years is as under:

Grade	June, 2013	December, 2016
17 through 22	14	31
1 through 16	58	73
Total	72	104

The National Coordinator stated that the recruitment process for the remaining posts; BS 01-04 positions, and the selection of a testing agency for recruitment from BS 05 onwards, is under process.

According to the NSA,⁴ the Government has provided Rs. 218.8 million to NACTA for its refurbishment since 2013.¹⁴ A report provided to CRSS by the National Coordinator outlined the budgetary position of NACTA in a comparative form for the last four years which is as under. It clarified the expansion of NACTA's Human Resource as well as the role of NACTA over the last four years. The report stated that

¹² 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>.

¹³ CRSS conducted exclusive interviews with the National Counter Terrorism Authority (NACTA) Chief Ihsan Ghani in February 2017.

¹⁴ CRSS interview with Interior Joint Secretary Khushdil Khan on January 04, 2017.

the enhancement in the budget was an indication that the Government of Pakistan had become serious in strengthening and ensuring the full functionalization of NACTA.¹⁵

Year	Original Budget	Original Budget	Total budget
2013-14	95.000	-	95.000
2014-15	92.040	-	92.040
2015-16	100.337	1110.652	1210.989
2016-17	109.424	1450.000	1559.424

Note: All units are in millions of rupees.

NACTA's own premises are still to be established; something which is essential for any organization to operate independently and effectively. In May 2014, NACTA was shifted to 'S' Block from a rented building in the F-8 Sector of Islamabad. In November 2015, it was partially shifted to the National Police Bureau (NBP) building in G-6. Due to inadequacy of space in the NBP building, NACTA acquired one floor at the National Technology Council (NTC) building in July 2016 on a rent basis to house some of its wings. Presently, the Capital Hotel Building has been hired for finally housing NACTA, including the Joint Intelligence Directorate. The refurbishment and addition of floors is expected to be initiated soon. Prime Minister Nawaz Sharif has also further allocated the Hostel Building of Pakistan Manpower Institute Islamabad to NACTA for housing its additional staff and wings. The work on the renovation is expected to begin soon.¹⁶

To attract the best human resources to NACTA, the Minister for Interior and the Prime Minister's Office granted employees risk allowance equal to basic pay, effective from 3rd August, 2015.

To further restructure NACTA, Employees Service Rules were prepared and posted, with the approval of the Establishment Division. Medical rules for NACTA employees were also made and announced, with approval from the Capital Administration & Development Division on June 09, 2016

In addition, financial rules were prepared and vetted by the Controller General Accounts and Auditor General of Pakistan and added to the agenda of the next Board of Governor's meeting. According to the National Coordinator, these services, medical and financial rules are essential for Authority to work systematically.¹⁷

4.2.4 Progress by NACTA

In the Quetta Commission Inquiry report issued by the Supreme Court on December 15 2016, Justice Qazi Faez Isa was recorded as saying that NACTA had categorically failed as the NACTA Act was not being implemented. He further added that NACTA was not fulfilling its statutory mandate; its law was not being implemented by the members of its Board of Governors, which had never met, while its Executive Committee had met only once in three and a half years. The oversight of NACTA, which

¹⁵ CRSS Exclusive Interview with National Coordinator Ihsan Ghani on January 18, 2017.

¹⁶ Ibid.

¹⁷ Ibid.

normally vests in the Board and the Executive Committee, had been assigned to the National Security Adviser, the office of which is a non-statutory body, headed by a retired government servant, Lt. Gen. Naseer Khan Janjua since October 23, 2015.¹⁸

While there has been considerable criticism levelled against NACTA for its lack of progress, there are, according to Ihsan Ghani, seven functions of NACTA which are quite broad in nature and cover a range of areas from intelligence gathering, dissemination and coalition to policy making and so on.

It is the National Action Plan, however, with its twenty points that has given NACTA a certain direction and twenty areas to act on.¹⁹ Among NACTA's core responsibilities is its mandate to review national plans and coordinate their implementation under the law. The subject of reviewing the National Action Plan has remained in the direct domain of NACTA. According to Ihsan Ghani, NAP has strengthened the Authority by establishing provincial and federal linkages and enabling all federal and provincial entities to evolve coherent responses to terrorism and extremism.²⁰

Refuting the Quetta inquiry commission's claim that NACTA had been performing poorly, the Minister of Interior Chaudhry Nisar Ali Khan stated that the authority has shared as many as 7,774 intelligence excerpts with the security agencies, provinces, Rangers and FC and 20,000 intelligence-based operations had been conducted as result of it.²¹

The National Coordinator Ihsan Ghani informed CRSS that NACTA has introduced new initiatives within both provincial and federal bodies and has been monitoring the implementation of NAP. Below is a list of the Provincial Apex Committee Meetings held to review NAP by NACTA followed by a list of meetings held the federal level.²²

At the federal level, a task force has been constituted under the National Security Advisor to ensure the implementation of NAP in coordination with the relevant stakeholders. The Prime Minister constituted sixteen sub-committees of the PM's Implementation Committee for the National Action Plan. The National Action Plan has served to administratively and financially strengthen NACTA. It allowed the Authority to develop vertical and horizontal linkages at both the federal and provincial levels for proposing and reviewing implementation of policies as given under Section 4 of the NACTA Act, 2013. Ihsan Ghani was of the view that all federal and provincial agencies must be given due credit for their cumulative efforts in achieving peace and for having brought down incidences of terrorism so that they were at par with the level in 2005.

¹⁸ Supreme Court of Pakistan. (2016). Quetta Inquiry Commission Report. Islamabad: Supreme Court of Pakistan. Retrieved January 12, 2017 from <http://www.supremecourt.gov.pk/web/user_files/File/QuettaInquiryCommissionReport.pdf>.

¹⁹ CRSS Exclusive Interview with National Coordinator Ihsan Ghani on January 18, 2017.

²⁰ Ibid.

²¹ Staff Reporter. (2016, December 18). Nisar chooses to challenge commission report. The Nation. Retrieved on January 13, 2017 from <<http://nation.com.pk/national/18-Dec-2016/nisar-chooses-to-challenge-commission-report>>.

²² CRSS Exclusive Interview with National Coordinator Ihsan Ghani on January 18, 2017.

Table 4.4: Meetings at the Provincial Level						
Punjab	Sindh	KP	Balochistan	GB	AJK	Total
7	10	5	9	6	5	42
Meetings at the Federal Level						Meetings
Meetings Chaired by Prime Minister						3
Meetings Chaired by Minister for Interior						5
Meetings Chaired by Minister of State for Interior						1
Meetings Chaired by Secretary MoI						1
Meetings Chaired by NC NACTA						22
Total Meetings Held						31

Besides creating a taskforce under the NSA which would review the implementation of NAP, NACTA has also taken other counter-terrorism initiatives and measures. NACTA developed registration/data forms for seminaries in consultation with Ittehad-e-Tanzim-ul-Madaris (ITMP) Pakistan after taking input from all federal and provincial stakeholders to design them accordingly. NACTA has also been an active part of the consultations under the Minister for State on Interior with all five Boards of Wafaq-ul-Madaris to reform the curriculum taught in Madaris.²³

4.2.5 Formulating a Consolidated Fourth Schedule List at the National Level

The third point of the National Action Plan states that militant outfits and armed gangs will not be allowed to operate in the country. While the Anti-Terrorism Act of 1997 adequately provides for action against proscribed organizations and persons on the Fourth Schedule, it has been under the vision of NACTA that strong measures have been adopted by all the provinces, AK and GB in a coordinated manner.²⁴ In late September 2016, NACTA directed the governments of all four provinces, Azad Jammu and Kashmir (AJK), Gilgit Baltistan (GB) and Islamabad to establish a consolidated online database of all the individuals listed under the Fourth Schedule²⁵ of the Anti-Terrorism Act (ATA) 1997.²⁶

While each province had maintained its own list in the past, they did not coordinate or share such information with each other and there had not been a consolidated list at the national level.

NACTA's Coordinator, Ihsan Ghani, directed his department to establish an online system within fifteen days similar to the database already being used by the Punjab Government to track all persons

²³ Ibid.

²⁴ Ibid.

²⁵ Schedule IV of ATA 1997 is a section of the Anti-Terrorism Act of 1997 which subjects the suspects of terrorism to close observation and regular attendance before the local police. It is a monitoring mechanism for people who are not directly involved in terrorism activities, but whose affiliation with banned outfits or their previous criminal record makes them suspicious. Implementation of the fourth schedule, however, has been lamentable at best. They are kept under surveillance by the police to remove the possibility of their involvement in any terrorism activity in future. As part of the process, the people are required to provide fresh pictures to the local police station every month and inform the law-enforcers before leaving the jurisdiction of their police stations. They are regularly check and monitored by police and intelligence officials.

²⁶ Kalbe Ali. (2016, October 1). Nacta moves to streamline list of Fourth Schedulers. Dawn. Retrieved January 13, 2017 from <<http://www.dawn.com/news/1287247>>.

listed in the Fourth Schedule. Although a consolidated list had yet to be finalized, the lists provided to NACTA by the provinces, AJK, GB and Islamabad counted up to 8,307 people named under the Fourth Schedule of the 1997 Anti-Terrorism Act.²⁷ According to a senior ministry official, the lists provided to NACTA had some serious flaws as at least 20-25% of the names were incorrect, 20% were supposedly dead while around 5% had either left the country or were unable to move around due to old age or illness.²⁸

These lists were first revisited and revised by the provincial governments and the finalized lists were shared by NACTA with the Ministry of Interior, Ministry of Finance, State Bank of Pakistan (SBP), NADRA, Federal Investigation Agency (FIA), Inter-Services Intelligence (ISI), Intelligence Bureau (IB), Directorate of Passport & Immigration, Provincial Counter-Terrorism Departments (CTDs) and Arms License issuing authorities. NACTA also pursued several cases of review and appeals of persons listed under the IV Schedule at various forums such as the courts, the Federal Ombudsman, and other relevant departments. As a result, eight fourth schedulers were delisted while the appeals of six were rejected by competent authorities.²⁹ There are strict conditions for placing someone on the Fourth Schedule of the ATA and such individuals are described as “proscribed persons under the law”.

4.2.6 Choking Terrorist Financing

Point 6 of the National Action Plan states that the funding sources of terrorists and terrorist outfits will be frozen and/or choked. With respect to countering terrorism financing and in coordination with the provinces under NACTA, the Fourth Schedule lists were shared with the State Bank of Pakistan (SBP) for freezing the bank accounts of all proscribed individuals. Of the 8,307 persons on the fourth Schedule, the data of 6,577 individuals was shared with the State Bank of Pakistan as they had CNIC and fourth schedule notification. The total number of accounts frozen were 5,023 while the amount frozen has been over Rs300 million.¹¹

The National Action Plan's sub-committee on Choking Financing for Terrorists and Terrorist Organizations held a meeting in January 2016 under the Chairmanship of the National Coordinator to recommend the constituting of a taskforce which would “frame a comprehensive model law for orderly operations” of Non-Governmental Organizations, Non-Profit Organizations and charities, both local and foreign, and which “will be strictly enforced.” During the formulation of a strategy for such a taskforce, the active input of all related federal and provincial ministries, departments and organs was taken along with the other stakeholders that were in attendance. The meeting discussed the finalization of nominations for the taskforce.³⁰ And this work is under process as per the terms of reference (ToRs) with both the federal and provincial stakeholders.¹¹

In order to clamp down on terrorist finances, Counter-Terrorist Financing Units (CTFUs) have been created in all Provincial Counter-Terrorism Departments (CTDs). These units are meant to be given

²⁷ Kalbe Ali. (2016, October 1). Nacta moves to streamline list of Fourth Schedulers. Dawn. Retrieved January 13, 2017 from <<http://www.dawn.com/news/1287247>>.

²⁸ Ibid.

²⁹ CRSS Exclusive Interview with National Coordinator Ihsan Ghani on January 18, 2017.

³⁰ NACTA. (2016, January 26). NACTA Events: Meeting on Constituting Taskforce to Frame a Comprehensive Model Law for Orderly Operations of NGO's / NPO's/Charities. National Counter Terrorism Authority. Retrieved January 14, 2017 from <<http://www.nacta.gov.pk/Events.htm>>.

the requisite training through the FIA, SBP and the Federal Board of Revenue (FBR). According to Ihsan Ghani, NACTA can also be approached, if required, by the concerned law enforcement agencies (LEAs) where further specialized training is required and this will be coordinated with the Financial Monitoring Unit (FMU) and the concerned agencies. CTFUs would be responsible for investigating the financial dealings of all those suspected and accused of terrorism and would be responsible for establishing reverse leads.

Thus far, 1) CTFUs have been established in all CTDs to trace reverse leads into terrorist financing, 2) the process of formulating Branchless Banking Regulations has been initiated, 3) obligatory money declaration and a regulatory mechanism for bulk cash transactions is being established in collaboration with stakeholders, 4) work on charity regulation, such as those of NGOs and NPOs, has been initiated. A taskforce has been established for this and core groups have been formulated at both the Federal and Provincial levels so that the policy is tabled soon. 5) NACTA is also in the process of establishing a National Terrorist Financial Investigation Directorate (NTFID) that will deal exclusively with terrorist financing, money laundering (TF/ML) and transnational crimes.³¹

According to the Interior Joint Secretary Khushdil Khan, there have been 498 reported cases of Hawala, also known as Hundi (an informal value transfer system based on the performance and honour of a huge network of money brokers operating outside of, or parallel to, traditional banking), across Pakistan. In these trust-based transaction cases, 692 individuals have been arrested while Rs 804.849 million have been recovered. In addition, there have been 230 reported cases of anti-money laundering where 341 persons have been arrested. Furthermore, the Federal Investigation Agency (FIA) has looked into 115 Suspicious Transaction Reports (STR), of which 32 cases have been registered and 75 are under inquiry.⁴

According to NSA Lt. Gen. (Retd.) Naseer Khan Janjua, the practice of Hawala and Hundi by terrorists reveals the loopholes in the transaction systems provided by the state. It is the state's responsibility to provide proper mechanisms for money transactions so that practices like Hawala and Hundi are not relied upon. Efforts made in this regard by all provinces are evident in the number of arrests of suspects and the money that has been recovered. According to the NSA, the Foreign Exchange Regulation Act, 1947, and Anti-Money Laundering Act, 2010 have also undergone amendments as part of the measures undertaken to choke the financing of terrorism. The State Bank of Pakistan has eased the requirements concerned as regards education and medical-related remittances. Training has become compulsory for law enforcement agencies while the Financial Monitoring Unit (FMU) and Securities and Exchange Commission of Pakistan (SECP) have been tasked with many duties in this regard.

The NSA stated that 98.3 million unregistered SIM's have been blocked by the Pakistan Telecommunication Authority (PTA). However, this number has been around since the first year of the implementation of the NAP.

4.2.7 Counter-Terrorism Helpline

³¹ Ibid.

A Counter-Terrorism Helpline (1717) was established on the January 9, 2015 and a campaign to create public awareness was launched in August 2016. The gap of 17 months between these two dates is indicative of the lethargic pace at which the bureaucratic machinery operates. In August 2016, the capacity of the operatives and implementers working in the helpline was also enhanced.¹¹

In 2016, the scope of reporting was enhanced to include reports against hate speech since it was felt that the issue directly affected public sentiment and, should therefore, be devolved to the public sphere. A hate speech helpline was therefore also started with the objective of taking the matter pertaining to hate speech to the public sphere. A summary of actions taken so far is as under:

Category	Calls
Spam Calls (pre-campaign)	131728
Spam Calls (post-campaign)	56980
Actionable Calls	2688
Numbers Blocked	6758
Action Completed	2671
Total Calls	191386

Furthermore, NACTA's coordinator Ihsan Ghani made an appeal to the people of Pakistan to not get involved in such practices and stated that "irrelevant calls are not only a waste of precious resources of the government but it may end up in an irreparable loss of lives which may include members of their own family or friends." NACTA officials even decided to name the offenders in public as an attempt to shame them and prevent further prank calls.³²

4.2.8 Identifying and Addressing Drivers of Radicalization

NACTA also initiated a dynamic profile based record of individuals accused or convicted of acts of terrorism and extremism in collaboration with Provincial CTDs on a unanimously agreed preform. This is meant to enable NACTA to assess the economic, social, environmental, psychological, ideological or revenge-based reasons behind acts of terrorism. It is meant to provide an authentic profiling with an aim to make incisive policy interventions in relation to the exact problem.

4.2.9 Ban on Glorification of Terrorism and Terrorist Organizations through Print and Electronic Media

Point 11 of the National Action Plan deals with the strict implementation of the ban on the glorification of terrorism and terrorist organizations through print and electronic media. In this regard, according to the Interior Joint Secretary Khushdil Khan, any violation is instantly reported to the concerned quarter for taking action and there has been visible improvement.⁴

Section 6 (a) of the Punjab Maintenance of Public Order (Amendment) Bill 2015 criminalizes expressions of support, sympathy, and glorification of terrorism, making the offence punishable with

³² Ibid.

imprisonment for up to three years and a fine. According to the Interior Joint Secretary, while it is already in the law, it was not being implemented properly.

Furthermore, as point 14 deals with “concrete measures against promotion of terrorism through internet and social media”, there have been many changes in the existing laws as well as legislations passed. For example, in August 2016, the Government passed the Prevention of Electronic Crimes Act (PECA) 2016 which makes collection of funds for terrorist organizations through any information technology system or electronic devices an offence.³³ In Balochistan, according to the Interior Joint Secretary, there have been 55 meetings with the media and 86 awareness campaigns to sensitize them.⁴

According to the National Security Advisor, NACTA, the National Security Council (NSC) and the Ministry of Interior is formulating a policy in consultation with the Ministers of Information and Religious affairs, DG FIA, Chairman PTA and intelligence agencies to prevent the glorification of terrorism and terrorist organizations through all types of media. It is expected that a policy guideline would be provided to the Provinces, the Ministers of Information, Chairman PEMRA, DG FIA, Chairman PTA and the intelligence agencies for monitoring and implementation. The Minister of Information, Chairman PEMRA and NSA are soon to have a meeting with channel owners to define and clarify the national policy in black and white for strict implementation. He stated that Chairman PEMRA in consultation with the Ministry of Information may suggest necessary legislation and hence the Federal and Provincial secretary information will regularly conduct meetings with owners of media houses, both print and electronic, to encourage them to play their due role. Provinces will also establish Media Monitoring Committees to have regular interaction with journalists and the management of print and electronic media.⁴

4.2.10 Formulation of a National Counter Extremism Policy (NCEP)

On June 20 2016, the second round of meeting with stakeholders was held in Islamabad where the Ministry for Interior discussed the formulation of a “National Counter Extremism Policy”. The meeting was attended by the political leadership of major political parties, senators, members of the National Assembly, think tanks, civil society, human rights activists, and NGOs. The discussions focused on themes of building community resilience, internet and cyber space radicalization, cultural revival, religious education and the rehabilitation and reintegration of prisoners and convicts. The responses and the input from the participants highlighted an agreement on the need to focus on soft measures which are an essential part of ensuring peace in the country.³⁴

The convener of the Committee, Senator Mushahid Hussain Syed, emphasized that the NCEP will be formulated under the legal framework and the Constitution of the Islamic Republic of Pakistan. The Committee agreed that the policy themes will include the concept of national security, building community resilience, education reforms, cultural revival, media engagement, an enabling

³³ Pakistan: Punjab Province Criminalizes the Glorification of Terrorism. (2015, January 23). Library of Congress. Retrieved January 20, 2017 from <<http://loc.gov/law/foreign-news/article/pakistan-punjab-province-criminalizes-the-glorification-of-terrorism/>>.

³⁴ NACTA. (2016, January 26). NACTA Events: NACTA Initiates Consultative Process to Formulate National Counter Extremism Policy. National Counter Terrorism Authority. Retrieved January 14, 2017 from <<http://www.nacta.gov.pk/Events.htm>>.

environment, rehabilitation and reintegration and a robust implementation strategy to ensure that the work bears the desired results. The Committee also decided that it will hold weekly meetings for timely completion of all its tasks.³⁵

Towards this end, NACTA has planned a National level consensus building exercise for evolving a consensus narrative to counter the prevalent narratives spreading intolerance, extremism and terrorism. With respect to this, a national level workshop was held on the 14th and 15th of January 2017 at Bahria University Islamabad. The 2-day workshop resulted in valuable contributions to the narrative.

4.2.11 Revamping the Criminal Justice System

Revamping the Criminal Justice System is an integral component of the National Action Plan and an arduous and intricate task that requires extensive deliberation, reforms and resources. NACTA held meetings with and also involved all Provincial Chief Secretaries and Inspectors General of Police (IGPs) to steer this process. Task forces have been established at both the federal and provincial levels with cross function representation. The four pillars of the Criminal Justice System have been included for deliberations viz. police, prisons, judiciary and prosecution. Mechanisms of Alternative Dispute Resolution (ADR) have also been added to the discussion as a fifth dimension. The results of these deliberations are expected to be presented to the Minister of Interior by March 2017.¹¹

More information on this can be found in Part 9: Criminal Sector Reforms.

4.2.12 Translation of Anti-Terrorism Laws/Ordinances into the Urdu Language

NACTA also translated Anti-Terrorism Laws/Ordinances into the Urdu language with the help of the Law & Justice Division and circulated them to all the Provincial Police Departments in order to facilitate efforts to combat terrorism.¹¹

According to the Joint Secretary, the Code of Criminal Procedure, 1973 (CrPC), is more than 30 years old and it is not available in police stations in the Urdu language. The drawback of this is that when First Information Reports (FIRs) are lodged for a crime, they are lodged under the wrong section. If for example there is a cleric that is using the loudspeaker for hate material, an offence that is now punishable, and is arrested, his FIR would be dismissed the next day and he would be granted bail because in all likelihood the investigation would reveal that the section he has been charged under does not even apply to the offence that has been committed.⁴

In responding to this need, NACTA compiled a compendium of the special new federal laws such as the Anti-Terrorism Act 1997, the twenty points of the National Action Plan and so on, and translated them in Urdu. This translation was sent to all the Provinces and other territories of Pakistan.

The Joint Secretary added that the NSA also sent a letter to the Inspectors General (IGs) of all the Provinces directing them to print more copies of this compendium and sending it to all the police

³⁵ Ibid.

stations in their respective Provinces. A copy of this letter was also given to CRSS.

In addition to this, the Interior Joint Secretary stated that copies of this compendium were also sent to institutions that provide trainings to investigating officers so that they include it in their module and use it during training. He stated that it was the responsibility of the Station House Officers (SHOs), Senior Superintendents of Police (SSPs), and Deputy Superintendents of Police (DSPs) to hold trainings of the 12 or 13 police stations in their areas and acquaint them with these laws and sensitize them to using the relevant laws depending on the nature of the crime.³⁶

4.2.13 Engagement of Youth in Countering Violent Extremism

NACTA has also initiated a series of interactive sessions to engage the youth in Countering Violent Extremism (CVE) in all major universities including Lahore University of Management Sciences (LUMS), Kinnaird College Lahore, University of Engineering and Technology, Nishtar Medical College, Ghulam Ishaq Khan University, Islamia College Peshawar, Peshawar University, IBA Karachi, Dow Medical College, NED University Karachi and Balochistan University. Interactive sessions were meant to commence from the 14th of November 2016 in Karachi and thereupon across the country.¹¹

4.2.14 Establishment of Research Wing

NACTA established a research wing and has undertaken various research projects. The Pakistan Institute for Conflict and Security Studies (PICSS) was awarded a project to conduct a study titled “Measuring indigenous change in Madrassahs: issues, prospects and policy options”. The data for the project has been collected, and the institute is currently in the process of analysis. Another project analyzing Terror financing in Pakistan is also underway. Finally, a project titled “Madras Audit Reporting Standardization (MARS) program” is on-going in collaboration with CODE Pakistan, and is aimed at improving governmental financial oversight of Madaris.³⁷

The 2013 NACTA Act also requires the National Counter-Terrorism Authority to establish liaisons with international entities. Links with local and international think tanks, such as USIP, RUSI, NSGI and others, were established to discuss counter-terrorism (CT), Countering Violent Extremism (CVE), de-radicalization, conflict resolution and stabilization. The steps taken in this regard are as under:

1. Royal United Services Institute (RUSI) has been supporting NACTA to establish a “CVE Centre of Excellence” wherein research will be conducted through regular staff stationed at NACTA in collaboration with multi-disciplinary actors from across Pakistan. International entities, including RUSI, will regularly assist in developing relevant policies. In this regard, a formal written understanding will be signed with RUSI.
2. The UK National School of Government International (NSGI) has offered to train NACTA officers on policy formulation. The teams of NSGI will conduct quarterly visits to NACTA to hold discussion sessions with active participation of senior and mid-career officers to exchange ideas and share experiences upon policy formulation processes in UK and Pakistan. The first visit of NSGI is scheduled from 13th till 17th of March, 2017.
3. The United States Institute of Peace (USIP) has supported NACTA during the course of the

³⁶ Ibid.

³⁷ Ibid.

formulation of its National Counter Extremism Policy. USIP has also committed to support the Authority in the upcoming center of excellence on CVE. It will share international best practices and research methodologies applied in government establishments for conducting research of such magnitude and typology.

4. The European Union (EU) introduced the STRIVE Program in selected areas of Punjab and Khyber Pakhtunkhwa for strengthening counter-violent extremism. A consultation has also been under way to identify the possible requirements of the governments that could benefit from the component Support to Provincial Governments STRIVE Strategies.
5. The European Union (EU) is also extending financial assistance to support Pakistan's Action to Counter Terrorism (PACT). NACTA activated the dormant project and conducted a series of meetings with intelligence agencies, the Ministry of Foreign Affairs (MOFA), the Economic Affairs Division (EAD), KP Government, EU and United Nations Office on Drugs and Crime (UNODC) for finalizing the operation mechanisms of the project.

4.2.15 MoUs with other Countries

NACTA has also vetted and finalized a Memorandum of Understanding (MoU) with Japan through the Ministry of Interior in order to curb the menace of terrorism internationally and to strengthen intelligence ties for combating terrorism and terrorist activities. Currently, NACTA is in the process of vetting draft MoUs with the Government of Republic of Maldives and the Government of the Russian Federation.³⁸

4.2.16 NACTA Red Book

NACTA has also initiated a compilation of the NACTA Red Book of terrorists which is under process.³⁹

4.3 Armed Militias and Afghan Strategy

Lt. Gen. Naseer Khan Janjua stated that “fighting terrorism against armed militias is our main maneuver. While Pakistan has suffered some losses; it is a matter of our pride that the people of Pakistan have been able to fight against terrorism in these operations with a national unity. These are those operations in which the civil-military was united, such as the combating operation of Zarb-e-Azb.” He went on to state that the security situation in Pakistan has greatly improved since Zarb-e-Azb and in defining which armed militias these operations have been targeting, the NSA named Tehreek-e-Taliban Pakistan (TTP), Al Qaeda, Al Qaeda in Subcontinent, sub-nationalists, Daesh, and other foreign terrorist organizations. He stated “We've put the whole terrorist spectrum under our focus. We put everyone on the canvas. This has included terrorist organizations, sectarian organizations, and Jihadi organizations.”⁴

The NSA stated that the menace of terrorism, though fairly curtailed, still remains a main threat as the TTP has gone across the border to Afghanistan and found safe havens where they are being properly

^{38,39} Ibid.

directed. This has caused a lot of damage to Pakistan. Troops are committed on the western border while the entire security apparatus including the Army, Air Force, Navy, Police, rangers, FC, coast guards and intelligence agencies are committed around the clock. Fighting terrorism remains a major focus as regards the concerned relevant national, provincial leaderships, ministries and institutions.⁴

- Against the backdrop of rising insecurity in the region, the NSA devised certain guidelines which he presented before the Pakistani leadership. These were as follow:
- “Operation Zarb-e-Azb and counter-terrorism operations be continued to root out extremism, terrorism, militancy and insurgency from every nook and corner of the country.
- Rejuvenated whole of the nation approach be inspired and adopted to ensure the success of operations. Federal government's responsibilities, provincial governments' responsibilities, FATA, AJK, Gilgit Baltistan, armed forces, intelligence agencies, judiciary and media.
- Facilitate reconciliation at the earliest in Afghanistan, using all means and less kinetic operations. This is considered essential to normalize the regional situation.
- NDS and ISI need to work together to connectively make reconciliation a possibility and inject transparency to reduce trust deficit.
- To stay relevant, Quadrilateral Coordination Group (QCG) should also continue to exploit reconciliation possibilities and help bring peace in Afghanistan.
- order monitoring mechanism should be hardened to prevent infiltration, cross-border movement. FC wings to be sanctioned for the purpose being raised in planned time. Commitment for preventing use of own soil must be fulfilled to improve our image.
- Intelligence outreach be extended in Afghanistan to proactively detect, track, monitor and bust and foil any attempt of conducting an act of terrorism from across the border.
- Where possible, confidence building measures be initiated with Afghanistan to see that the relationship does not deteriorate any further. Also, continue to engage with the US to improve the trust level.
- We must continue to ask the US and Afghanistan to eliminate Mullah Fazullah and other prominent leadership of TTP in Afghanistan. Provinces should also enhance the capacity of their police CTD and intelligence agencies. Compatible equipment must be provided and police reforms be ensured.
- Provinces to establish effective inter-city check post provided with latest equipment to monitor the movement on main roads entering and exiting their provinces.
- Provinces to conduct security audit of all sensitive, vulnerable places and assets with a view to reinforce and improve existing security arrangements.
- NACTA to complete the establishment of Joint Intelligence Directorate forthwith. In addition, national and provincial, including AJK and Gilgit Baltistan, information and operation centers be established to share real time information.⁴⁰ Hence, every individual will belong to the state.
- With respect to hate speech, there should be capacity training of implementing training agencies and the establishment of an Ulema Board. Hate material banned in one province will be shared with other provinces.”

⁴⁰ This database would be connected with NADRA, hence assisting intelligence agencies by providing a data bank of criminals and their activities.

4.4 Obstacles

Insufficient financial resources and lack of government initiatives are causing delays in the activation of NACTA and execution of the NAP.

In 2014, the Islamabad High Court placed NACTA under the charge of the Prime Minister but the obscurity over the legal status has caused delay in the implementation of NAP.⁴¹ It remains under the control of the Interior Minister who is unable to provide it with sufficient resources and skilled staff. Lack of clarity over the legal status of NACTA remained a problem until November 2015.

The Secretary of the Ministry of Interior, Shahid Khan, declared in June 2015 that progress on NAP leaves a lot to be desired. In the same meeting, the then National Coordinator NACTA Hamid Khan said that the government had been unable to collect exact data on seminaries, that more needed to be done to clamp down on terror financiers, and that refugee registration was a major task. He was also quick to aggrandize the SIM registration initiative and the ongoing operation in Karachi.⁴²

This urgency to claim victory and responsibility has also backfired and hurt NACTA in the recent past. For example, a report was sent to the government by NACTA in April 2015 which claimed that the State Bank of Pakistan (SBP) had confiscated 120 accounts belonging to banned outfits. The aggregate of money frozen in the end was Rs10.3 billion. However, upon further scrutiny, it was revealed that this amount was seized over the course of a decade and nearly no progress had been made since the enactment of the NAP.⁴³

To date, NACTA does not have a designated, refurbished space in which to operate as a cohesive unit.

4.5 CPEC Security

The China-Pakistan Economic Corridor (CPEC) project with the investment of \$46 billion is said to be a game changer that could stimulate the growth of both states and lead to the development of the entire region.

There are however, many security issues linked to the CPEC project. Earlier, under the support of the East Turkestan Islamic Movement (ETIM), Uighur militants from the Xinjiang province in Western China targeted the inhabitants of China, whereas the Tehrik-e-Taliban Pakistan (TTP) and other militant organizations in Pakistan have been targeting its citizens.

The military states that Pakistan's security forces have dismantled the ETIM with Operation Zarb-e-Azb and the Chinese President Xi Jinping acknowledged this initiative during a visit to Pakistan in April 2015. He praised the efforts of the Pakistani military and labeled it a solid step toward the peace and stability in the region. He promised to stand by Pakistan in all its activities against terrorism.

⁴¹ APP. (2014, July 09). IHC orders placement of NACTA under PM Secretariat - The Express Tri-bune. Retrieved February 27, 2016, from <<http://tribune.com.pk/story/733175/ihc-orders-place-ment-of-nacta-under-pm-secretariat/>>.

⁴² Khan, A. (2015, June 02). Fresh revelations: Anti-terror plan fails to achieve goals - The Express Tribune. Retrieved January 18, 2016, from <<http://tribune.com.pk/story/895997/fresh-revelations-anti-terror-plan-fails-to-achieve-goals/>>.

⁴³ Husain, K. (2015, April 10). Nacta's claim fails scrutiny. Retrieved February 21, 2016, from <<http://www.dawn.com/news/1174993>>.

Later in November 2015, Pakistan and China agreed on a four-layer security plan meant for the over three thousand kilometer long trade route connecting the Xinji-ang province to the Gwadar sea port. Since the civilian government has assigned the task of protecting the Chinese to the Pakistan Army and Navy, the Chief of Army Staff (COAS) assured the protection of the Chinese working in Pakistan. About 32,000 security personnel will provide security to 14,321 Chinese workers who have been working in 210 different projects across Pakistan. Over three thousand policemen, 740 Askari security guards, 4,100 private security guards, and 900 Rangers, would safeguard different projects related to CPEC.⁴⁴

In September 2016, it was reported that 14,503 security personnel had been deployed thus far to guard the 7,036 Chinese working on the CPEC project.⁴⁵ In December, 2016, it was also reported that the Navy was raising its own unit, dubbed Taskforce-88, for CPEC security.

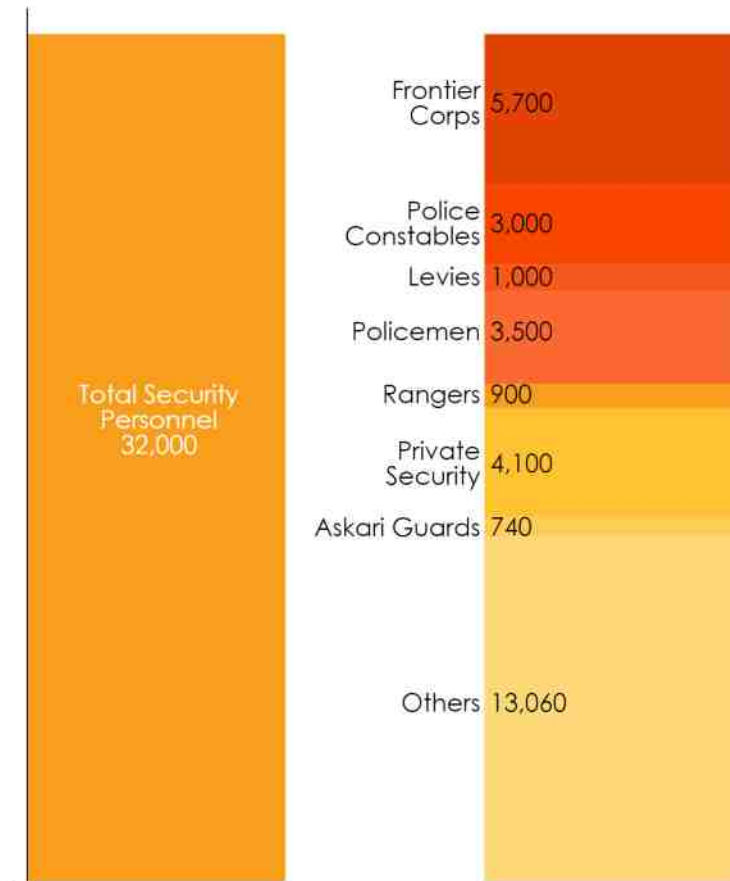
December, 2016, it was also reported that the Navy was raising its own unit, dubbed Taskforce-88, for CPEC security.⁴⁶

CPEC is also a major source of concern for Baloch nationalists who claim that it infringes upon their identity and rights. The ethnic Baloch have been ignored by the government over the last decade and the Baloch natives are now of the opinion that under the umbrella of economic development and prosperity, CPEC will turn them into a minority within their own land. There is a trust deficit, insecurity and disappointment within the Baloch community. They are scared of being marginalized by certain demographic changes that could be brought about under the CPEC project. Therefore, the Baloch community declared that they are not against the execution of the CPEC project only if the government endorses some legislation in favour of protecting the rights of the ethnic Baloch in the region. This sentiment is not universal, as some have taken up arms against the state instead.

⁴⁴ Ghiskori, Z. (2015, November 01). Economic corridor: Pakistan, China agree on four-layer security - The Express Tribune. Retrieved February 22, 2016, from <<http://tribune.com.pk/story/983033/economic-corridor-pakistan-china-agree-on-four-layer-security/>>.

⁴⁵ Correspondent. (2016, December 14). Task Force-88: Navy raises force for CPEC, Gwadar security - The Express tribune. Retrieved February 22, 2017, from, <<http://www.chinatopix.com/articles/100551/20160912/pakistan-deploys-15000-security-personnel-to-guard-7000-chinese-working-on-china-pakistan-economic-corridor.htm>>.

⁴⁶ Chedda, M. (2016, September 12). Pakistan Deploys 15000 Security Personnel to Guard 7000 Chinese Working on China Pakistan Economic Corridor - China Topix. Retrieved February 22, 2017, from, <<https://tribune.com.pk/story/1262606/task-force-88-navy-raises-force-cpec-gwadar-security/>>.

Graph 4.3 CPEC Security Personnel Deployment Breakdown

The NAP Tracker, 2016 - The Center for Research and Security Studies, 2017

More than 500 Chinese security personnel were hired to build the capacity of the Special Forces and the local police for safeguarding sensitive routes. Paki-stan Marines and the border security forces were also tasked with securing the routes linked to CPEC projects. The CPEC Project Director, Major General (retd.) Zahir Shah, asserted that the people of China are immensely satisfied with the security measures adopted by both countries. However, recent conversations with the Chinese reveal significant concerns related to matters of security. The Ministry of Interior declared that Balochistan would be more secure after the establishment of a new security policy as 1,000 Levies personnel and six wings of the Frontier Corps comprising of 5,700 personnel, and 3,000 police constables would be employed for the security of sensitive routes. The military established a special security force of nine battalions with each special division to be commanded by a serving Major General.

4.6 Special Anti-Terrorism Force / Pakistan Special Services Group

In addition to the military-run Zarb-e-Azb operation, the Special Services Group (SSG) is involved in extensive counter-terrorism operations and asymmetrical warfare in Pakistan.

4.6.1 Historical Background

SSG is also known as the Black Storks, a name derived from their unique head-dress. They are specialist counter-terrorism operatives, trained in non-traditional and asymmetrical warfare.

4.6.2 Structural Organization

Pakistani Special Forces have 7 divisions:

- 1st Commando Yaldrum Battalion
- 2nd Commando Rahbar Battalion
- 3rd Commando Powindahs Battalion
- 4th Commando Yalghar Battalion
- 5th Commando Zilzaal Battalion
- 6th Commando Al Samsaam Battalion
- 7th Commando Babrum Battalion

Divisions are controlled by Lieutenant Colonels. Each division comprises of 700 men in four companies, with each company further divided into sub-divisions and then into 10-man teams. It includes two autonomous commando companies:

- Musa Company - Specializes in Amphibious Operations
- Zarrar Company - Specializes in Counterterrorism

Trained by Zarrar Company, the Rangers Anti-Terrorist Company has been active since early 2004. The Paramilitary Rangers are primarily tasked with the urban pacification operations in Karachi.

4.6.3 Law Enforcement Progress on Counterterrorism

In a statement released by the Inter-Services Public Relations (ISPR) in January 2017, DG ISPR Major General Asif Ghafoor stated that since its launch in June 2014, Operation Zarb-e-Azb had killed 3,500 terrorists and injured 2,108. In addition, 992 terror hideouts and 7,599 factories that made Improvised Explosive Devices (IEDs) and ammo have been destroyed. 18,087 weapons of different caliber had been recovered during these operations while 253 tons of explosive material has also been destroyed.⁴⁷

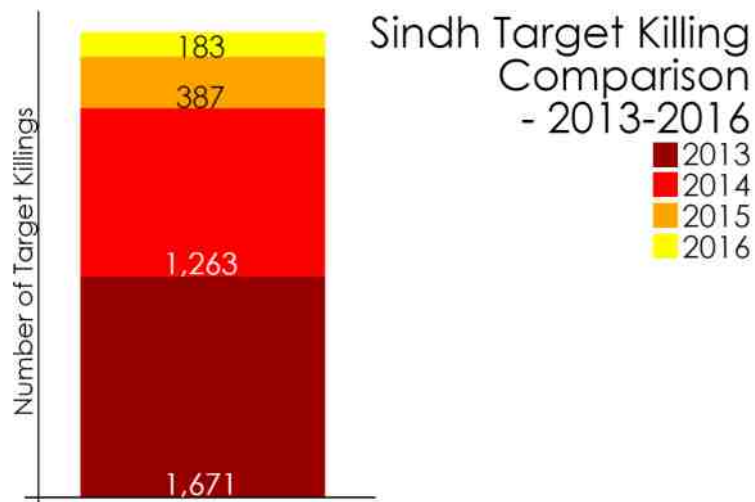
The law enforcement agencies (LEAs) have carried out a total of 25,620 intelligence-based and combing operations with 11,735 operations carried out in Punjab, 294 in Balochistan, 646 in Sindh,

⁴⁷ Staff Reporter. (2017, January 1). ISPR counts gains during 2016. The News. Retrieved January 27, 2017 from <<https://www.thenews.com.pk/print/175960-ISPR-counts-gains-during-2016>>.

4,007 in Khyber Pakhtunkhwa/FATA and 465 in Gilgit-Baltistan. The Pakistan Rangers conducted 1,992 operations in Karachi and arrested 2,847 criminals, 350 terrorists and 446 target killers. The number of security personnel that have been killed during these operations has been 583. According to DG ISPR, the cases of target killings have reduced by 91% and acts of terror by 72%.⁴⁸

Data collected by the CRSS Annual Security Report of 2016 confirms these trends. Target killing alone fell from 1,671 fatalities in 2013 to 183 in 2016. Meanwhile, terrorism incidents have also reduced drastically in the last two years.

Graph 4.4 Target Killing Statistics in District Karachi – 2013-2016



Annual Security Report, 2016 - The Center for Research and Security Studies, 2017

As per official figures quoted by the Spectator in its December 2016 report the army has killed about 3,500 Taliban fighters, destroyed 992 hideouts and cleared 3,600 square kilometers of territory since January 2015 to date. In these operations, nearly 500 soldiers have died. According to Director General of Sindh Rangers, Major General Bilal Akbar, the security situation in Karachi has also improved; where there were 2,789 killings in 2013, the first 11 months of 2016 only reported 592. Similarly, while there were 51 terrorist bomb blasts in 2013, there were only 2 in the first 11 months of 2016.⁴⁹

On August 16, 2016, the army launched an operation called the Khyber-III Operation to reinforce the deployment of troops along the Pak-Afghan border in order to effectively check the movement of terrorists by targeting their hideouts in the mountainous region of Khyber Agency. Previously, in

⁴⁸ Ibid.

⁴⁹ Peter Osborne & Sabin Agha. (2016, December 31). Pakistan is winning its war on terror. The Spectator. Retrieved January 27, 2017 from <<http://www.spectator.co.uk/2016/12/pakistan-is-winning-its-war-on-terror/>>.

⁴⁹ Peter Osborne & Sabin Agha. (2016, December 31). Pakistan is winning its war on terror. The Spectator. Retrieved January 27, 2017 from <<http://www.spectator.co.uk/2016/12/pakistan-is-winning-its-war-on-terror/>>.

operations code-named Khyber-I & II most of the terrorist-infested regions of Khyber Agency, including the strategic Tirah Valley, had been cleansed. Operation Khyber-III has successfully decimated 9 terrorist dens where large dumps of arms and ammunition were found along with targeting terrorist hideouts in air raids and ground operations. According to the military, 14 terrorists were killed and 11 were wounded in the operation. However, the military did not reveal which groups the terrorists belonged to. The Mangal Bagh Afridi-led Lashkar-e-Islam extremist group and some factions of Tehreek-e-Taliban Pakistan were known to have a strong presence in the region before the operations were launched.⁵⁰

According to the ISPR, the operation was aimed at reducing the cross-border movement of terrorists and was part of Pakistan's efforts to ensure effective border management to check the infiltration of terrorists who move between Pakistan and Afghanistan. The operation in Rajgal Valley was meant to squeeze the space available to fleeing terrorists in the border region. The military has successfully eliminated terrorists from the tribal areas, including North Waziristan Agency, where local and foreign terrorists once held control.⁵¹ As per the Director of the National Counter Terrorism Authority, Bakhtiar Mohamed, "the army has gone very deeply into every nook and corner of the tribal areas. There is no possibility of any revival of extremism."⁴⁸ In sharp contrast, NACTA has no such force at its disposal, and analysis reveals that even coordination with relevant authorities is scant at best.

4.7 Counter Terrorism Department

The eighth point in the National Action Plan deals with establishing and deploying a dedicated counter-terrorism force. According to NSA Lt. Gen. (ret'd) Naseer Khan Janjua, all the provinces have established their counter-terrorism forces according to their respective need. However, he stated that these forces should be utilized as per need and not for VIP duties. The number of required forces and the number currently present in each province, AJK, GB and Islamabad are as follows:

Department	Required	Present
Islamabad Capital Territory	1000	500
Punjab	1500	1182
Sindh	1000	782
Balochistan	1000	1000
Khyber Pakhtunkhwa	2200	2200
Gilgit Baltistan	200	168
Azad Jammu & Kashmir	500	260

4.8 Conclusion

Overall there seems to be significant progress on the counterterrorism front. The kinetic operations conducted across the country seem to have gained a lot of ground. While other mechanisms, such as

⁵⁰ Staff Reporter. (2016, August 17). Seven security personnel injured in Khyber Agency blast. The Express Tribune. Retrieved January 28, 2017 from <<http://tribune.com.pk/story/1164470/seven-security-personnel-injured-khyber-agency-blast/>>.

⁵¹ Ibid.

choking finances and communications seem to have mixed results. Undoubtedly, the noose has been tightened around armed militias and terror outfits, and a prime example of this is multiple groups clamoring to take responsibility for whenever a terror attack strikes.

There are two problems here. First, as always, these kinetic measures are finite and they will eventually plateau out. The state really needs to reevaluate the root cause behind terrorism, and deploy mechanisms to address it. The softer side of anti-terrorism and anti-radicalization efforts has not seen much light of the day, and will be crucial moving forward. Second, state enablers need to be bolstered, empowered and emboldened to allow Pakistan to tackle this menace more effectively and efficiently.

Finally, while the progress thus far is commendable, without reforms in both civilian law enforcement and the criminal justice system, it is fleeting and impermanent at best.

4.9 Excerpt from Interview With NSA, Lt. Gen. (retd.) Naseer Khan Janjua⁵²

Zeeshan Salahuddin: One criticism hurled at the NAP is that the National Counterterrorism Authority (NACTA) remains an underfunded, underutilized resource. What do you plan to do about this?

Lt. Gen. (retd.) Naseer Khan Janjua: NACTA is a crucial part of the NAP. There is now immense political will to see it succeed and play the pivotal role we have envisioned for it. They have been spearheading many areas, the result of which will be known soon. We have also allocated over Rs. 200 million [\$1.9 million] to ensure they have a centralized, refurbished location to work from. NACTA is a top priority, and we will see it succeed soon.

⁵² Salahuddin, Z. (2017, Apr 07). Pakistan's National Security Adviser on Counterterrorism. Retrieved April 12, 2017, from <<http://thediplomat.com/2017/04/pakistans-national-security-adviser-on-counterterrorism/>>.

PART 5: SECTARIANISM

NAP POINT 5: Strict action against the literature, newspapers and magazines promoting hatred, decapitation, extremism and intolerance.

NAP POINT 9: End of religious extremism and protection of minorities will be ensured.

NAP POINT 18: Action against elements spreading sectarianism.

Part 5: Table of Contents

- 5.1 Introduction
- 5.2 Minorities in Pakistan
- 5.3 Government Progress against Spreading Hatred/Sectarianism
- 5.4 The Council of Islamic Ideology (CII)
- 5.5 How Pakistan Institutionalized Discrimination Against Minorities
by Zeeshan Salahuddin
- 5.6 Excerpt from Interview with NSA, Lt. Gen. (retd.) Naseer Khan Janjua

Part 5: Sectarianism

5.1 Introduction

The fifth theme studies sectarianism and the state's attempts to curb it. It is an amalgamation of several points in the National Action Plan, specifically #5, #8 and #18, and also covers minorities' rights.

There is some overlap with Part 3: Proscribed Organizations, and Part 4: Counter-terrorism. Minority rights and government action is also covered in this section.

5.2 Minorities in Pakistan

Between 2012 and 2016 Christians faced a range of atrocities including sexual assault, harassment and forced conversions in some parts of the country. Dozens of Christians were charged under the blasphemy laws. In the 60+ attacks perpetrated against the Christian community, several churches were targeted.

The Ahmedis constantly face humiliation, threats to life and property and this is aggravated by the fact that the Second Amendment to the 1973 Constitution declared Ahmedis, non-Muslims. Ahmedi places of worship face constant threat of attacks. A mob of approximately 1000 people besieged an Ahmedi place of worship on Eid Mila-ul-Nabi but the mob was dispersed by the police and no casualties were reported.¹

Hindus remain a target of abduction, forced marriages, and the kidnapping and rape of Hindu girls. The curriculum taught in schools paints them as the enemy, tying them closely with the state's antagonistic narrative as regards India.

The minority that faces the worst of attacks is the Shia community. In the last three years, even though minority casualties have reduced by more than half, incidences of violence against Shias have risen.

During 2016, religious minorities, particularly Christians, Hindus and Shias continued to face issues with regard to targeted killings, blasphemy laws and forced marriages. Of the issues that received the most coverage was a Christian teen Nabeel who was charged under the blasphemy law for allegedly sharing a derogatory photograph of Khana-e-Kaba on Facebook.²

According to the CRSS Annual Security Report for 2016, the total number of casualties from violence

¹ Gabol, I. (2016, December 16). Mob 'besieging' Ahmadi place of worship in Chakwal dispersed by police. Retrieved March 04, 2016, from <<https://www.dawn.com/news/1302057/mob-besieging-ahmadi-place-of-worship-in-chakwal-dispersed-by-police>>.

² AFP. (2016, September 20). Christian teen charged with blasphemy. Retrieved March 04, 2016, from <<https://tribune.com.pk/story/1185112/christian-teen-charged-blasphemy>>.

Nafees, M., Gul, I., & Salahuddin, Z. (2017, March 26). CRSS Annual Security Report - 2015. Retrieved March 22, 2016, from <<http://crss.pk/wp-content/uploads/2010/07/CRSS-Annual-Security-Report-2016-Final.pdf>>.

in 2016 stood at 4,327 out of which 2,613 individuals died and 1,714 were injured.³ Of these, 670 casualties (247 dead, 423 injured) were a result of sectarian violence.

With regard to religious and sectarian violence, at least 241 individuals were killed in 2016.³ Pakistan braced for violent attacks in the wake of Mumtaz Qadri's execution, but no deaths were reported. The attack on Gulshan-e-Iqbal Park⁴ took place on the Chehlum of Mumtaz Qadri and even though the incident is often perceived as an attack on the Christian community, there were only 14 Christians out of the 72 lives that were lost in the attack.²

The Gulshan-e-Iqbal Park attack in Lahore was the deadliest of its kind, ostensibly targeting Christian families.⁴ Another major attack was in November when at least 52 persons were killed and 102 injured in a suicide attack at the shrine of Shah Noorani in Balochistan.⁵ The third largest attack occurred in the Federally Administered Tribal Areas (FATA) when a suicide bomber killed 36 people and wounded at least 37.⁶

5.2.1 Population of Different Sects of Islam in Pakistan

Sunnis and Shias are considered the two main sects within Islam. Ismalis are a sub-category of Shia Islam and Barelvi, Deboni and Ahle-Hadith are sub categories of Sunni Islam.⁷

Sect	Population
Barelvi	50%
Deobandi	20%
Shia	18%
Ahle Hadith	4%
Ismaili	2%
Others	2%

5.2.2 Laws Pertaining to Minorities

The following are some of the laws pertaining to minorities in Pakistan:

- Christian Marriage Act 1832
- Hindu Widows Re-Marriage Act 1856
- Sindh Hindu Heirs Relief Act 1866

⁴ Gabil, I & AFP. (2016, March 29). At least 72 killed in suicide blast as terror revisits Lahore. Dawn. Retrieved March 17, 2017, from <<https://www.dawn.com/news/1248259>>.

⁵ Al Jazeera News and Agencies. (2016, November 13). Attack on Shah Noorani shrine in Pakistan kills dozens. Al Jazeera. Retrieved March 26, 2017, from <<http://www.aljazeera.com/news/2016/11/dozens-casualties-attack-pakistan-shrine-16112141000715.html>>.

⁶ Firdous, I & News Desk. (2016, September 16). At least 28 killed in suicide blast at Mohmand Agency mosque. The Express Tribune. Retrieved March 17, 2017, from <<https://tribune.com.pk/story/1182675/huge-explosion-mosque-mohmand-agency/>>.

⁷ Oxford Islamic Studies.(n.d.). Pakistan, Islam in. Retrieved March 24, 2016, from <http://www.oxfordislamicstudies.com/article/opr/t125/e1809?_hi=1>.

- Christian Marriage Act 1872
- Hindu Disposition of Property Act 1916
- Hindu Inheritance (Removal of Disabilities) Act 1928
- Hindu Law of Inheritance (Amendment) Act 1929
- Hindu Gains of Learning Act 1930
- Parsi Marriage and Divorce Act 1936
- Hindu Women's Rights to Property Act 1937
- Hindu Marriage Disabilities Removal Act 1946
- Hindu Married Women's Right to Separate Residence and Maintenance Act 1946
- Protection of Communal Properties of Minorities Ordinance 2001
- Protection of Communal Properties of Minorities Communities Rules 2003

2016 saw the Sindh Assembly pass a landmark bill that codified the marriage laws for the vast number of Hindus that live in Sindh.⁸ Since Pakistan's independence, the Hindus living in the country have been considered a vulnerable community and one of the reasons for that was the fact that they could not get their marriages recognized and registered. Consequently they could not get official documents issued impacting, amongst other things, every day activities like opening a bank account. Under the Hindu Marriages Act, the Hindus have been given a legal framework within which to register their marriages and provide legal proof when required.

5.2.3 Violence against Minorities

Religious minorities in Pakistan have suffered a great deal of violence and discrimination and the state response has been historically weak. Data collected by the Center for Research and Security Studies (CRSS) shows that sectarian violence claimed about 1,340 lives (and left some 1,940 injured) during the last three years. The province of Sindh had the highest number of sectarian fatalities (569), followed by Balochistan (359), Khyber Pakhtunkhwa (215), the Federally Administered Tribal Areas (FATA) (109), and Punjab (79). The capital of the country, Islamabad, also suffered nine fatalities. Balochistan faced the highest number of injured people in sectarian violence (608).^{3,9}

Non-Muslims constitute about three percent of Pakistan's estimated population of 200 million. Some 20 percent of the rest are Shia Muslims. Prominent among the non-Muslim minority groups are Christians (2.5 million), Hindus (1 million), and Ahmedis (3 million), thus accounting for about 3.7% of Pakistan's population.¹⁰

A downward trend, as observed in all other forms of violence,³ is evident in sectarian violence as well. A more than 50% drop in fatalities in sectarian violence is visible in 2016 as compared to the percentage in 2013.

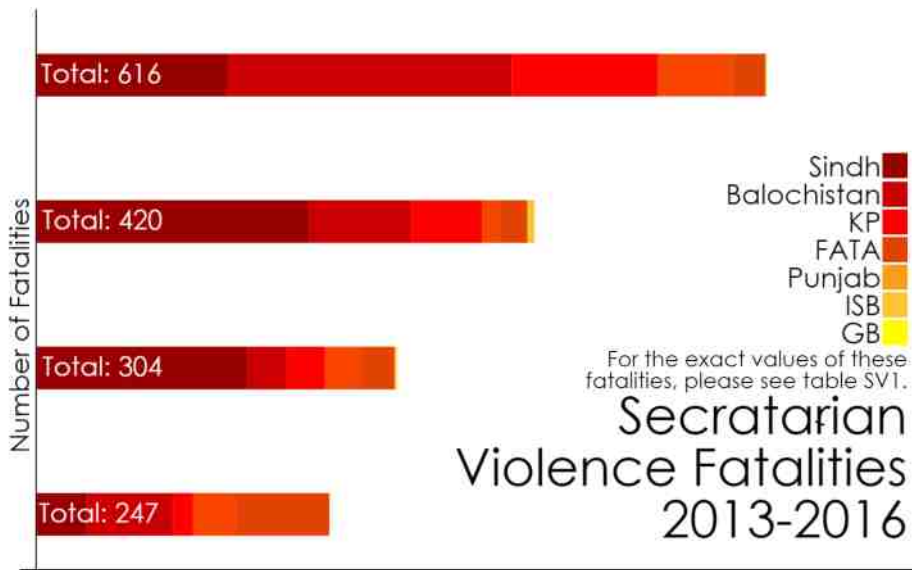
⁸ Reuters. (2016, February 15). Sindh Assembly approves Hindu Marriage Bill. Dawn. Retrieved March 04, 2016, from <<https://www.dawn.com/news/1239719>>.

⁹ 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>>.

¹⁰ Europe External Policy Advisors.(n.d.). Status of Religious Minorities In Pakistan. Retrieved February 17, 2016, from <http://www.eepa.be/wcm/dmdocuments/EP_Hearing_Pakistan/Fact_Sheet_Minorities_in_Pakistan.pdf>.

Table 5.1: Fatalities from sectarian violence by region – 2015 vs. 2016 ³				
Region	2015		2016	
	Fatalities	Injuries	Fatalities	Injuries
Punjab	27	99	27	99
Balochistan	33	31	33	31
Sindh	178	131	178	131
FATA	31	76	31	76
KP	33	63	33	63
Islamabad	2	1	2	1
Total	304	401	247	423

Graph 5.1 – Sectarian Violence Fatalities – 2013-2016

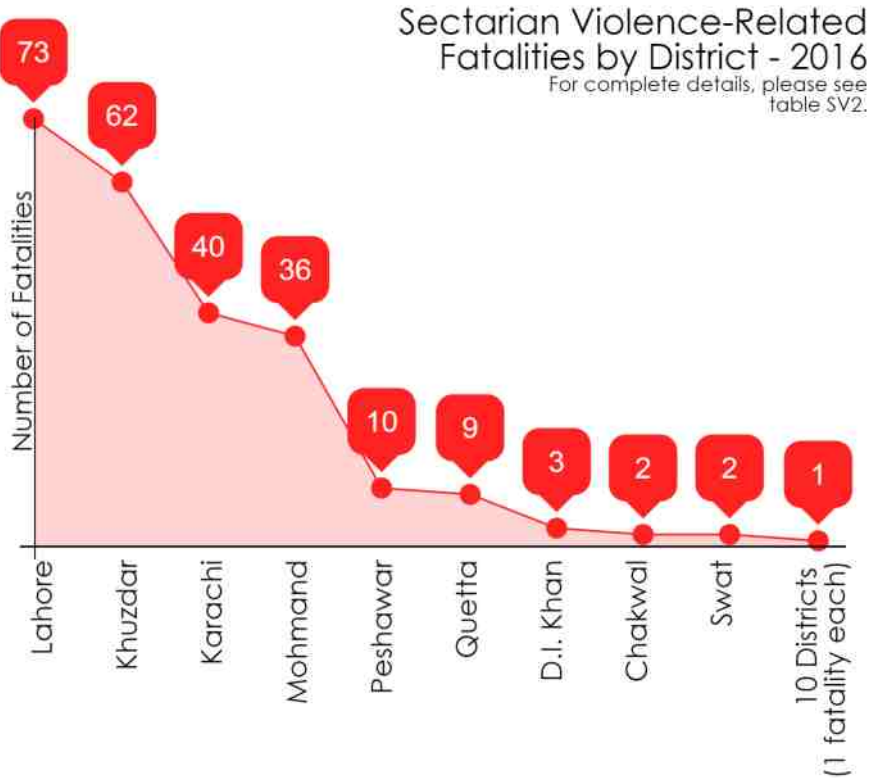


The Center for Research and Security Studies, Pakistan Annual Security Report - 2017

The year 2016 also saw a reduction in sectarian violence. There were 241 fatalities, compared to 304 in 2015 and most of these fatalities resulted from suicide attacks. Overall there was a reduction in sectarian violence in Sindh and Khyber Pakhtunkhwa, but in Punjab, FATA and Balochistan, there was a significant increase.¹¹ Lahore had the highest number of fatalities due to sectarian violence at 74, followed by Khuzdar at 62, which was affected by the attack on Sufi pilgrims at the Shah Noorani shrine.

¹¹ Nafees, M., Gul, I., & Salahuddin, Z. (2017, March 26). CRSS Annual Security Report - 2015. Retrieved March 22, 2016, from <<http://crss.pk/wp-content/uploads/2010/07/CRSS-Annual-Security-Report-2016-Final.pdf>>.

Graph 5.2 Sectarian Violence in Pakistan by District - 2016



Annual Security Report, 2016 - The Center for Research and Security Studies, 2017

The year 2016 also saw a significant drop in fatalities of Shia Muslims (from 192 in 2015 to 25 in 2016). This is an interesting statistic considering that in 2016, Shia Muslims were the most affected by fatalities from sectarian violence than any other group. In 2016 Shia Muslim fatalities ranked number 4 in terms of fatalities.³

The highest number of fatalities of a specific group were Sufis at the Shah Noorani shrine attack (62), followed by Christians at 59 and Sunni Muslims at 48.³

Major causes for sectarian violence include incitement by religious leaders, particularly through the misuse of loudspeakers during sermons, institutionalized discrimination, biased curriculum, and the abuse of controversial laws.

The blasphemy laws in particular can be systematically abused to target minorities and incite religious hatred but there has been some progress towards starting a dialogue as regards reform. A step in that direction was the courts upholding the death sentence for Mumtaz Qadri, the man who killed

Punjab's sitting Governor Salman Taseer on what he viewed as blasphemous conduct.¹² In May 2015, a draft bill was introduced calling for severe penalties for misuse of the blasphemy laws.¹³ In a statement by the Supreme Court in October 2015, Justice Asif Saeed Khosa remarked that criticism of blasphemy laws was not blasphemy in itself, thus opening the doors for a public debate on the issue.¹⁴ At the end of the 13-month audit period, a boy in Khanqah cut off his own hand after he was marked a blasphemer by the local cleric. The cleric has since been arrested and charges have been filed against him.¹⁵

5.2.4 Supreme Court Judgment

In June 2014, the Supreme Court of Pakistan highlighted the state's failure to protect religious minorities and their places of worship. The Court found a "lack of awareness about minority rights" among law-enforcement agencies and observed that assaults against religious minorities could be credited to the failure by the state to take satisfactory preventive measures.¹⁶

These preventative measures include designing school curriculums to promote religious tolerance and cohesion, constituting a national council for the protection of minorities to frame policy recommendations for safeguarding and protecting the rights of religious minorities, constituting a special police force to protect places of worship of religious minorities and ensuring that action, including registration of criminal cases, is promptly taken to bring to justice perpetrators who abuse the rights of religious minorities.¹⁷

5.3 Government Progress against Spreading Hatred/Sectarianism

Latest figures reported in media show that 15,259 clerics, religious teachers and prayer leaders were arrested for "delivering hate speeches and possessing hate/anti-state material" and that most of these arrests were made based on intelligence reports. Additionally, 14,869 cases were filed against individuals preaching hate, while approximately 6,000 cases were registered against vendors selling hate material.¹⁸

However, the National Security Advisor, Lt. Gen. (Retd.) Naseer Khan Janjua told CRSS that 1,365 cases had been registered and 2,058 individuals arrested for hate speech and spreading hateful material.¹⁹

¹² Malik, M. Z. (2015, March 09). Death sentence upheld for killer of Pakistani governor over blasphemous law. Retrieved March.

¹³ Lodge, C. (2015, June 01). World. Retrieved February 24, 2016, from

<<http://www.christiantoday.com/article/pakistan.new.legislation.could.stop.misuse.of.blasphemy.laws/55131.htm>>.

¹⁴ Haider, I. (2015, October 05). Criticising blasphemy law does not amount to blasphemy: Justice Khosa. Retrieved March 26, 2016, from <<http://www.dawn.com/news/1211047>>.

¹⁵ Gillani, W., & Nordland, R. (2016, January 18). Boy's Response to Blasphemy Charge Unnerves Many in Pakistan. Retrieved January 19, 2016, from <<http://www.nytimes.com/2016/01/19/world/asia/boys-response-to-blasphemy-charge-unnerves-many-in-pakistan.html>>.

¹⁶ Omer, R. (2015, November 24). Minority matters. Retrieved May 06, 2016, from <<http://www.dawn.com/news/1221823>>.

¹⁷ US State Department. (2014, July 28). 2013 Report on International Religious Freedom - Bureau of Democracy, Human Rights, and Labor. Retrieved March 27, 2016, from <<http://www.state.gov/j/drl/rls/irf/2013/sca/222339.htm>>.

¹⁸ Gishkori, Z. (2016, August 01). Over 15,000 hate mongers arrested in 18 months. Retrieved March 04, 2016, from <<https://www.geo.tv/latest/110529-Over-15000-hate-mongers-arrested-in-18-months>>.

¹⁹ CRSS held exclusive interviews with the NSA in December 2016, January 2017 and February 2017. The NSA leads the National Security Decision, and is responsible for the security of Pakistan. The implementation of the NAP is one of his tasks.

In addition, 70 shops had been sealed. Regarding the misuse of loudspeakers to spread hatred or incite violence, 15,365 cases had been registered, with 15,898 arrested across Pakistan. 4,294 pieces of equipment had also been confiscated. He also said that there was zero tolerance for religious discrimination in Pakistan. This may be evidenced further by the fact that the five Muslims that incited a mob to lynch and burn alive a Christian couple, were arrested, tried, convicted and awarded the death penalty for their crimes.²⁰

The Pakistani Prime Minister Nawaz Sharif in his address to the Hindu community at a Diwali event in Karachi said, "I am the Prime Minister of all Pakistanis, whether they are Hindu, Muslim, Sikh, Christian, Parsi, or any other religion. I will stand by victims of violence and ensure perpetrators are brought to justice, even where the perpetrators are Muslims."

In August 2016, the Prevention of Electronic Crimes Bill was passed with the objective of safeguarding the rights of individuals against various types of cyber-crimes, and prohibits the online criticism of religion.²²

Mr. Lal Chand, Member National Assembly, proposed and moved the National Commission for Minority Rights Act, 2015.²³ The proposed act lists the functions and powers of the Commission as follows:

- (1) The Commission shall perform all or any of the following functions, namely;
 - a) Evaluate the progress and development of minorities;
 - b) Monitor the working of the safeguards provided in the Constitution of Pakistan and laws enacted by Parliament;
 - c) Make recommendations for effective implementation of safeguards for the protection of the interests of minorities
 - d) Inquire and investigate into specific complaints regarding deprivation of rights and safeguards of the minorities and take up such matters with the appropriate authorities
 - e) Undertake studies into problems arising out of any discrimination against minorities and recommend measures for their removal
 - f) Conduct studies, research and analysis on the issues relating to socio-economic and educational development of minorities
 - g) Suggest appropriate measures with respect to any minority to be undertaken by the government
 - h) Make periodical or special reports to the government on any matter pertaining to minorities and in particular the difficulties confronted by them
 - i) Any other matter which may be referred to it by the government, and

²⁰ Agencies. (2016, November 13). Five sentenced to death in Pakistan for lynching and burning Christian couple in a kiln. The Independent. Retrieved March 8, 2017, from <http://www.independent.co.uk/news/world/asia/pakistan-death-sentence-christian-couple-shahzad-masih-shama-bibi-kiln-lynch-a7435156.html>.

²¹ Omer, R. (2015, November 24). Minority matters. Retrieved May 11, 2016, from http://epaper.dawn.com/DetailImage.php?StoryImage=24_11_2015_008_003.

²² Khan, R. (2016, August 11). Cyber crime bill passed by NA: 13 reasons Pakistanis should be worried. Retrieved March 04, 2016, from <https://www.dawn.com/news/127666>.

²³ Session of the National Assembly. Retrieved May 06, 2016, from http://www.na.gov.pk/uploads/documents/1450170084_274.pdf.

- j) Review existing laws or those that may be enacted in future to ensure they are in the best interest of religious minorities and send its recommendations to Parliament.
- (2) The Government shall cause the recommendations referred to in clause (c) of sub-section (1) to be laid before Parliament along with a memorandum explaining the action taken or proposed to be taken on the recommendations and the reasons for the non-acceptance, if any, of such recommendations.
- (3) The Commission shall, while performing any of the functions mentioned in sub-clauses (a), (b) and (d) of sub-section (1), have all the powers of a civil court trying a suit and, in particular, in respect of the following matters, namely.
- a) Summoning and enforcing the attendance of any person from any part of Islamic Republic of Pakistan and examining him on oath;
 - b) Requiring the discovery and production of any document;
 - c) Receiving evidence of affidavits;
 - d) Requisitioning any public record or copy thereof from any court of office;
 - e) Issuing commissions for the examination of witness and documents; and any other matter which may be prescribed.

The National Commission for Minority Rights Act, 2015 was moved in 2015. Following the adoption of the bill against forced religious conversions,²⁴ in December 2016, there was another call to establish said commission. However, the status of this bill is still pending.²⁵

The Sindh Government announced on January 19, 2016, that it is planning to legislate a bill which will allow only government approved Friday sermons in all mosques in a bid to curb extremism and promote sectarian harmony in the province.

As has been mentioned before, there has been an on-going issue as regards forced conversions and marriages of Hindu women. In September 2016, the Sindh Assembly passed a law allowing Hindu couples in Sindh to register their marriages.⁸ This law would not only play an instrumental role in protecting women against forced marriages but would also help in matters of inheritance, adoption and the legality of heirs etc.

5.4 The Council of Islamic Ideology (CII)

The CII is mentioned here because it is in a unique position to alter the framework that drives radical ideology in Pakistan and work with the state to introduce / amend laws that can help create sustainable stability, and protect minority rights.

²⁴ Chaudhary, H. & Mugheri, I. (2016, November 24). Sindh Assembly adopts bill against forced religious conversions. Dawn. Retrieved, March 03, 2017, from <<https://www.dawn.com/news/1298369>>.

²⁵ Mansoor, H. (2016, December 11). Call for early establishment of minority rights commission. The Express Tribune. The Express Tribune. Retrieved, March 03, 2017, from <<https://www.dawn.com/news/1301664>>.

5.4.1 CII: A Brief History

The CII is a constitutional advisory body on Islamic injunctions. It was inaugurated as the Advisory Council of Islamic Ideology on August 1, 1962, under General Ayub Khan to serve as an advisory body. It has gone through some minor changes over the years, but its primary function stays the same. The CII also enjoys immense legislative and policy power, despite being comprised of no law-makers.

The 1973 Constitution, under Articles 228-31, gave the CII the task of identifying laws contrary to Islam and recommending amendments to bring those more in line with Islamic principles. The CII was also used by General Zia-ul-Haq to legitimize and pass controversial legislation like the Hudood Ordinance.

5.4.2 CII: Role and Functions

Aside from the above, the Council's current functions include recommending laws to the Parliament and provincial assemblies that conform to the Quran and Sunnah, making recommendations to bring current laws more in line with Islamic injunctions and advising the Parliament, provincial assemblies or other government functionaries on proposed laws and whether they are in accordance with Islamic injunctions or not.

5.4.3 Controversies

The CII is a controversial body by the very nature of its functions. Under the leadership of Dr. Khalid Masood (Chairman CII 2004 – 2010), the CII supported some progressive reforms, including women's rights. However, since then, the CII has been at the center of questionable recommendations and ideology. Most recently, it termed a piece of legislation banning child marriages as un-Islamic,²⁶ resulting in country-wide protests asking for the abolishment of the CII.²⁷

5.5 How Pakistan Institutionalized Discrimination Against Minorities by Zeeshan Salahuddin²⁸

A newspaper advertisement in Bannu, Khyber Pukhtunkhwa recently called for applications for the khakroab position. This is the official term for a sweeper, a member of the janitorial staff. Historically, because of institutional racism and religious persecution, this role has been almost exclusively reserved for Hindus, and especially Christians. The advertisement, in the column labeled "religion", listed Hindu, Balmiki (a sect of Hinduism), Christian and Shia.

The ensuing rage on Twitter and other social media was immediate. The resulting apology was swift, and predictably spun to feign sincerity and innocence. But even then, they only apologized for using

²⁶ Tharoor, I. (2016, January 15). Bill banning child marriage fails in Pakistan after it's deemed 'un-Islamic'. Retrieved January 18, 2016, from <<https://www.washingtonpost.com/news/world-views/wp/2016/01/15/bill-banning-child-marriage-fails-in-pakistan-after-its-deemed-un-islamic/>>.

²⁷ Correspondent. (2016, January 20). One for the women: Civil society demands Centre to abolish CII - The Express Tribune. Retrieved March 25, 2016, from <<http://tribune.com.pk/story/1030606/one-for-the-women-civil-society-demands-centre-to-abolish-cii/>>.

²⁸ Originally published in The Daily Times, March 24, 2017.

the word “Shia”. Congratulations Shias, you have been upgraded to first class citizens.

There are so many things wrong with this picture, that it is difficult to determine a starting point.

First, how did this advertisement ever get past the approval process? Second, how did the newspaper itself not object to such open discrimination, not just against Hindus and Christians, but also the fact that it tacitly labels Shias as non-Muslims? Third, and perhaps most importantly, why was there even a need to drag religion into a job posting? The answer to all three is simple. We have come to accept that such positions will only be applied for (and subsequently granted to) Christians and Hindus, as it is beneath our collective, imagined station. And this was no accident; it was deliberate, because it is considered common practice.

This is the state of affairs in contemporary Pakistan. A provincial government that touts itself on inclusion and tolerance, and wants to set the new standard for both politics and governance in Pakistan, allows this to fly under its nose. Even when the apology is issued, it completely ignores Christians and Hindus, because honestly, who cares, right?

During the coverage of the PSL recently, a comedian on television said the following verbatim to showcase his patriotism: “I am ready to do anything for Pakistan, I will even become a choora”. A choora is a derogatory term for a Christian khakrob, and this statement elicited thundering applause from the studio audience. What a great man, he is willing to sink all the way to the level of a choora to save Pakistan! No one questioned the logical inconsistency. No one questioned the deep-seated racism and hatred for minorities. No one questioned the comedian on this exceptionally insolent and crass claim.

The racism continued in various forms on the program. A short while later, the comedian asked a former cricketer, a question about Chris Gayle. He asked whether Gayle feels disgusted when he looks at his own black hands. Surely it must cause nausea when he is eating. Tactfully, the guest stayed quiet on the issue, and the show moved on as if nothing had happened. The comedian, however, looks quite pleased with himself, for he had cleverly snuck in both religious discrimination and racism into the affair, and no one had been the wiser.

All of this is normal, but it should not be. All of this is accepted, but it should not be. Within our so-called liberal bubbles, we feel secure that we clamored over social media. But the dirty secret of social media is that most of what is said on social media is not seen by most people. It is not sufficient to just tweet a picture of the newspaper. As citizens, we need to hold our leaders more accountable. Make calls to their office, write letters to their secretaries, send emails with demands for a better apology, and a promise to refrain from tinging a job posting in religious racism ever again.

Discrimination against minorities seems to be the true national sport of Pakistan. In our textbooks, in our daily social upbringing, we are lead to believe that non-Muslims are lesser beings, second-class citizens meant for janitorial jobs, indifferent attitudes, and universal disdain. This institutional racism has crept into every crevice, every pore, and every corner of Pakistani society. It is our responsibility, as conscientious citizens to keep to in check, to challenge it, and to demand a better environment for everyone as equal citizens, as afforded by Article 25 of the Constitution of Pakistan.

5.6 Interview with NSA, Lt. Gen. (retd.) Naseer Khan Janjua²⁹

Zeeshan Salahuddin: Can you give some examples of the divisive points [in Pakistani society]?

Lt. Gen. (retd.) Naseer Khan Janjua: There are a range of divisive issues. Hate speech is one of them, as well as religious persecution, re-emergence of proscribed organizations, madrassas, and sectarianism. These areas are divisive because they are highly sensitive. If we approach one of these areas from a divided perspective, or divided platforms, it will only create further cracks and divisions. Therefore it is of critical importance that we approach these areas by evolving consensus and bringing all relevant stakeholders on-board. Creating this united space is a steady, slow process, but it is crucial for Pakistan in the long run.

²⁹ Salahuddin, Z. (2017, Apr 07). Pakistan's National Security Adviser on Counterterrorism. Retrieved April 12, 2017, from <<http://thediplomat.com/2017/04/pakistans-national-security-adviser-on-counterterrorism/>>.

PART 6: 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.

Part 6: Local Conflicts

- 6.1 Introduction
- 6.2 FATA Reforms
- 6.3 FATA: Operation Zarb-e-Azb
- 6.4 Karachi Operation
- 6.5 Balochistan Insurgency
- 6.6 Punjab
- 6.7 ARTICLE: FATA Reforms: the Political Economy by Imtiaz Gul
- 6.8 ARTICLE: The Situation in Sindh by Hasan Mansoor
- 6.9 ARTICLE: The Situation in Balochistan by Shehzada Zulfiqar
- 6.10 ARTICLE: The Situation in Punjab - A Long Way to go by Waqar Gillani
- 6.11 ARTICLE: NAP in KP – A Ray of Hope by Imtiaz Gul
- 6.12 Excerpt from Interview with NSA, Lt. Gen. (retd.) Naseer Khan Janjua

Part 6: Local Conflicts

6.1 Introduction

The NAP also attempts to address local conflicts and this chapter focuses on NAP points 12, 16, 15 and 17 which correspond with the on-going conflicts in the Federally Administered Tribal Areas (FATA) (#12), Karachi (#16), Balochistan (#17) and Punjab (#15).

Conflict resolution in FATA is being sought through a combination of driving out militants under Operation Zarb-e-Azb, and a FATA Reforms Committee which has recommended judicial reforms and merger with Khyber Pakhtunkhwa (KP).

The Karachi operation under Zarb-e-Azb is also continuing and there is a dramatic decrease in violence.

The state is attempting to control the security situation in Balochistan, particularly the Baloch insurgents. However, violence in Balochistan seemed to escalate in 2016.

Although Punjab, for the most part, remains free of any major local conflicts, the Lahore bombing on March 28, 2016¹ prompted widespread criticism and triggered military operations in the province as well.²

6.2 FATA Reforms

6.2.1 Historical Background of FATA

FATA is geographically located along the Durand line with Khyber Pakhtunkhwa 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 the government's 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 the Government of India Act are still areas excluded from the realm of development, investment, and modern civilization. FATA has no network of state institutions in the modern sense. Almost seven decades after independence, tribal Pashtuns remain subject to the application of this inhumane set of regulations.

¹ Al Jazeera. (2016, March 28). Lahore bombing: Pakistan mourns as death toll rises. Al Jazeera. Retrieved March 17, 2017, from <<http://www.aljazeera.com/news/2016/03/lahore-bombing-pakistan-mourns-death-toll-rises-160328091627212.html>>.

² AFP/Reuters. (2016, March 28). Military gives go-ahead for Punjab operation after Lahore carnage. Dawn. Retrieved March 17, 2017, from <<https://www.dawn.com/news/1248435>>.

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), currently headed by Lt. Gen. (Retd.) Abdul Qadir Baloch.

6.2.2 FCR versus 1973 Constitution

Pakistan's Constitution guarantees fundamental human rights, including the right to equal citizenry, to all Pakistanis under Articles 8-28. However, under Article 247 these provisions do not extend to the residents of FATA. No Act of Parliament extends to these areas unless the president so directs. In fact, even law-makers 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.

6.2.3 Current Status: FATA Reforms

The 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 but unfortunately the report didn't come up with any suggestions on FATA reforms.³

Another FATA Reforms Committee was formed in November 2015⁴ by Prime Minister Nawaz Sharif, almost a year after the APS attack to assist with the implementation of point 12 within the National Action Plan. This move was seen by many as a means to appease law-makers from FATA for the withdrawal of their candidate five days before the election for the Speaker of the National Assembly.

The main goal of the Committee was to align FATA into the mainstream judicial system and bring about an end to the violence in the agencies. The Committee was also assigned the task of determining whether FATA should be merged with its neighbouring province of Khyber Pakhtunkhwa or whether it should be declared as a separate province/territory. The five member committee is headed by Sartaj Aziz who also acts as the Prime Minister's advisor on foreign affairs.

The FATA Reforms Committee published its first report in August 2016. According to the report the Committee had visited all seven FATA Agencies and held meetings with the tribal Maliks (leaders) and other political and civil stakeholders to gather an in depth understanding of the security situation and

³ Ali, Z. (2014, March 20). Another commission formed on Fata reforms. Retrieved March 04, 2016, from <<http://www.dawn.com/news/1107498>>.

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

determine the best means to bring socio-political reforms. The report included recommendations for reforms which, if approved, would be implemented over a ten year period.⁵

According to the report, there is a desperate need for socio-political and judicial reforms in FATA, and the most appropriate means to achieve these reforms is to integrate FATA with KP. This integration would be beneficial for many reasons which include geographical and cultural factors.

However, in order to achieve a smooth integration, it is important for FATA to develop to a certain level, where it can compare to KP. The National Security Division recognizes this need for extensive developmental programs and suggests that 3% of the National Finance Commission Award should be allotted to FATA over the next 10 years. This amount comes up to approximately 900 billion Rupees and should be used to create and facilitate the FATA Development Authority for building up infrastructure, on par with the other provinces in Pakistan. For example until October, FATA did not have a single university for higher education.⁶ However, as of December 19, 2016, there were still protests against the center for delaying the reform process.⁷

There is also a proposal to replace the Frontier Crimes Regulations (FCR) with a Tribal Rewaj Act which proposes that the “provisions relating to collective responsibility in the FCR should be omitted from the new act”, and that the “jurisdiction of the Supreme Court of Pakistan and the Peshawar High Court should be extended to FATA”. The report also proposes the retention of the Jirga system, with major enhancements, to resemble the internationally accepted Jury system.⁸

However, even with this proposal, concerns as regards the violations of fundamental rights guaranteed by the Constitution of Pakistan still remain.⁶

For a detailed discussion on the political economy of FATA reforms, please see [Section 6.7](#).

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 the Sindh province. The operation had 30,000 soldiers on the front lines and was launched following the breakdown of negotiations with extremist elements and a brazen attack on the Karachi airport.⁹

6.3.1 Operational Progress

FATA has seen significant progress in terms of violence-related fatalities in the last several years running. According to data collected by this think tank, there were 3,371 fatalities in FATA alone in 2014, which dropped to 1,917 in 2015,¹⁰ and further to 495 in 2016.¹¹ This is an overall reduction of over 85%.

Table 6.1 FATA Violence-Related Fatalities by Agency - 2014-2016			
Agencies	2014	2015	2016
North Waziristan	1,790	814	189
Khyber Agency	1,184	752	151
South Waziristan	84	98	17
Kurram Agency	27	90	27
Orakzai	125	74	1
Mohmand	98	51	101
Bajaur	63	38	9
Total	3,371	1,917	495

Graph 6.1 FATA Victims of Violence - 2015 vs. 2016

FATA Victims of Violence - 2015 vs. 2016



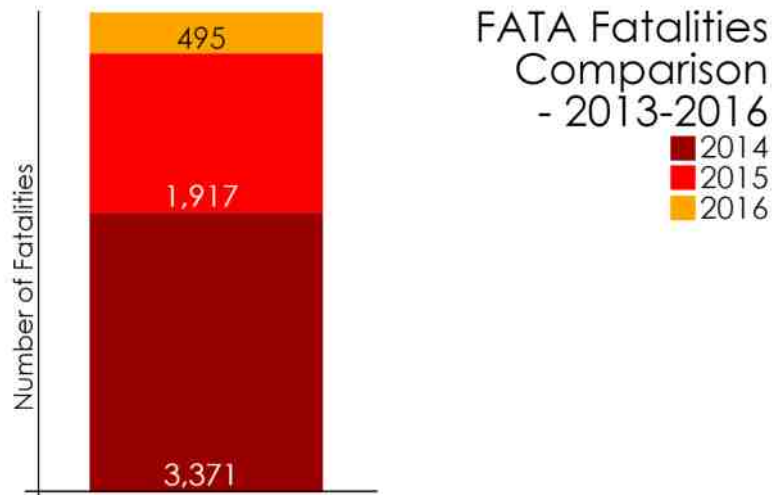
Annual Security Report, 2016 - The Center for Research and Security Studies, 2017

¹⁰ 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>>.

¹¹ Nafees, M., Gul, I., & Salahuddin, Z. (2017, March 26). CRSS Annual Security Report - 2015. Retrieved March 22, 2016, from <<http://crss.pk/wp-content/uploads/2010/07/CRSS-Annual-Security-Report-2016-Final.pdf>>.

In 2016, the Pakistani Air Force and the Army (which manages Operation Zarb-e-Azb), focused on securing the country's borders to prevent terrorism from flowing in. As FATA falls on Pakistan's Western border with Afghanistan, it remained a key geographical area of focus. In partnership with law enforcement agencies, the military continued to conduct operations to root out and prevent terrorism and violence in this region.

Graph 6.2 FATA Fatalities Comparison - 2013-2016



The NAP Tracker, 2016 - The Center for Research and Security Studies, 2017

There were a large number of attacks on security forces and civilians in FATA in 2016, but the frequency and intensity was significantly tempered, especially when compares to 2013 and 2014. It must be said, however, that the military claims all terrorist and militant hideouts have been eliminated in FATA. But the fact that the militants continue to create problems for both security agencies and civilians, even in a limited capacity, shows that this is not a sustainable solution. 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 ensure the relative peace acquired is maintained in the long run.

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

Karachi, despite a dramatic yearly decline in overall violence in the country, remains the most violent

district of Pakistan. By some estimates, Karachi's population exceeds 24 million, larger than the continent of Australia. It is a sprawling urban metropolis, plagued by urban street crime, violent political militancy, and in recent years, infiltration by the Pakistan Taliban.

Muttahida Qaumi Movement (MQM), the leading political party in Karachi has been blamed for creating and facilitating political issues in the city for many years. Political militancy has afflicted Karachi, resulting in tens of thousands of target killings – a term that signifies political or religious underpinning to someone's murder. Terms like *namaloom afraad* (unknown individuals) were used as a popular moniker in the city to signify unrest or disruption caused by violent, organized groups of individuals. Both target killings and public disruptions have been curbed significantly in the last two years, but they remain an issue.

There are widely circulated conspiracy theories that unrest in Karachi is driven by external factors. The state has to work on ensuring that the situation is not worsened by hostile intelligence agencies operating in the city, and the youth are not fueled to pick up arms against the state.

It is therefore appropriate that the current security operation in Karachi is being carried out in cooperation with the Pakistan Rangers, Sindh Police, the Counter-Terrorism Department (supported by the Ministry of Interior), Pakistan Army and intelligence agencies. Tasks assigned to the Rangers have been particularly successful. The goal of this operation, as with others, is to minimize violence and crime in the city, and to this end, they have been extremely successful.

However, every action has an equal and opposite reaction. While target killings and urban crime has declined sharply in the city, extra-judicial killings are on the rise. In September, 2016, Human Rights Watch urged that law enforcement agencies halt torture and extra-judicial killings as a mechanism to curb crime.¹²

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.¹³ Two years later, the Rangers announced the completion of phase one, with the second phase to commence from August 14, 2015.¹⁴

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

¹² AFP. (2016, September 26). HRW urges Pakistan to halt torture, killings by police. The Express Tribune. Retrieved March 02, 2017, from <<https://tribune.com.pk/story/1188614/rights-group-urges-pakistan-halt-torture-killings-police/>>.

¹³ 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://foreignpolicy.com/2015/04/15/a-new-turn-for-pakistans-fight-against-militancy/>>.

¹⁴ 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/>.

6.4.3 Shift in Focus since NAP

A new sense of urgency was observed in January, 2015 when the PM called a high level meeting on the law and order situation in Karachi.¹⁵ 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 weapons.¹⁶ Both sources of violence in Karachi, religious militancy and political militancy, were being targeted.

In August 2016, recordings of MQM's London based leader Altaf Hussain's speech went viral, where he expressed anti-Pakistan sentiments, including, "Pakistan is cancer for [the] entire world... Pakistan is headache for the entire world. Pakistan is the epicenter of terrorism the entire world. Who says long live Pakistan... it's down with Pakistan".¹⁷

In this speech, Mr. Hussain is also alleged to have insinuated his followers to conduct violent attacks on the news offices of Samaa TV and ARY News. Subsequently, MQM followers attacked the offices of ARY News and the police rangers, resulting in at least one fatality, with five injured individuals being sent to the hospital for treatment.¹⁸

Additionally, a raid was conducted at the MQM headquarters, Nine Zero, where senior party leaders were arrested and the headquarters were also sealed. In the subsequent weeks, small clashes were reported between police and MQM workers/followers.¹⁹ This was the second time Nine Zero was raided, the first time being in March, 2015.¹⁵

6.4.4 Outcomes of Karachi Operation

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, having 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 2015.¹⁰

District	2014	2015	2016
Karachi	2,023	1,040	474

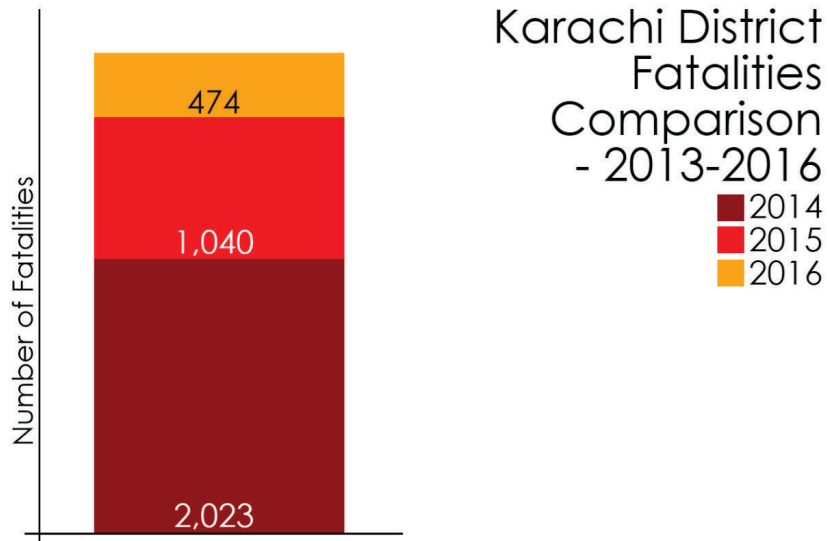
¹⁵ Khan, F. (2015, August 10). PM summons high-level meeting on law and order situation in Karachi tomorrow - The Express Tribune. Retrieved March 04, 2016, from <<http://tribune.com.pk/story/829573/pm-summons-high-level-meeting-on-law-and-order-situation-in-karachi-tomorrow/>>.

¹⁶ 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/>>.

¹⁷ Staff Reporter. (2016, August 23). What Altaf said... Dawn. Retrieved March 17, 2017, from <<https://www.dawn.com/news/1279393>>.

¹⁸ Ali, I. (2016, August 22). One dead, five injured in attack on ARY News Karachi office. Dawn. Retrieved March 17, 2017, from <<https://www.dawn.com/news/1279242>>.

¹⁹ Dawn. (August 23, 2016). Rangers take MQM leaders into custody, seal party headquarters Nine Zero. Dawn. Retrieved March 17, from <<https://www.dawn.com/news/1279250>>.

Graph 6.3 Karachi District Fatalities Comparison - 2013-2016

The NAP Tracker, 2016 - The Center for Research and Security Studies, 2017

Although there was an overall decrease in violence in Karachi when compared to 2015, it remained the most violent city in the country. With a total number of fatalities at 476, this was a 54% reduction from 2015, where there were 1040 casualties.¹⁰

Street crimes in Karachi increased in 2016, which presents an added challenge for the police force. There is also pressure to ensure that the existing situation is not worsened or fueled by hostile intelligence agencies, calling for the youth to pick up arms against the state. The Sindh government has shown an inclination to bring about reforms in its police force. In September, it was announced that Rs. 2.2 billion from the provincial budget will be allocated to purchase 30,000 sub-machine guns from the Pakistan Army and to provide specialized training to 2,500 police officers. This training would be provided by top notch Pakistan Army and international professionals, and would build the police officers' capacity to deal with higher level crimes.²⁰

There is clearly a lot more work that remains to be done in Karachi. However, the operation must be credited for the reduction in violence over the years.

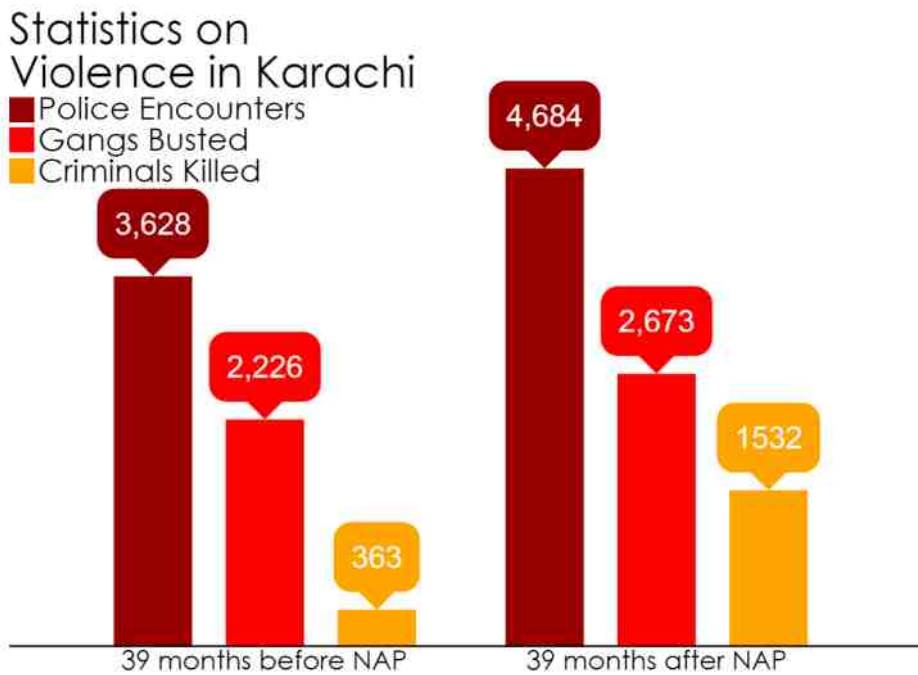
In a recent interview with CRSS, the National Security Advisor Lt. Gen. (retd.) Naseer Khan Janjua shared the following statistics about the Karachi operation, split into 39 months before, and after, the Karachi operation began.²¹

²⁰ Rasheed, S. A. (2016, October 16). Police reforms in Sindh. The Daily Times. Retrieved February 16, 2017, from <<http://dailytimes.com.pk/opinion/06-Oct-16/police-reforms-in-sindh>>.

²¹ CRSS held exclusive interviews with the NSA in December 2016, January 2017 and February 2017. The NSA leads the National Security Decision, and is responsible for the security of Pakistan. The implementation of the NAP is one of his tasks.

Table 6.3 – Statistics on Violence in Karachi		
Incident Type	39 months before op	39 months after op
Police Encounters	3,628	4,684
Gangs Busted	2,226	2,673
Criminals Killed	Terrorists	21
	Kidnappers	3
	Extortionists	11
	Dacoits	328
	Total	363

Graph 6.4: Statistics on Violence in Karachi



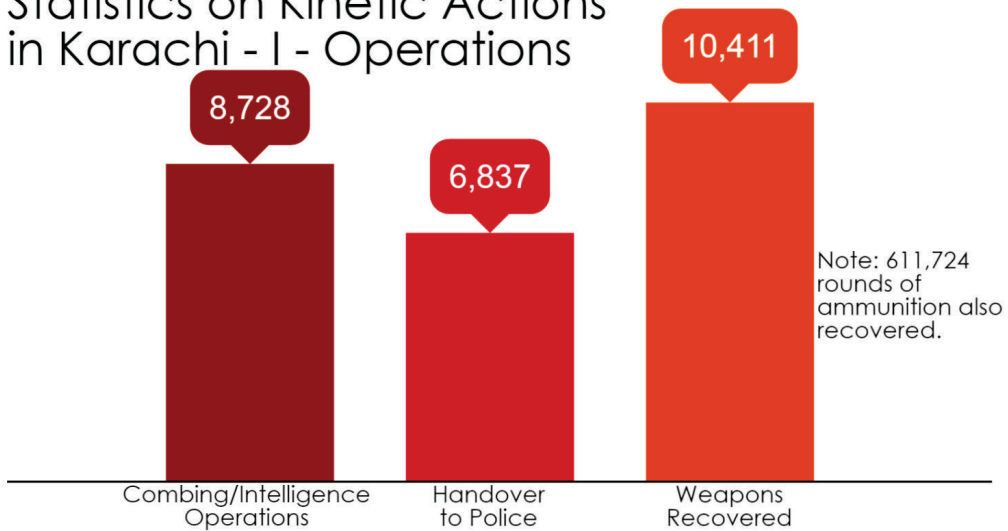
The NAP Tracker, 2016 - The Center for Research and Security Studies, 2017

With regards to other kinetic actions, such as operations, arrests and recoveries, the data for 2016 is outlined in table 6.4.²⁰

Graph 6.5: Statistics on Kinetic Actions in Karachi - I - Operations²⁰

Table 6.4 – Statistics on Kinetic Actions in Karachi	
Action	39 months after op
Combing/Intelligence Operations	8,728
Handovers to Police	6,837
Terrorists Arrested	1,466
Target Killers Arrested	933
Bhatta Collectors Arrested	436
Kidnappers Arrested	115
Hostages Recovered	151
Weapons Recovered	10,411
Ammunition Recovered	611,724

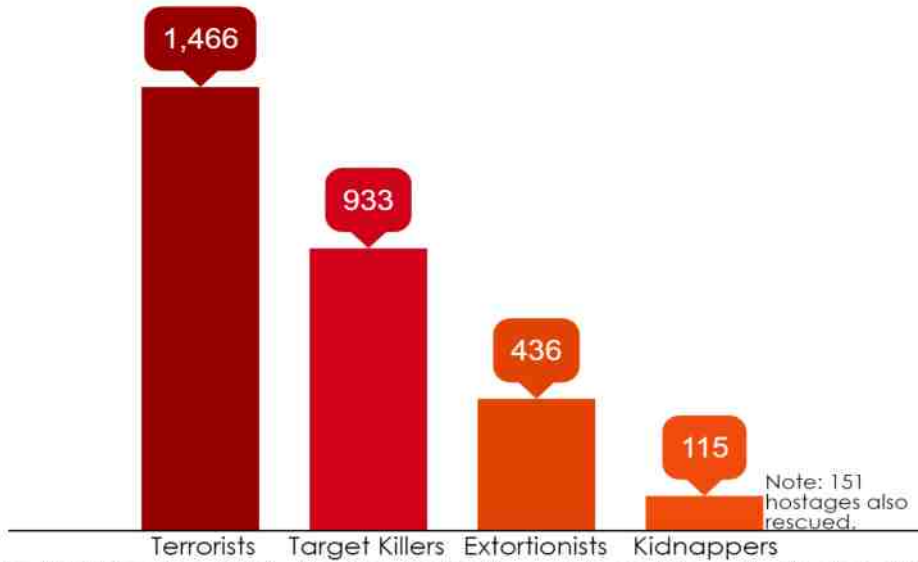
Statistics on Kinetic Actions in Karachi - I - Operations



The NAP Tracker, 2016 - The Center for Research and Security Studies, 2017

Graph 6.6: Statistics on Kinetic Actions in Karachi - II - Arrests²⁰

Statistics on Kinetic Actions in Karachi - II - Arrests



The NAP Tracker, 2016 - The Center for Research and Security Studies, 2017

Prior to his retirement, in November, 2016, Former Chief of Army Staff, General Raheel Sharif stated that the operation should continue until peace has been restored in Karachi completely.²² His replacement seems keen to continue this legacy.

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

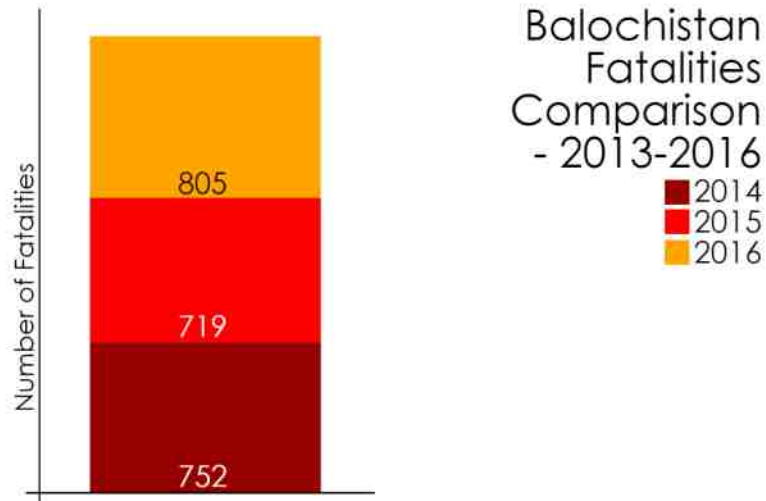
6.5: Balochistan Insurgency

According to data collected by this think tank, Balochistan was the most violent province in Pakistan in 2016 with 805 fatalities, an increase from 719 fatalities last year.¹⁰ Four major suicide attacks contributed to the high casualty count, including one which left 52 lawyers dead in an attack in Quetta.²³ This shows a rise since 2014 and 2015. However, this is still a decline when compared to 948 deaths in 2013.^{9,10}

Year	2014	2015	2016
Total	752	719	805

²² Agencies. (2016, November 9). Karachi operation to continue till complete restoration of peace: COAS. Pakistan Today. Retrieved March 18, 2017, from <<http://www.pakistantoday.com.pk/2016/11/09/karachi-operation-to-continue-till-restoration-of-peace-coas/>>.

²³ Al Jazeera. (2016, August 9). Quetta attack: Pakistan mourns as lawyers begin boycott. Al Jazeera. Retrieved March 23, 2017, from <<http://www.aljazeera.com/news/2016/08/quetta-attack-pakistan-mourns-lawyers-boycott-160809065837053.html>>.

Graph 6.7: Balochistan Fatalities Comparison - 2013-2016¹⁰

The NAP Tracker, 2016 - The Center for Research and Security Studies, 2017

In October, a suicide attack on a police academy in Quetta claimed 62 lives, wounding at least 117²⁴ and less than a month later 62 fatalities were recorded at a suicide attack at Shah Noorani shrine.²⁵

6.5.1 Balochistan 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 or national 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.²⁶

6.5.2 Baloch Insurgent Groups

The on-going insurgency is not the first of its kind. In fact, the current conflict that started in 2003 is the fifth of its kind.²⁷ 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.

²⁴ AFP, Shah, S. A., Sherani, H. (2016, October 25). 61 killed in twin suicide attacks as terrorists storm police training college in Quetta. Dawn. Retrieved March 17, 2017, from <<https://www.dawn.com/news/1291999>>.

²⁵ Al Jazeera. (2016, November 16). Attack on Shah Noorani shrine in Pakistan kills dozens. Al Jazeera. Retrieved March 18, 2017, from <<http://www.aljazeera.com/news/2016/11/dozens-casualties-attack-pakistan-shrine-161112141000715.html>>.

²⁶ Breseeg, T. M. (2004). Baloch nationalism: Its origin and development. Karachi: Royal Book Company.

²⁷ 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>>.

6.5.3 Indian Influence

Aside from several terror attacks that rocked Balochistan in 2016, arguably the news event that received the most coverage was Indian Prime Minister Narendra Modi's comments about the province.²⁸ In a speech that largely avoided foreign policy, Modi spoke openly against Pakistan, stating that the people of Balochistan had thanked him. Modi dedicated his country's independence day to the Baloch people, who (according to him) were marginalized under Pakistan's biased political regime. Although these remarks were met with condemnation from the Pakistani government and media, they fueled the fire for supporters of the Baloch National Movement (BNM), which continues to fight for Baloch liberation.

Ajit Kumar, India's Ambassador and permanent representative to the United Nations (UN), said the following on September 14: "This is a country (Pakistan), which has systematically abused and violated the human rights of its own citizens, including in Balochistan".²⁹ The irony of Indian leaders lamenting human rights abuses notwithstanding, these comments stirred major controversy in Pakistan.

6.5.4 Baloch Insurgency

According to the National Security Department, the insurgency in Balochistan is being marginalized and its leaders are being pacified through political mainstreaming. Several Baloch insurgent leaders are living in foreign countries in self-exile, and serving as conduits in the hands of hostile countries supporting the insurgency. The state has limited control over these leaders while they are abroad.

There is also continued criticism of the state in the media with regards to how the separatist movements are being dealt with. Critics point out that the state does not attempt to reach out to the separatists or resolve the issues that are fueling their agendas. Instead, the state is on the hunt for people involved in these movements and openly targets them for anti-patriotic views.

6.5.5 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.

At the end of 2016, it was reported that "nearly 1,000 dead bodies of political activists and suspected armed separatists have been found in Balochistan over the last six years"³⁰ with the blame being placed squarely on various groups including insurgent groups as well as security agencies.³¹

²⁸ Reuters. (2016, August 15). People of Balochistan, Kashmir thanked me: Modi on India's Independence Day. Dawn. Retrieved March 25, 2017, from <<https://www.dawn.com/news/1277670>>.

²⁹ The Wire Staff. (2016, September 15). As Pakistan Talks Kashmir, India Invokes Balochistan Charge at UN for First Time. Retrieved March 27, 2017, from <<https://thewire.in/66047/punched-twice-by-pakistan-at-un-india-invokes-balochistan-charge-for-first-time/>>.

³⁰ Monitoring Desk. (2016, December 30). About 1,000 bodies found in Balochistan in six years. The News. Retrieved March 15, 2017, from <<https://www.thenews.com.pk/print/175521-About-1000-bodies-found-in-Balochistan-in-six-years>>.

³¹ Ibid.

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. As of December, 2016, different parties are reporting wildly different estimates. Baloch groups claims the number is as high as 21,000³² and NGO's place it at 3,500.³³ This is radically different from official numbers, as in February, 2015, the Commission of Inquiry on Enforced Disappearances (CIED) informed the Supreme Court that 982 missing persons had been traced in the last four years.³⁴ According to the Commission of Inquiry on Enforced Disappearances (CIED) report, 1,273 cases of enforced disappearances are still unresolved, with only 122 of them belonging to Balochistan.³⁵ Meanwhile, Defence of Human Rights, an NGO that traces missing people, puts the number at 5,149 from all over Pakistan.³⁶

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

6.5.6 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 law-makers 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".

According to one report, some 1,025 militants, belonging to various proscribed outfits, have surrendered before the provincial government during the 2015.³⁷ Whereas in 2016,

In April, 2015, the Chief Minister of Balochistan, Dr. Abdul Malik, also said that a reconciliation strategy had been devised to help mainstream Baloch nationalists.³⁸ The Prime Minister also visited Balochistan in August and launched a "Peaceful Balochistan Plan" to bring angry Balochs back into the fold.³⁹ 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.⁴⁰

³² Correspondent. (2015, April 17). Raising his voice: 21,000 missing in Balochistan, says Mama Qa-deer - The Express Tribune. Retrieved March 04, 2016, from <<http://tribune.com.pk/story/871142/raising-his-voice-21000-missing-in-balochistan-says-mama-qadeer/>>.

³³ <<https://www.dawn.com/news/1303380>>.

³⁴ 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/>>.

³⁵ Shah, W. A. (2015, September 14). View from the courtroom: Hundreds of missing persons still untraced. Dawn. Retrieved March 11, 2017, from <<https://www.dawn.com/news/1206866>> <https://www.dawn.com/news/1206866>.

³⁶ Iqbal, N. (2015, January 14). SC seeks report on number of missing persons. Retrieved March 2, 2016, from <<http://www.dawn.com/news/1156658>>.

³⁷ (2016, April 26). 1,025 militants surrendered in Balochistan during past year. Retrieved March 06, 2016, from <<http://www.dawn.com/news/1254551>>.

³⁸ 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/>>.

³⁹ Shahid, S. (2015, August 07). Plan for 'peaceful Balochistan' approved. Retrieved March 04, 2016, from <<http://www.dawn.com/news/1198912>>.

⁴⁰ 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>>.

Balochistan Minister Nawab Sanaullah Zehri had also met the Khan of Kalat⁴¹ in London earlier in August, 2015, as part of the reconciliation policy.⁴²

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

6.6 Punjab

In 2016 424 fatalities and 186 injuries were reported in Punjab due to violence, which constitutes for approximately 16% of the total violence based fatalities in the country. This was the highest number of fatalities reported in Punjab in the last four years. For reference, in 2015, there were 328 fatalities in Punjab.

6.6.1 Militancy in Punjab

Although the overall situation in Punjab is relatively peaceful as compared to other regions, Southern Punjab is home to two radical sectarian groups. These groups, Jaish-e-Muhammad and Lashkar-e-Jhangvi, are held responsible for various extremist activities, including religious and sectarian violence. Among their noted accomplishments is Lashkar-e-Jhangvi's participation in the Easter attack on Gulshan-e-Iqbal Park in Lahore, which claimed 72 lives.⁴³

The rise of such groups in the region and the development of potential militancy can be attributed to various factors, including the wide presence of madaris (seminaries). Currently there is limited oversight over the curriculum taught in these madaris, and they are surrounded by conspiracy theories that allege that funding is provided by foreign countries to promote Jihadist principles. The students from these madaris become ideal recruits for existing extremist groups.⁴¹

In its 2016 report titled "Pakistan's Jihadist Heartland: Southern Punjab", the International Crisis Group provides recommendations to both the Punjab and the Federal government on overcoming the issue of militancy in the region. These recommendations include strengthening and reforming the criminal justice system and using a counter-terrorism approach that targets all militant groups, rather than select ones. There also needs to be a focus on discouraging all activities promoting sectarianism, including action against hate speech, laws that discriminate on the basis of religion and introducing curriculum reforms.⁴¹

Please see [Section 6.10 for a detailed discussion on Punjab](#).

⁴¹ 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.

⁴² Shah, S. A. (2015, August 15). Zehri meets Khan of Kalat in London. Retrieved March 04, 2016, from <<http://www.dawn.com/news/1200640>>.

⁴⁴ Article re-printed with author's permission.

6.7 ARTICLE: FATA Reforms: the Political Economy by Imtiaz Gul⁶⁴

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 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 Out-rages 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 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 is-sues 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

6.8 ARTICLE: The Situation in Sindh by Hasan Mansoor

The Sindh home ministry has carried out a study to compare the law and order situation in the province 37 months before the ongoing operation and as many months during the operation, which

showed the law enforcement agencies' efforts had improved the lingering issues.

Officials in the home ministry say the LEAs had carried out 3,458 encounters 37 months before the targeted operations while the number of such encounters was 4,566 during the same period after the continued effort.

Other figures the study suggests are:

Gang busted: 2,139 [before] and 2,600 [after]

'Terrorists' killed: 20 [before] and 367 [after]

Kidnapers killed: 3 [before] and 38 [after]

Extortionists killed: 10 [before] and 31 [after]

The report gave comparative statistics of the last two years regarding street crime in the city.

Some 288 cars were snatched in 2015, which reduced to 174 in 2016 registering 39.58 per cent decrease.

1,351 cars were stolen in 2015 and 1,232 in 2016 showing 8.81pc decrease.

Some 2,732 motorcycles were snatched in 2015 and 2,295 in 2016 showing 16pc decrease. The figures for stolen motorcycles in 2015 was 12,832, which increased by 36pc in 2016 registering the theft of 17,461 motorcycles.

The incidents of snatching of cell phones or cash were 16,684 in 2015, which decreased by 23.9pc in 2016 when 12,697 such incidents were reported.

The Karachi police's performance during the targeted operations since September 5, 2013 shows it killed 367 and arrested 1,246 'terrorists'. Similarly, 10 extortionists were killed and 655 were arrested.

During that period 25 'murderers' were killed and 2,786 were arrested; while 38 kidnapers were killed and 143 were arrested.

A total of 22,190 weapons and 577,947 ammunitions were recovered since the targeted operations have been launched.

A similar report regarding the efforts of Pakistan Rangers Sindh shows it carried out 8,507 combing or intelligence based operations during which it detained 6,693 suspects, who were handed over to the police.

The Rangers arrested 1,393 'terrorists', 915 'killers', 424 extortionists, 104 kidnapers; and recovered 144 hostages or abductees.

It also recovered 10,195 weapons and 588,652 ammunition.

The home ministry has also recorded 'significant' decrease in the crime rate by comparing figures 35 months before and as many months after the operations in Karachi.

The brief analysis shows 34pc increase in police encounters against criminals and militants with 23pc more gangs busted than the figures reflected 35 months ago.

The killing of 'terrorists' show a phenomenal 1,735 per cent increase. Such increase was 1,167pc in the elimination of kidnappers; 210pc in killing of extortionists and 248pc in the elimination of dacoits or robbers.

Similarly, the comparison analysis shows 77 cases of terrorism were reported across Sindh 35 months before the Karachi operation, which decreased by 30pc to 54 after as many months to the operation.

The city saw 6,991 murders 35 months before the operation, which reduced by 41.5pc to 4,097. 'Targeted' killing incidents were 1,245 which reduced by 64pc to 447 now.

Kidnapping for ransom cases reported earlier were 274, which reduced by 33pc to 183. However, the cases of extortion have increased by 32pc from 771 earlier to 1,021 now.

Figures compiled by the home ministry show that the LEAs have killed 282 militants affiliated with Al Qaeda, TTP, BLA, LeJ, Jeay Sindh Muttahida Mahaz, Jundullah (Haji Khalil group), Punjabi Taliban and Daish across the province. LEAs in Karachi killed 220 of them while the rest of them were neutralised by the counterterrorism department (CTD). 171 of them were arrested. Similarly, 86 of sectarian militants were killed across the province of whom LEAs in Karachi killed 77 and eight were killed by the CTD. One of them was killed by Larkana police.

267 sectarian militants were arrested in Sindh, of whom LEAs in Karachi arrested 216, CTD nabbed 30 and police in Sukkur and Larkana arrested one and 20 respectively.

A total of 75 cases were registered against the Baloch Liberation Army, JSMM and other sub-nationalist groups in Sindh in which 176 suspects were arrested.

55 cases were registered in Karachi and as many suspects were arrested. Just three cases were registered in Benazirabad division in which 71 accused were arrested. Similarly, cases and arrests thereof in other four divisions are as under:

Hyderabad: five cases, seven arrests; Sukkur: one case, one arrest; and Larkana: 16 cases, 42 arrests. No case was registered in Mirpurkhas division.

Reports show the police charge-sheeted 180 suspects belonging to militant organisations in 112 cases, in which six cases were decided with the acquittal of 11 suspects. The remaining 169 accused have got bail.

Similarly, 110 cases against 216 suspects were charge-sheeted in the province of which four were decided with the acquittal of 19 suspects while 197 have secured bail.

Regarding the government's effort against the hate speech, officials in the home ministry said police had registered 82,525 cases against the violation of ban on graffiti during the current year, of which charge sheets were filed for merely 546 cases.

Of those cases, they added, just 47 cases had been decided. The police detained 78 persons, of whom 50 were acquitted for lack of evidence and 22 have secured bail. The remaining three persons have been arrested and are in jail.

A dominant majority of the graffiti cases [78,238] were filed in Karachi, of which, charge sheets were

filed for 471 cases and 20 of them were decided. The police detained 47 people of whom 22 have secured bail and as many have been acquitted by the police. All the three persons in the province, who are in jail, belonged to Karachi.

With 4,014 cases registered, Sukkur division is distant second where 64 charge sheets were filed, 23 cases were decided and three were shown as arrested. Some 27 people were in police custody of which 24 were acquitted for no sufficient evidence against them. In Larkana, 209 cases were registered and charge sheets for 11 of them were filed.

Some 39 cases were registered in Hyderabad and 25 in Benazirabad and none of them was charge-sheeted. Mirpurkhas police registered not a single such case.

The official report shows 306 cases of hate speech and hate material were registered in Sindh in which 240 persons were arrested.

Some 166 such cases were registered in Karachi with the arrest of 112 persons. 51 cases were registered in Hyderabad and 87 persons were arrested.

The figures for other divisions is as under: Larkana [50 cases, 11 arrests]; Sukkur [32 cases, 24 arrests]; and Benazirabad [seven cases, six arrests]. There was no such action was reported from Mirpurkhas. For violation of sound system act or loudspeaker act, 4,485 cases were registered in the province and 3,712 persons were arrested. 3,079 cases were registered in Karachi only with 2,258 persons were arrested.

The figures for other divisions are: Hyderabad [448 cases, 403 arrests]; Sukkur [453 cases, 528 arrests]; Benazirabad [212 cases, 208 arrests]; Larkana [159 cases, 180 arrests]; and Mirpurkhas [134 cases, 135 arrests].

Officials said the government had got 'appropriate' legislation done in shape of Sindh Sound System (Regulation) Act, 2015 and Sindh Information of Temporary Residents Act, 2015.

However, the effort against 'choking financing for terrorists and terrorist organisations' remained lacklustre. Officials said they registered seven cases under that account – all in Karachi – and charge-sheeted six of them in courts. None of those cases has been decided and 11 persons arrested are in judicial custody.

Proscribed Organizations

Officials have identified 62 banned religious or sectarian organisations active in the province, which included the re-emergence of 35 such groups. They said they had requested the Ministry of Interior (MoI) for more information about them.

Reports said 35 groups, which had gone into hibernation after being slapped with the ban by the federal government, had re-emerged.

Most of those groups [12], said the report, were re-emerged in Benazirabad, the native district of the co-chairman of the ruling Pakistan Peoples Party. Besides, six of them were resurfaced in Sukkur, five in Mirpurkhas, three each in Hyderabad and Korangi, and two each in Karachi West, Sujawal and Tando Muhammad Khan.

The government has included 602 persons in the IVth Schedule of the banned organisations in Sindh.

Most of such individuals [221] belonged to the banned Sipah-i-Sahaba Pakistan (SSP). Khudam-ul-Islam [four], Harkat-ul-Mujahideen [19], Mohajir Qaumi Movement-Haqiqi [three], Pakistan Sunni Tehrik [10], Sipah-i-Mohammad Pakistan [39], Lashkar-i-Jhangvi [41], Lashkar-i-Tayyba [12], Jaish-i-Mohammad [32], Jindullah [five], Jamat-ud-Dawa [10], Tehreek-i-Taliban Pakistan [27], Jeay Sindh Muttahida Mahaz [three], Tehreek-i-Jafria Pakistan [20], Lyari gangs [one],

Majlis Wahdat-ul-Muslameen [four], Hizb-ul-Tahrir [one], Ahle Sunnat Wal Jamaat [eight], Al-Qaeda [three], persons categorised as jihadis [18], and 'suspicious persons' of all sects [120].

Most of such persons [395] reside in Karachi, followed by 65 in Sukkur, 55 in Hyderabad, 32 in Benazirabad, 46 in Larkana and nine in Mirpurkhas division.

About the action so far taken against the persons on the IVth Schedule, the report said out of total 602 such individuals, 28 accused had been arrested who were booked in 48 different cases. Some 29 of such cases have been registered in Karachi division alone. Eight cases were registered in Hyderabad, six in Sukkur, four in Benazirabad, and one in Mirpurkhas. No case has been registered in Larkana.

Regarding religious persecution, officials say, all religious places of minority sects had been surveyed and were being provided 'due protection'. They said Hindu Marriages Act 2016 had been promulgated. However, the bill against enforced conversions, passed by the Sindh Assembly has not been promulgated yet and the government's indecision is clear because of the pressure of the religious parties and groups, including the proscribed organisations against the law.

The officials said 2,309 madressahs had been closed for certain reasons they did not elaborate, most of which (910) were running in Hyderabad division. The remaining 7,724 madressahs in Sindh have been geo-tagged. 3,110 of them are in Karachi, 1,291 in Hyderabad, 750 in Mirpurkhas, 1,536 in Sukkur and 1,037 in Larkana division.

Close to a million students are enrolled in the seminaries which included 818 foreigners.

Hasan Mansoor is a journalist working for Pakistani and international media. At present, he reports for Dawn in Karachi. He can be reached at hasanmansoor@gmail.com.

6.9 ARTICLE: The Situation in Balochistan

by Shehzada Zulfiqar

As compared to 2015, the security forces has received setbacks one after another in the year 2016 that proved deadliest for Balochistan and its people who lost a generation of lawyers and 348 civilians besides 154 personnel of police, Frontier Corps and Army lost their lives in line of duty.

There was no implementation on the twenty points of National Action Plan during the last year as the

security forces stuck to Information based Operations (IBOs) throughout Balochistan against militants both separatists and Islamists. According to the information provided by the security forces, some 1458 operations have been conducted through 2016 in which 174 miscreants mostly separatists were killed while 50 others got injured. However some 502 persons-- 348 civilian, 3 Army personnel (including one captain), 41 Frontier Corps and 110 Police---have lost their lives and 950 others received injuries in the war against terrorism.

However, Balochistan Government has been taking credit for bringing peace and rooting out terrorist activities in Balochistan, but practically terrorists continued to carry out their activities unabated in whole 2016 like they have been doing in 2015. These IBOs yielded results to a great extent against separatists who have been reduced to minor activities against civilian and installations. But they either went underground or are unable to strike hard against security forces and big installations. Similarly banned sectarian organizations also could not make any major terrorist activity during the year except the killing of three Hazara and a Baloch women which is very significant not in term of human loss but in its nature. In five sectarian based incidents 10 people including 4 women were killed.

Some 53 target killing incidents have been reported in which 76 persons were killed as compare to 45 incidents and 77 killings in 2015. In three major suicide attacks in Hospital, Police College and Shah Noorani Shrine, altogether 188 persons have been killed while over 350 got injured. Banned sectarian organizations LJ, Lashkar-e-Jhangvi Al-Alimi, Jamaat-Ur-Ahrar and Daesh claimed the responsibility for these attacks.

The government has been able to control separatist issue, but failed to tackle Islamist terrorists who probably shifted their focus from other parts of the country to Balochistan. In three major incidents, all suicide, with period of three months, they took full benefit of state machinery weakness, striking in hospital, then police's well-guarded compound of Training College and a shrine in the remotest part of Balochistan.

In 2015, out of 116 cases pending before the court, the government referred 54 to military courts. But neither it could get the cases of those convicted in cases of terrorism expedited for their execution nor implemented as promised in the first point of National Action Plan in the province despite the long standing demands of Shia organizations. Similarly it also couldn't establish a military court announced for Balochistan as these already expired on January, 08 this year after completing two year period. For Balochistan the maiden apex committee meeting held in Quetta in February 2015 with Prime Minister Nawaz Sharif in the chair and presence of former Army Chief General Raheel Sharif, planned a road map for implementing NAP. The plan was with a clear policy of taking cudgel against all terrorists mainly separatists and initiating reconciliation efforts simultaneously with Baloch separatist leaders sitting abroad leading self-exile lives. Besides that an amnesty scheme has been announced with some incentives like monetary benefits, employment opportunities and security for those planning to surrender and their families.

Under the amnesty scheme, half to two million rupees have been announced to be awarded to them-- from a foot soldier to a local commander and area commander---according to their status and influence. It has also been decided to seek extradition of these leaders sitting abroad particularly

those running terrorist organizations like Brahamdagh Bugti, Hairbiar Marri and Zamran alias Mehran Marri. It was announced to confiscate their all moveable and immovable properties in order to freeze finances to their banned organizations. Similarly the federal agencies like FIA, Customs and NAB and Police have been directed to investigate into the funding of terrorists.

The previous government led by Dr. Malik Baloch who stepped down after completing his two and half year term in December 2015 under an NP-PML(N) agreement took some initiatives for negotiation with Baloch leaders, but his successor Nawab Sana Zahri didn't resume it. Malik Baloch had held a very fruitful meeting with Brahamdagh in Geneva while sent Party's delegation to London to Khan Kalat Mir Suleman Daud Khan.

Bugti is said to have put some demands before government of making some measures that may help him return home while Khan Kalat made his return conditional with halting on-going operation, resolving the issue of missing persons etc. The establishment and Chief Minister Zahri took no interest even to consider the demands of Bugti and made a reply to him. Both have been convinced by hawkish elements in establishment as well as in political lot that the already weak separatist movement is about to die so bringing these leaders back is tantamount to put their movement on oxygen.

Brahamdagh was in a vulnerable position as his asylum case has been turned down by Swiss Government, but filed his appeal to higher authorities. He also applied for Indian nationality in case his appeal is rejected in Switzerland. Government of Pakistan requested Geneva to hand over him to it for being involved in terrorist activities in Balochistan, however its request is pending before the authorities there.

As far as rebels popularly known as "Sarmachar" are concerned as compare to 2015, some two hundred rebels has surrendered this year bringing the total number of surrendered Sarmachar are around 800 including 10 to 15 commanders. Like past, federal or provincial agencies didn't show any progress in tracking down the Hawala people or any source helpful in making transactions from foreign agencies or sources to local terrorists. There are reports that some actions have been taken to stop the local farmers to grow crops on the land belonging to Brahamdagh Bugti in Dera Bugti and Bakhtiar Dombki in Lahri area.

Despite repeated wall chalking in favour of Daesh in Quetta on the government buildings close to Chief Minister and Governor Secretariats, provincial government has been denying the presence of Daesh related elements in any part of Balochistan. The claim of responsibility by Daesh in two deadliest incidents of suicide attacks on lawyer's gathering inside hospital on August, 08 jolted the government and its establishment badly. Among Islamic/sectarian banned organizations, TTP, Lashkar-e-Jhangvi, Lashkar-e-Jhangvi Al-Aalami and Jamaat Ur Ahrar have been operating in the province for quite some time. The oldest among them are LJ and TTP.

The activists of Pakistani Taliban have also been operating in northern Balochistan bordering Afghanistan and FATA since operation has been launched against them, before and after NAP. They have also been involved in abduction of government and NGOs' officials for ransom. Sepah-e-Sahaba Pakistan has been involved in sectarian violence in the province and after being banned it was replaced by LJ. Jaish-Ul-Islam, Lashkar-e-Jhangvi Al-Aalami and Jamaat-Ur-Ahrar are the names being

used for operational purposes and probably to create confusion in the public that there are a number of such terrorist organizations operating in the province.

During 2015, some literature of banned organizations have been confiscated and shown on media but last year the law enforcing agencies nothing mentioned in this regard. On the direction of government electronic media has completely blacked out their statements and activities while newspapers are forced to carry their claims of responsibility for their activities. The media has been directed not to give coverage to these organizations.

As promised in NAP, NACTA has never been strengthened as anti-terrorism institution during the last two years and the Supreme Court Commission led by Justice Qazi Faez Esa also pointed out the same weakness of the government in this regard. Similarly no counter force has been raised to fight terrorism in the country as well as Balochistan. Although the problem is minor, no step has also made to stop religious persecution in the province.

Regarding registration of Afghan refugees, no step has been taken in this regard to keep them away from political activities and at least have their record. However some measures have been introduced at Pak-Afghan border under the name of border management to check infiltration of miscreants. Baloch parties are opposing census to be conducted in March 2017 in the presence of Afghan refugee who are estimated to be two and an half million in Balochistan. Both BNP Mengal and National Party filed constitutional/ review petitions in Supreme and High Courts praying that unless Afghan refugees are sent back and over a million Baloch IDPs are repatriated in their areas, the census should not be conducted in Balochistan.

On the direction of Home and Tribal Affairs Department, Industries department had registered over 3,000 seminaries in 2015 and 2016 with 180,000 students including 6,000 foreign students. But still it is believed that hundreds of seminaries are yet to be located and registered in far flung areas of the province.

Shehzada Zulfiqar is a veteran journalist from Balochistan who reports for AFP. He can be reached at ahmedzee63@gmail.com.

6.10 ARTICLE: The Situation in Punjab - A Long Way to go by Waqar Gillani

With the completion of two years of National Action Plan (NAP), a 20-point counter terrorism strategy to implement by Pakistani state after deadly attack on Army Public School Peshawar in December 2014, progress on many of its points seems slow, especially, in the largest populated province of Punjab considered as nursery of terrorist and extremists groups where politics and extremist groups seem working hand in glove for one another for political gains.

After every major act of terrorism in the country efforts to act against extremist elements and notorious and proscribed outfits get a renewed resolve but whether Pakistan succeeded against a certain religious mindset, which largely prevails in rural-urban landscape of the Punjab province that still remains a big question in the views of critics. The major reason behind this unfinished agenda and

unanswered question about the implementation of anti-terror National Action Plan (NAP) is consistent lack of interest in having a clear policy about the extremist and proscribed religious outfits and their political patronage that has marred the status of such groups in confusion.

For the past two years, there have been loud calls from progressive political circles and civil society groups at large to take action against the religious groups promoting sectarianism, extremism, hate speech and intolerance in society. However, there have been least actions on the record to fulfill this demand that duly falls under the NAP, consensually approved by civil-military leadership of the country in 2014.

Regarding proscribed organizations, the NAP point three states “Militant outfits and armed gangs will not be allowed to operate in the country” while point seven reads “The defunct outfits will not be allowed to operate under any other name. Moreover, point 13 and 14 say “Communication network of terrorists will be dismantled completely” and “Concrete measures against promotion of terrorism through internet and social media.”

Moreover, point five of the NAP calls for “strict action against the literature, newspapers and magazines promoting hatred, decapitation, extremism, sectarianism and intolerance”. Point nine of the NAP calls to “End to religious extremism and protection of minorities will be ensured, while point 18 urges to deal with sectarian elements.

In Punjab, the biggest concerns are least actions against the extremist outfits, wither proscribed or under observation. Ahl-e-Sunnah Wal Jamaat (a hardcore sectarian – anti-Shiite – group), formerly Sipah-e-Sahaba Pakistan (SSP), is banned according to the list of National Counterterrorism Authority (NACTA), but it is seen socially and politically fully alive. A recent example of this is huge victory of Masroor Nawaz Jhangvi, young son of founder of Sipah Sahaba Pakistan Haq Nawaz Jhangvi, who beat the candidate of ruling Pakistan Muslim League Nawaz (PML-N) and other mainstream political parties with a huge margin while independently contesting by-election on a provincial assembly seat in Jhang city on December 1, 2016. Masroor is also placed on the list of people under observation by the Punjab government. Importantly, Lashkar-e-Jhangvi, a militant offshoot of Sipaha Sohaba Pakistan involved in many major terror attacks in Pakistan, belongs to same ideology and now acts through different splinter groups in different parts of the country.

Another left-over issue in the Punjab province is to take action against “under observation” Jamaat-ul-Dawah (JuD), parent organization of Lashkar-e-Taiba, a militant outfit allegedly involved in backing Indian Kashmir’s freedom movement. JuD denies its links with LeT. One more major extremist faction operational in Punjab is Jaish-e-Muhammad, a hardcore religious outfit promoting Jihad against India in Indian Kashmir. The organization was named behind Pathan Kot airbase attack in 2016 in India. Following the Indian allegations, federal government announced some action against some elements of the organization and banned it publications. Later, after some days, the JeM continued with its publication weekly Al-Qalam. A latest issue (December 23-29, 2016) of this largely circulated weekly Al-Qalam of Jaish-e-Muhammad carries reports and articles against Ahmadis, anti-forced-conversion bill of Sindh government to protect minorities and glorifies killing of Afghan, NATO and American forces in a recent attack by Taliban in Helmand, Afghanistan. One article also condemns Iran, Syria and Russia and supports jihad and IS actions in Syria. Similarly, some religious groups, at a small level, also

condoned killing of Russian ambassador to Turkey supporting the slogan “You kill in Syria, we kill here.”

According to the official data of country's National Counterterrorism Authority (NACTA), ASWJ is among the proscribed factions and it was banned in 2012. While, its parent organization Sipah-e-Sahaba Pakistan and its militant offshoot Lashkar-e-Jhangvi (LeJ) Aug were already banned during Pervez Musharraf regime. Moreover, JuD is also under Pakistan and United Nations' watch list. Jaish-e-Muhammad was banned in the NACTA list in January 2002.

According to the established facts in the past, in 2010 Punjab province government, headed by the same present rulers of PMLN, Punjab government published allocation of about \$1m from its fiscal year 2009-10 budget to institutions linked to a charity to JuD which was declared a United Nations terror-blacklist, it has emerged. Punjab law minister Rana Sanaullah officially confirmed these figures saying the money was given on “humanitarian grounds” for the organization's hospital and schools. JuD's four senior leaders were added to a UN sanctions list in December 2008. Similarly, in 2008, Malik Ishaq, leader of defunct Lashkar-e-Jhangvi involved in nearly one hundred sectarian (Shiite) killing and was shot dead in police encounter a couple of years ago, was given financial assistance by the same PML-N government as stipend for his family while he was facing trial in jail. The Punjab government confirmed the disbursement saying it was for his Malik's family.

Another unattended agenda of NAP covering hate material, hate speech, sectarianism, extremism and intolerance, is a consistent campaign against Ahmadi community, which is largely run by Sunni religious factions on more motional grounds rather sensible. A latest example of persistent persecution of this community, declared as non-Muslim through a constitutional amendment in 1974 and pressed through anti-Ahmadi laws in 1984, is attack of a violent Muslim mob in a village in district Chakwal in Punjab province on December 12, while celebrating birth anniversary of Prophet Muhammad (Peace Be Upon Him) according to Islamic calendar. The mob attacked the Ahmadi worship place over 20-year-old dispute on the ownership of a mosque under Ahamdi community control and resultantly there was clash between the two groups leaving one dead. No proper action or investigation details have been publicized by the Punjab government yet.

An official data sheet of the Punjab police claims 71,743 search operations and 2,438,863 (2.4 million) persons questioned during search operations from December 2014 to November 2016. While the number of cases registered among these is 12,010, majority later bailed out by the courts. Datasheet further showed that from January 2015 to November 2015, 508 cases were lodged under Pakistan Penal Code for spreading hate material and 590 people were arrested out of them 39 have been convicted by the court, 78 acquitted and remaining cases are pending. While, there have been 518 cases of hate material under Anti-terrorism Act and 650 people were arrested out of them 132 have been convicted and 284 (nearly half) acquitted) with remaining cases as pending. There is no progress report on NAP available on any Punjab government or Punjab Police department websites and limited information is shared after much effort by the subscribers. The statistics merely seem number game and formality, in-fact, rather a practical commitment.

The only major achievement which the Punjab government claims in the line of NAP is killing of terrorists and suspect-terrorists in police encounters. An action which human rights bodies consider extra-judicial and committed without transparent information provided to media and public. According to Punjab Law Minister Rana Sanaullah, the Punjab government has killed nearly 150 “jet-black terrorists” in the past two years including 88 in 2015 including the chief of LeJ Malik Ishaq who was gunned down in a major police encounter along with his two sons and a dozen aides. Many police insiders believe that the killings of the LeJ and other terrorists in Punjab are mostly related to their links with Daesh. There has been no major action against extremist seminaries in the Punjab.

Despite these killings, the terrorist are targeting Punjab from time-to-time. One major attack was suicide blast at the public meeting place of the then Punjab Home Minister Shuja Khanzada, who supervised police encounter against Malik Ishaq. In March 2016, twin suicide blasts killed more than 80 people in a public recreational park in Lahore. There have been attacks on Shiite mosques and Imambargahs. In January 2015, at least eight people were killed in a bomb blast targeting an Imambargah in district Rawalpindi. At least 8 people were killed in a blast near Police Lines in Qila Gujjar Singh area of Lahore in 2015. In October 2015, nine people were killed in blast in Taunsa, district Dera Ghazi Khan.

Another major challenge to the Punjab is significant existence of elements related to Daesh (ISIS) in various cities of the province. The Daesh affiliates, working individually and connecting to Daesh through social media according to police, are continuously being spotted in various militancy and sectarianism embedded zones in the past two years. Daesh flags and wall chalking have also been reported in some cities of the Punjab including Lahore, the provincial capital. There have been police claims networks of Daesh broken in Lahore, Sialkot, Rawalpindi, and Attock. However, on December 18, 2016, police claimed killing of five terrorists in “encounter” for Daesh links too. More than 50 were arrested in the past few months in connection to Daesh.

It seems evident that the challenge before the ruling Pakistan Muslim League Nawaz and its Punjab government to deal with the problem of militancy and religious extremism remains fully unsettled. Sectarianism and religious fanaticism is still least priority of the government to deal with. Till now, actions of the government are more “curative” rather “preventive” to tackle militancy and extremism in Punjab because there is more radicalism than violent extremism in Punjab which makes theoretical base of the extremist and militant factions active on multiple fronts against humanity. And for this there is no short-term solution except straightly engaging these groups in a debate for change in direction through a counter narrative, which is missing link in the whole official exercise of the NAP.

Waqar Gillani is Islamabad based journalist and works for The News International. He has also contributed to international media - New York Times and Agency France Press. He has done extensive reporting on human rights violations, religion, extremism, security and politics. He can be reached at vaqargillani@gmail.com.

6.11 ARTICLE: NAP in KP – A Ray of Hope

by Imtiaz Gul

Pakistan's Khyber-Pakhtunkhwa (KP) province has been in the eye of the storm for decades. Its proximity to Afghanistan has had an unusual bearing on it. Beginning with the US-led anti-Soviet Union jihad in the early 1980s and the controversial war against terrorism there after the 9/11 terrorist attacks, the province served as the springboard for both US-led interventions in Afghanistan. At the same time KP's geographical location served as another complicating factor; besides sharing a 1350 km border with Afghanistan, it is surrounded by tribal regions known as Federally Administered Tribal Areas (FATA), Provincially Administered Tribal Areas (PATA) and the Frontier Regions (FRs). All of them governed by a special set of laws such as Frontier Crimes Regulations.

This unusual geographical proximity to the once virtual “no-go areas” and the Pakistani rulers' thoughtless use of these regions for the anti-Soviet jihad has generated numerous socio-political and economic challenges which gradually eroded and also compromised the quality and authority of civilian law enforcement in the province.

Cross-border militancy, terrorism, religious radicalization, and the presence of several million Afghan refugees were some of the unavoidable consequences arising out of this complex situation in addition to the regional geopolitics.

These factors have cost the province heavily in financial terms too, causing losses worth Rs15 billion ever since the war on terror began unfolding in late 2001.

The terrorist attack on Peshawar's Army Public School on Dec 16, 2014 exacerbated the situation and eventually resulted in the National Action Plan (NAP). Some of the NAP points understandably were directly related to the KP and FATA regions.

NAP and Police

Point 12 of NAP, for example, promised “administrative and development reforms in FATA with immediate focus on repatriation of IDPs,” and point 19 spoke of “formulation of a comprehensive policy to deal with the issue of Afghan refugees, beginning with the registration of all refugees.”

Both issues are directly related to law and order as well governance in the province and thus were a special focus of both the military-led counter-terrorism Operation 'Zarb-e-Azb since June 2014 as well as the provincial government's efforts to restore law and order.

Before this, operations in Swat, Bajaur, Khyber, Orakzai and Mohmand agencies brought with them unusual challenges such as the flight of terrorists to urban centres such as Peshawar, Mardan, Bannu and Kohat. They also forced displacement of tens of thousands of people from the FATA and PATA areas. This represented a new challenge to the provincial police, which has been battling terrorists and religious militants, as well as criminal syndicates – all operating out of the FATA and PATA regions.

⁴⁵ CRSS conducted personal interviews with police officers and the Inspector General of Police for the Khyber Pukhtunkhwa Nasir Khan Durrani.

This unusual situation required unusual response from the embattled police in the province. And NAP provided the opportunity to the police and other civilian law enforcement to take this fight to a new level.

The KP police especially is facing an unprecedented threat since they had been trained only to deal with common criminals. Now they find themselves confronted with a deadly mix of criminal syndicates and trans-border terrorists. It should come as no surprise that the KP police lost 113 officers between 2105 and 2016, with another 1,000 or so dead since the war on terror began in late 2001.⁴⁵

Provincial police chief Nasir Khan Durrani says the objectives of Zarb-e-Azb and the operational autonomy given to his forces helped align them with the counter-terrorism objectives as well as prepare the police to face the consequences of these operations.

“One of the major ones was the flight of the top leadership of militants and terrorists to Afghanistan and that of their operators to KP's urban areas. Had they not been busted, arrested or killed, they would have wreaked havoc. It required a special professional response and this is what we have tried to do in the last three years or so, Durrani told CRSS, underlining that the trends in 2016 certainly improved as a result of a focus on NAP objectives and the continuation of the Zarbe Azb Operation in some of the FATA regions.

In a series of well-coordinated efforts that accompanied the implementation of the National Action Plan, the provincial government also introduced three new laws to create an oversight for hotels, rented houses and educational institutions: the KP Restriction of Rental Building Act, 2014, the KP Hotel Restriction (Security) Act, 2014 and the KP Sensitive & Vulnerable Establishments Security Act, 2015 (including Education Institutions).

As a whole, professional policing and close coordination with the Pakistan military have helped contain the tide of terrorism in urban centres as the army went about terrorist networks in the tribal areas. During 2016, for instance, incidents of terrorism declined to 190, considerably down from 207 in 2015 and 485 incidents in the year 2014. This was the obvious result of an offensive-cum-defensive strategy that the provincial Counter Terrorism Department adopted. The CTD and police, during the last two years, for instance, carried out 25,448 search operations, detained and arrested 104,227 suspects, seized thousands of arms, ammunition and explosives.

Most importantly, the Counter-Terrorism Department (CTD) succeeded in arresting 1,156 hardcore militants (121 of them with head money) and 738 cases from previous years were traced and sent to courts.

Random raids and checks on rented houses and hotels, for instance, were part of the defensive strategy, which too yielded incredible results. This basically underlines the point that if implemented, the law and strategies can work as effective deterrents. Our performance on the ground is backed by statistics, IG

Durrani said, adding that some 3,101 cases were lodged against the owners and managers of hotels for not verifying the identity of their guests. As many as 22,535 people were penalized for not informing the police about their tenants as required under the KP Restriction of Rented Buildings (Security) Act 2014.

Cumulatively, this strategy helped shield the province against the much apprehended “blowback” of operation Zarb-e-Azb in KP.

In order to build capacity, schools for the police were set up with the existing resources of the police department. They include the School of Investigation, School of Explosives Handling and the School of Tactics. Similarly IT tools and technologies have also been introduced to help develop and maintain a database of hardcore criminals and militants and this has been linked up with the end-user i.e. the police officer in the field. Similarly, other professional units such as the Bomb Disposal Unit, Rapid Response Force and Special Combat Unit have also been raised.

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.

6.12 Excerpt from Interview with NSA, Lt. Gen. (retd.) Naseer Khan Janjua⁴⁶

Zeeshan Salahuddin (ZS): ...[I]t is clear that Pakistan has scored critical victories against armed militias. But the bulk of these victories have come from military interventions. Do you feel this is sustainable in the long term?

Lt. Gen. (retd.) Naseer Khan Janjua (NSA): This is a collective national effort, taken up by civilian law enforcement, the armed forces, the intelligence agencies, and the ordinary citizens of Pakistan. They form the foundation of this great struggle against extremism and terrorism. We have 220,000 troops committed on the Western border. We have successfully completed Operation Zarb-e-Azb and systemically removed their physical hideouts from Pakistan soil. In Karachi, the urban pacification has resulted in remarkable improvement in crime rates and citizen safety. However, in the long term, obviously this is the job of the civilian law enforcement agencies to maintain the peace and prevent any resurgence. To this end, we need to conduct more organized, intelligence-based, terror-combing operations, reconcile with our neighbors, have the National Directorate of Security [Afghanistan's intelligence agency] and [Pakistan's] Inter-Services Intelligence work in close cooperation, allow the Quadrilateral Coordination Group [Afghanistan, Pakistan, the United States, and China] to continue to build confidence in the region, engage in better border management, extend critical intelligence to Afghanistan and vice versa, eradicate Tehrik-e-Taliban Pakistan (TTP) leadership in Afghanistan, improve provincial capacity, form the Joint Intelligence Directorate (JID) under NACTA, and reform both our police and criminal justice sectors.

⁴⁶ Salahuddin, Z. (2017, Apr 07). Pakistan's National Security Adviser on Counterterrorism. Retrieved April 12, 2017, from <<http://thediplomat.com/2017/04/pakistans-national-security-adviser-on-counterterrorism/>>.

ZS: You spoke about Karachi. Can you tell us a little about Balochistan and Punjab?

NSA: Unrest in Karachi is a part of a bigger, external strategy to destabilize Pakistan. That network is being dismantled, and the success of these endeavors speaks for itself. In this regard, the police forces, the Rangers [Pakistan's paramilitary force], and the people of Karachi must be commended for displaying such incredible resilience and conviction.

Balochistan has also been and is still part of external designs. Balochistan and its beautiful people are very close to my heart, as I have served in the province. There again, we have been able to marginalize the insurgency to a great extent. We have been very lucky that this time, the people of Balochistan have become the biggest stakeholders of peace. They have rejected the terrorism and insurgency. They have realized that they were being misguided and misused. They love Pakistan and want to embrace education, progress, and prosperity as they have refused to live in the past. We are now endeavoring to bring some misguided individuals into the political and national mainstream. They have a few leaders, in self-exile, who serve the interest of certain foreign powers. Reconciliation and mainstreaming is the only permanent solution to this conflict.

Punjab, with all its law enforcement agencies, particularly the Counterterrorism Department, have done extremely well in implementing NAP. To improve the security situation, Rangers have also been provided and soon you will see the situation improve further.

PART 7: SEMINARIES

NAP POINT 10: Registration and regulation of religious seminaries.

Part 7: Table of Contents

- 7.1 Introduction
- 7.2 Seminaries in Pakistan
- 7.3 Understanding Seminaries
- 7.4 History of Seminary Reforms
- 7.5 Funding / Financing of Seminaries
- 7.6 Obstacles
- 7.7 Conclusion
- 7.8 Excerpt from Interview with NSA, Lt. Gen. (retd.) Naseer Khan Janjua

Part 7: Seminaries

7.1 Introduction

The seventh theme looks at the controversial topic of seminaries or madrassas, as addressed by the tenth point in the National Action Plan (NAP). This point pertains to the registration and regulation of religious seminaries.

The goals of the government, as explained by the National Security Advisor (NSA) Lt. Gen. (retd.) Naseer Janjua Khan,¹ involve: a) registration of seminaries b) updating the curriculum c) equivalence certificates, and d) to have wifaqs² registered as examination boards.

The government has yet to finalize a process for collecting data on and registering seminaries. Regulation reform can only take place further down the line once the initial process is streamlined and Pakistani authorities have a better sense of the number and scope of seminaries operating in the country.

The findings of the Quetta Commission Enquiry Report³ state that there are 26,465 seminaries in the country. However, only 11,852 seminaries are registered. Even if the government and Ittehad-e-Tanzeemat-e-Madaris Pakistan (ITMP⁴ – the coalition of wifaqs) agreed to undertake madrasa reforms, the decision would have to be implemented both in letter and spirit. As will be discussed later in the chapter, the four provinces have completed the process of geo-tagging religious seminaries but that is far from what is actually required under NAP.

7.2 Seminaries in Pakistan

7.2.1 Number of Seminaries

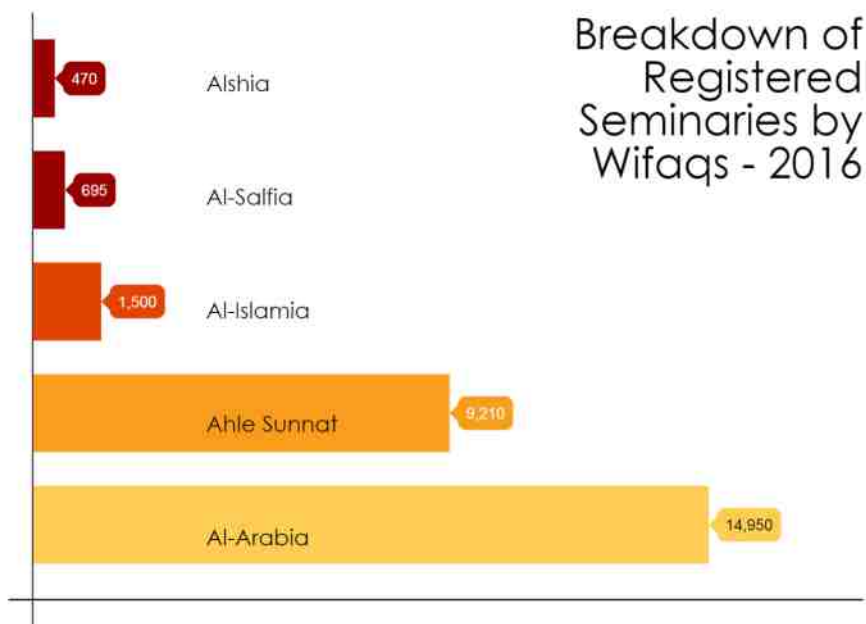
NACTA's former National Coordinator's statement about Pakistan's inability to determine the exact number of seminaries has some merit. Since seminaries are religious institutions that work independently of government control, the exact number of seminaries that operate in Pakistan is unclear and this is one of the biggest obstacles as regards their regulation.

The estimated number of countrywide seminaries is more than 35,000.⁵ After writing letters to the five wifaqs of seminaries, the Quetta Commission Enquiry Report found out that 26,465 were affiliated

with wifaqs.⁶ The details of seminaries affiliated with each board are as follows:

Wifaq	Seminaries
Wifaq-ul-Madaris Alshia Pakistan	470
Wifaq-ul-Madaris Al-Salfia	695
Rabita-ul-Madaris Al-Islamia Pakistan	1,500
Tanzeem-ul-Madaris Ahle Sunnat Pakistan	9,210
Wifaq-ul-Madaris Al-Arabia	14,950
Total	26,825

Graph 7.1 Number of Registered Seminaries by Wifaq⁵



The NAP Tracker, 2016 - The Center for Research and Security Studies, 2017

7.2.2 Geo-tagging and Registration

As far as data about registered seminaries is concerned, the same commission sought information from the Ministry of Religious Affairs and Inter-Faith Harmony. The Ministry informed the Commission that a total of 11,852 seminaries were registered barring data from the Wifaq-ul-Madaris-al-Arabia, which was still awaited. The implication is that there are around 14,613 seminaries that have yet to be

⁶ Iqbal, Nasir. (2016, December 18). Qazi Isa commission decries lack of reliable data about seminaries. Retrieved on December 28, 2016, from <<http://www.dawn.com/news/1303026>>.

registered. Around 40% or 1,208 out of 3,028 seminaries in KP are registered.⁷ Punjab has geo-tagged 13,849 seminaries.⁸ Similarly, in Sindh there are 10,031 seminaries with 1,148 yet to be registered.⁹

However, data provided by the NSA, presents a different story.¹ According to the NSA, the number of seminaries in Sindh is 10,033. Of those seminaries, 2,309 have been closed and 7,724 have coordinated with ITMP for regulation. Overall, Sindh has fared relatively well. To register existing and newly established madaris, the Sindh government drafted a law titled the "Sindh Deeni Madaris Act 2016" and sent it to the law ministry for the approval of the provincial assembly in May¹⁰ but the provincial government could not pass the bill on account of opposition from several religious groups. In December, a report of the Sindh Home Ministry claimed that the government had sealed 2,309 seminaries that were either unregistered or being run 'illegally', and geo-tagged all the remaining madrassas.¹¹

In Punjab, though the Counter-Terrorism Department (CTD) completed the geo-tagging the details of this have not been made public so far.¹² Punjab has not only geo-tagged 13,788 seminaries but has also tagged 62,676 mosques and 3,925 minorities' places of worship.¹

KP (excluding FATA) has 3,306 seminaries which have been monitored under the following three categories: a) 76 b) 196 c) 3,034. Seminaries under the first two categories are being monitored.¹ The KP government also carried out the process of registration for religious seminaries. According to the Auqaf Department Peshawar, there are 3,028 seminaries and only 1,208 of them are registered.¹³ In a highly controversial move, the KP government allocated Rs. 300 million for the Darul-Uloom Haqqania.¹⁴ Some of the students of this seminary have been accused of being involved in the murder of former Prime Minister Benazir Bhutto.¹⁵ The decision of the Pakistan Tehreek-e-Insaf (PTI) was criticized by some political parties including the Pakistan People's Party (PPP) and the Awami National Party (ANP). In response, Imran Khan, chairman PTI, defended his government's decision by saying that the financial assistance will help assimilate the students of the seminary with the mainstream and keep them away from radicalization.¹⁶ This argument can be considered untenable on two counts. Firstly, it stands at a striking variance from the national agenda of NAP and secondly PTI's justification for funding is not

⁷ Iqbal, Nasir. (2016, December 18). Qazi Isa commission decries lack of reliable data about seminaries. Retrieved on December 28, 2016, from <<http://www.dawn.com/news/1303026>>.

from <<http://tribune.com.pk/story/1176154/geotagging-7724-madrassas-completed-sindh/>>.

⁸ Ali, Usman. (2016, February 15). 56 geo-tagged seminaries suspected of terrorist links. Retrieved on December 28, 2016, from <<http://tribune.com.pk/story/1047029/national-action-plan-56-geo-tagged-seminaries-suspected-of-terrorist-links/>>.

⁹ Sarki, Mushtaq. (2016, September 5). Geotagging of 7,724 madrassas in Sindh completed. Retrieved on December 28, 2016, from <<http://tribune.com.pk/story/1176154/geotagging-7724-madrassas-completed-sindh/>>.

¹⁰ Perwaiz, Salis bin. (2016, May 15). Draft of proposed law submitted to lawn department. Retrieved on December 29, 2016, from <<https://www.thenews.com.pk/print/119997-Draft-of-proposed-law-to-regulate-madrassas-submitted-to-law-dept>>.

¹¹ Mansoor, Hasan. (2016, December 24). Over 23 pc seminaries in Sindh found to be illegal. Retrieved on December 29, 2016, from <<https://www.dawn.com/news/1304103/over-23pc-seminaries-in-sindh-found-to-be-illegal>>.

¹² Asghar, M. (2016). Geo-tagging of seminaries in Punjab. Retrieved January 03, 2017, from <<http://www.dawn.com/news/1288563>>.

¹³ Shahid, Shamim. (2016, June 29). 40% of 3,028 seminaries in KP registered. Retrieved on December 28, 2016, from <<http://tribune.com.pk/story/1132622/40-3028-seminaries-k-p-registered/>>.

¹⁴ Khesghi, Khalid. (2016, June 17). Rs300m allocated for madrasa in KP budget, assembly told. Retrieved December 30, 2016, from <<https://www.thenews.com.pk/print/128443-Rs300m-allocated-for-madrassa-in-KP-budget-assembly-told>>.

¹⁵ Bhatti, H. (2015). Darul Uloom Haqqania students involved in killing of Benazir. Retrieved December 30, 2016, from <<http://www.dawn.com/news/1166084>>.

¹⁶ Dawn.com. (2016). Imran defends KP govt's Rs300m grant for Darul Uloom Haqqania. Retrieved December 30, 2016, from <<http://www.dawn.com/news/1266524>>.

backed by any specific plan of how this money is going to lead towards the achievement of that goal.

In Balochistan, there are 3,290 seminaries (3,264 from the Sunni sect and 26 from the Shia sect) of which 518 are unregistered. These seminaries are primarily funded by donations also known as sadqa, zakat and khairaat. There are 3,910 foreign students and 160,000 local students in these seminaries. The Balochistan government has cancelled the visas of 3,552 foreign students and set up a District Coordinating Committee (DCC). Seminaries hold meetings at the DCC level for the purposes of monitoring and regulation. The process of mapping and surveying the seminaries has been on-going. Balochistan has also completed the process of geo-tagging.¹⁷

Azad Jammu and Kashmir (AJK) has formulated a comprehensive legal framework and set up an exclusive department to register and monitor seminaries. It completed the mapping of seminaries but the total number of seminaries is not available. Obtaining a No Objection Certificate (NOC) for opening new seminaries has been made mandatory.¹

Gilgit-Baltistan (GB) also completed the geo-tagging of seminaries. The Charity Bill has been sent to the GB cabinet for enactment. All 145 seminaries have been registered in.¹

According to the NSA, the geo-tagging of madrassas in all four provinces has been completed and 90% of the seminaries have agreed to register.

As may be evident, this is a monumental task, and with new seminaries being opened every day, as well as non-uniform, inconsistent action against seminaries, it remains one of the toughest tasks in the National Action Plan.¹

Codifying the mechanism for the registration and documentation of seminaries is a necessary first step, before any regulation and reform can occur. It is also important to understand why 3.5 million children in Pakistan attend seminaries, and the history of seminary reform.

7.2.3 Government Progress

NACTA has been working on the task of streamlining seminaries but no major headway has been made thus far. In June 2015, the former National Coordinator of NACTA Hamid Ali Khan declared that the government had failed to determine the exact number of religious seminaries in the country.¹⁸ This has since changed, as nearly all seminaries have been geo-tagged across Pakistan.

The Ministry of Interior and Narcotics Control presented a report in the National Assembly in January, 2016. According to that report a uniform registration and data form had been developed and finalized jointly by NACTA and the ITMP. Under the proposed form, the seminaries would provide the government with data including the number of enrolled students, faculties, bank account details and other vital information.¹⁹ This form was dispatched to the relevant provincial and federal security institutions, to canvass their opinion. With provincial approval having been obtained it now awaits the

¹⁷ Mansoor, Hasan. (2016, December 24). Over 23 pc seminaries in Sindh found to be illegal. Retrieved on January 3, 2017, from <<https://www.dawn.com/news/1304103/over-23pc-seminaries-in-sindh-found-to-be-illegal>>.

¹⁸ Khan, A. (2015, June 02). Fresh revelations: Anti-terror plan fails to achieve goals - The Express Tribune. Retrieved March 23, 2016, from <<http://tribune.com.pk/story/895997/fresh-revelations-anti-terror-plan-fails-to-achieve-goals/>>.

approval of the Prime Minister.²⁰

In an exclusive interview with CRSS, the NSA noted that after the 18th amendment, the onus of implementing seminary registration and lies primarily with the provincial governments and that under this amendment considerable power had been delegated from the center to the provinces.¹

In order to oversee and improve the educational systems in seminaries, an Islamic Education Commission was set up by the Minister for Religious Affairs and Interfaith Harmony in August, 2015.²¹ To ensure that the NAP was correctly executed, the government also conducted a meeting with the leaders of religious madrassas of different sects in September, 2015. The highlights of the meeting were:

- The Prime Minister requested officials to support the registration and regulation of seminaries.
- A consensus was reached amongst the government and clergy over seminary reform.
- The Interior Minister pledged that the government would formulate a strategy to deal with funding coming in from overseas.
- The presence of the Chief of Army Staff (COAS) in the meeting was noted and appreciated.
- Religious scholars criticized the government for its scrutiny of madrassas and declared that there was no difference between madrassas and formal educational institutes.²²

The government and delegates of the seminaries mutually decided that the seminaries would maintain their financial dealings via banks. The seminaries agreed to include modern O/A level subjects in their syllabus. A committee was established under the control of the Interior Minister comprising of education ministries from the federal and provincial level and the ITMP.²³

In July 2016, a deal was struck between the government and ITMP regarding the registration of seminaries and curriculum reforms.²⁴ Though it was mutually decided by the Interior Minister Chaudry Nisar Ali Khan and ITMP that two separate committees (one for registration and other for curriculum reform) would be formed for this purpose, no progress could be made on that understanding. In order to oversee the financial transactions of seminaries, the government of Punjab decided to pass an ordinance. A draft of the Proposed Charities Act 2015 was set up, which requires all transactions to be conducted through a bank.²⁵

According to a NACTA official, around Rs. 101 million of suspicious funds belonging to 177 seminaries were frozen in over three dozen banks.²⁶ The government is said to have closed 254 unregistered and suspicious madrassas in the country.²⁷ Of those seminaries, 239 were in Sindh, 13 in KP and 2 in Punjab.

¹⁹ Tanoli, Qadeer. (2016, March 14). Madrasa data form drafted. Retrieved on December 29, 2016, from <<http://tribune.com.pk/story/1065236/security-issues-madrassas-data-forms-drafted/>>.

²⁰ Tanoli, Qadeer. (2016, September 2). Provinces give go-ahead: Pro forma for seminaries finalised. Retrieved on December 29, 2016, from <<http://tribune.com.pk/story/1174582/provinces-give-go-ahead-pro-forma-seminaries-finalised/>>.

²¹ Ali, K. (2015, August 13). Education commission proposed to reform seminaries. Retrieved March 23, 2016, from <<http://www.dawn.com/news/1200180>>.

²² Abrar, M. (2015, September 08). With army chief on table, PM brings clergy on board. Retrieved March 23, 2016, from <<http://www.pakistantoday.com.pk/2015/09/08/national/with-army-chief-on-table-pm-brings-clergy-on-board/>>.

²³ Mukhtar, I. (2015, September 08). Madrassas agree on funds through banks. Retrieved March 23, 2016, from <<http://nation.com.pk/editors-picks/08-Sep-2015/madrassas-agree-on-funds-thru-banks>>.

²⁴ Aalam, Iftikhar. (2016, July 14). Accord on Madrasa reforms struck. Retrieved on December 28, 2016, from <<http://nation.com.pk/national/14-Jul-2016/accord-on-madrasa-reforms-struck>>.

²⁵ The News. (2015, September 18). Punjab to bring law for regulating funding of seminaries, NGOs. Retrieved March 23, 2016, from <<http://www.thenews.com.pk/Todays-News-13-39733-Punjab-to-bring-law-for-regulating-funding-of-seminaries-NGOs>>.

All this shows that government has been far from successful in implementing reforms in the madrassa sector. The efforts to streamline seminaries are not well-coordinated and seem to be more adhoc in nature.

7.3 Understanding Seminaries

7.3.1 Schools of Thought

As mentioned in Table 7.1 above, there are five schools of thoughts that have formed loose coalitions of seminaries. Each of these offers a school of thought that varies along a few key parameters. However, data suggests that those attend seminaries in Pakistan primarily do so for economic reasons, not religious ones.²⁶

7.3.2 A Brief History

Initially, madrassas were centers of education, both religious and secular. They earned the title of “trust institutions” over time, as they provided social services to poor families, such as food, shelter, clothing and free education. Part of the reason for the rise in seminary education and housing was the state's failure to address the basic needs of the population. Parents, who made less than two dollars per day, started seeing madrassas as a beacon of hope, a way to help the family survive, where their children could learn to read and write, be clothed and fed, and have a roof over their heads.

This is the central argument upon which rests the severe backlash from the religious right, whenever the state of Pakistan attempts to regulate seminaries. This harsh reality has allowed the scope and scale of madrassas to grow and morph over time.

Over the course of time, funding became an issue as madrassas expanded. Religious seminaries have enjoyed overt financial backing from various Muslim states. A Wiki Leaks cable suggests that an estimated \$100 million makes its way annually from the Gulf States to seminaries in Pakistan. Ostensibly, this is to support continued religious education and social services. But analysts have long suspected that some part of these finances make their way to funding militancy.

7.3.3 Militant Connection?

The idea that madrassas are “incubators of violent extremism” took hold after 9/11, and the US pressured General Pervaiz Musharraf to take some action over the schools. While numerous reports, including the Annual Status of Education Report Pakistan, claim that there is no connection between

²⁶ Gishkori, Zahid. (2016, September 26). Accounts of over 8,400 terror-financing suspects being frozen. Retrieved n December 29, 2016, from <<https://www.geo.tv/latest/115831-Accounts-of-over-8400-terror-financing-suspects-being-frozen>>.

²⁷ Haq, Riazul. (2016, February 25). Over 250 madrassas shut down countrywide. Retrieved January 02, 2017, from <<http://tribune.com.pk/story/1053991/national-action-plan-over-250-madrassas-shut-down-countrywide/>>.

²⁸ Shabir, G., Abbasi, S. M., & Khan, A. (2012). Pakistan Journal of Social Sciences, 32(1), 2012th ser., 147-156. Retrieved March 23, 2016, from <http://www.bzu.edu.pk/PJSS/Vol32No12012/Fi-nal_PJSS-32-1-11.pdf>.

seminaries and militancy, several facts work against this notion. The most overt and public display of the strength of madrassas was the Red Mosque standoff in 2007, where armed students engaged in a hostile and bloody standoff with state authorities for several days. Further, both the NAP and the NISP call for the registration, regulation and reform of madrassas, a tacit acceptance that a problem exists.

Further, a Brookings Institute research report in 2010 claimed that 82% of students in Deobandi seminaries see the Taliban as role models. Another Brookings Institute report claims that the real problem lies in a handful of hardline seminaries.²⁹ Finally, the government has disclosed that nearly 80 working seminaries in Pakistan are receiving foreign monetary aid of up to three hundred million rupees.³⁰

7.4 History of Seminary Reforms

Previously, many madrassas were registered under the Societies Act 1860. Later in 1994, the registration of madrassas was prohibited in the regime of Benazir Bhutto. The “Model Deeni Madrassa Ordinance” was issued following the Musharraf regime in 2001, post 9/11, but it was rejected by the overarching body for the five schools of thoughts. The “Madrassa Regulatory Ordinance” was issued by the government next, and a ban on madrassa registration was ultimately raised under the notification No # 40/30/99/P11-20.11

All things considered, this is not the first time Pakistan has attempted to register seminaries, and the backlash is nothing new.

7.5 Funding / Financing of Seminaries

A handful of Pakistan's madrassas have been exploited by internal and external actors for their own regional, religious or regulatory interests.

To review the implementation of the NAP, a meeting was organized in January, 2015. The principle discussion was the scrutiny of foreign funding for religious seminaries explicitly coming from Middle Eastern countries.³¹ It has emerged that Muslim countries had been providing financial support to nearly 234 madrassas in the province of Balochistan alone until February, 2015.³² In March, 147 seminaries of Punjab were reported to have accepted foreign financial funding.³³

Up until December, 2015, only 23 religious seminaries were reported as receiving foreign funding in the provinces of KP, Sindh and Balochistan. The province of Punjab was excluded upon the denial of Inspector General of Punjab Police (IGP).³⁴

²⁹ Winthrop, R., & Graff, C. (2010, June). Beyond Madrasas: Assessing The Links Between Education And Militancy In Pakistan. Retrieved February 23, 2016, from <http://www.brookings.edu/~media/research/files/papers/2010/6/pakistan-education-winthrop/06_pakistan_education_winthrop.pdf>.

³⁰ Ghiskori, Z. (2015, January 29). Year 2013-14: 80 seminaries received Rs300m in foreign aid - The Express Tribune. Retrieved February 23, 2016, from <<http://tribune.com.pk/story/829407/year-2013-14-80-seminaries-received-rs300m-in-foreign-aid/>>.

³¹ Ghumman, K. (2015, January 14). Govt ponders over issue of madrasah financing. Retrieved March 23, 2016, from <<http://www.dawn.com/news/1156907>>.

³² Ghiskori, Z. (2015, February 20). 234 madrassas in Balochistan receive foreign cash: Official - The Express Tribune. Retrieved March 23, 2016, from <<http://tribune.com.pk/story/841298/counter-ing-extremism-in-balochistan-234-madrassas-receive-foreign-cash-official/>>.

The financing system of madrassas added to the troublesomeness of proposed reforms. The country has a large shadow economy, and the madrassas are just a part of it. They function through cash couriers and charity seeking initiatives, rather than making transactions through banks. The Financial Monitoring Unit (FMU) is an entity authorized with scrutinizing possible cases of money laundering and terror financing.

Please see [Section 3.3.8 Terror Financing – Steps](#).

7.6 Obstacles

The International Crisis Group (ICG) presented a report in this respect called Un-fulfilled Promises. The report indicated that the intolerance and religious prejudice in Pakistan is a result of the government's reluctance to act against the wishes of its political associates among religious groups.³⁵

This politicization and political affiliation of seminaries is another reason why the state is often compelled to delay or suspend attempts at reform.

It may also be difficult to tackle the matter seriously when prominent politicians from the most populated province, housing the largest number of unregulated and unregistered seminaries, wholeheartedly believe that there is absolutely no connection between seminaries and militancy,³⁶ especially when it is revealed that the bomber responsible for the carnage in Gulshan-e-Iqbal Park in Lahore in late March, had been a seminary teacher for eight years.³⁷

In March 2015, former Council of Islamic Ideology (CII), Chairman Dr. Khalid Masud found mistrust among religious seminaries and the government as the foremost obstacle to seminary reform.³⁸

7.7 Conclusion

There has been some moderate progress on seminaries, specifically regarding their geo-tagging. The government is taking its time to bring every stakeholder on board, and in the long-term that is the correct strategy.

However pressure from the religious right and internal finger-pointing all serve to delay and derail the process. Additionally, seemingly haphazard and inconsistent implementation of the NAP points (financing, regulation, curriculums, and hate speech) as they pertain to seminaries also creates

³³ Haider, I. (2015, March 04). IGP report reveals 147 foreign-funded seminaries in Punjab. Retrieved February 16, 2016, from <<http://www.dawn.com/news/1167339>>.

³⁴ Bhatti, M. W. (2015, December 09). Rangers have to seek Sindh CM's nod before political arrests. Retrieved March 23, 2016, from <<http://www.thenews.com.pk/print/80719-Rangers-have-to-seeK-Sindh-CMs-nod-before-political-arrests>>.

³⁵ ICG. (2004, January 16). Unfulfilled Promises: Pakistan's Failure to Tackle Extremism. Retrieved February 23, 2016, from <<http://www.crisisgroup.org/en/regions/asia/south-asia/pakistan/073-un-fulfilled-promises-pakistans-failure-to-tackle-extremism.aspx>>.

³⁶ APP. (2015, April 25). No militancy in Punjab seminaries: RanaSanaullah. Retrieved March 23, 2016, from <<http://www.dawn.com/news/1202771>>.

³⁷ News Desk. (2016, March 28). Police arrests three brothers of Lahore suicide bomber. Pakistan Today. Retrieved March 26, 2017, from <<http://www.pakistantoday.com.pk/2016/03/28/police-arrests-three-brothers-of-lahore-suicide-bomber/>>.

³⁸ News Desk. (2015, March 24). Mainstreaming madrassas: Call for registration of seminaries with education departments - The Express Tribune. Retrieved March 23, 2016, from <<http://tribune.com.pk/story/858401/mainstreaming-madrassas-call-for-registration-of-seminaries-with-education-de-partments/>>.

loopholes in the system. Pakistan has still not begun the process of inclusion of sciences, English and other subjects in the seminary curriculum.

All things considered, the registration, regulation and reform of madrassas is a direct result of state ineptitude when it comes to free public education. This inability of the Pakistani government to provide free education, access to basic social services, and employment opportunities upon graduation will continue to plague Pakistan, leading to the proliferation of parallel education systems.

7.8 Excerpt from Interview with NSA, Lt. Gen. (retd.) Naseer Khan Janjua³⁹

Zeeshan Salahuddin (ZS): How about seminary reform: is that another sensitive area?

Lt. Gen. (retd.) Naseer Khan Janjua (NSA): Madrasas fill a gap, particularly for poor people and their children from certain quarters in Pakistan, and I am cognizant of the good work they do. Students of madrasas are the children of Pakistan, and as such they are equal and important as anyone else. This is certainly a sensitive area, but I think the onus is on the state to provide equal opportunity and treatment, particularly to those considered unequal. The state should, and will, provide certain measures and incentives to madrasas and their students to embrace them in the mainstream of the overall education system of the country. If we can afford them all existing opportunities equally, we can absorb these sons and daughters of Pakistan as the strength of the nation. After due diligence and rigorous deliberations with relevant ministries, particularly with the Ministry of Interior, Ministry of Education, and Ministry of Religious Affairs, and other institutions, my office is preparing a package of incentives for the mainstreaming of madrasas. The final decision will be taken after the necessary consensus is evolved through collective wisdom of wafaqs [an umbrella body for all seminaries from a particular school of thought], scholars, ulemas (clerics), mashaikhs, and national level leadership. On this front, we will soon give you some very good news.

³⁹ Salahuddin, Z. (2017, Apr 07). Pakistan's National Security Adviser on Counterterrorism. Retrieved April 12, 2017, from <<http://thediplomat.com/2017/04/pakistans-national-security-adviser-on-counterterrorism/>>.

PART 8: REFUGEES AND IDPS

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

NAP POINT 19: Formulation of a comprehensive policy to deal with the issue of Afghan refugees, beginning with registration of all refugees.

PART 8: Table of Contents

- 8.1 Introduction
- 8.2 Refugees
- 8.3 Internally Displaced Persons (IDPs)

PART 8: REFUGEES AND IDPs

8.1 Introduction

The 12th and 18th point in the NAP and eighth theme deals with the displaced person both internally and externally, most specifically from Afghanistan.

8.2 Refugees

National Security Advisor (NSA) Lt. Gen. (Retd.) Naseer Khan Janjua in a private interview with CRSS stated that while certain aspects of the Afghan refugee crisis are politicized and mishandled, the overall consensus is that they should return to their homeland.¹ He also said that the incidents of forced repatriation like the way Nat-Geo girl Sharbat Gula were blown out of proportion and unnecessarily hyped.

The issue of refugees has been handed over to Minister for States and Frontier Regions (SAFRON), Lt. Gen. (Retd.) Abdul Qadir Baloch, to analyze the intensity of the matter and how Afghan refugees are treated in Pakistan versus globally. In this regard, an All Parties Conference (APC) is to be held to determine the date for the repatriation of refugees. Currently it is March 31, 2017. As has been the case for the last several occasions, it is believed that this may be extended to June, or to the end of the year.

The United Nations High Commissioner for Refugees (UNHCR) gauges 1,320,394 refugees in Pakistan as of November 15, 2016.² 34% out of these refugees live in refugee camps and 66% live outside these villages.³ According to a report by Al - Jazeera TV, Pakistan still holds the third biggest outcast populace of 1.6 million, while Jordan (2.7 million) and Turkey (2.5 million) individually hold the initial two positions with highest number of refugee populace.⁴

While comparing to the last year's data of 1,554,910 refugees around 333,817 individuals consisting of 52,439 families have repatriated in 2016 which is highest number of repatriation since 2006.⁵ It is also nearly six times the number since 2015.⁶

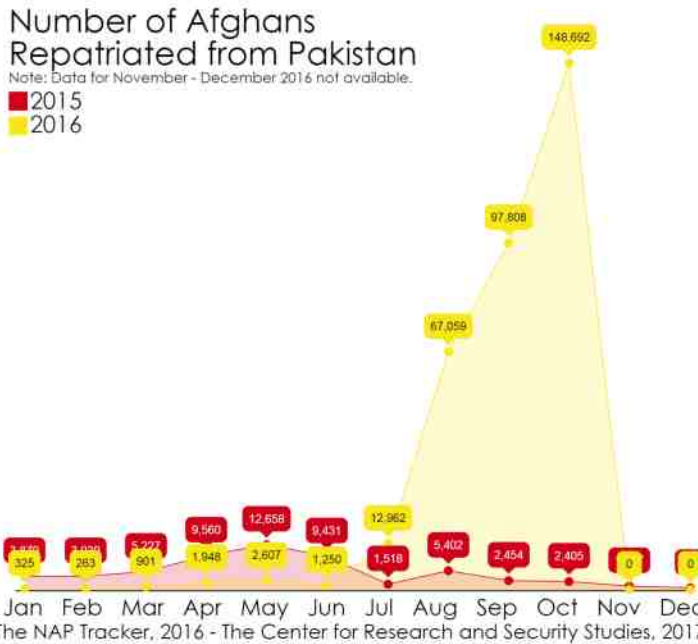
UNHCR, as part of its mandate of providing durable solutions is operating three Voluntary Repatriation Centers: two in Peshawar and one in Quetta. The families who want to repatriate return their Proof of Registration Cards (PoRs) to these centers. Each member of the repatriating families is provided with

400 USD at the time of repatriation.

Comparative data of repatriation of 2015 & 2016 is as under:

Table 8.1 - Comparative Data of Repatriation		
Month	2015	2016
January	3,879	325
February	3,939	263
March	5,227	901
April	9,560	1,948
May	12,658	2,607
June	9,431	1,250
July	1,518	12,962
August	5,402	67,059
September	2,454	97,808
October	2,405	148,692
November	1,147	n/a
December	611	n/a
Total	60,246	333,815

Graph 8.1 Comparative Data of Repatriation – 2015 vs. 2016



As much as 1

International Organization of Migrants.⁷ Pakistan has 582 refugees from other countries as well.

The process of repatriation has accelerated due to multiple factors:

- Doubling of UNHCR's repatriation grant to returnees,
- Stricter controls on the Afghanistan–Pakistan border,
- Uncertainty among Afghan refugees regarding GoP issued Proof of Registration (POR) card extensions and future legal status,
- Anti-refugee sentiment among Pakistanis,
- loss of economic opportunities due to harassment and intimidation by host populations, and
- extortion by/corruption of local authorities.

8.2.2 Refugees – Regional Distribution

As of 2012, 85% of the refugees are Pashtuns, while the remaining 15% comprise Uzbeks, Tajiks and other ethnic groups. Khyber Pakhtunkhwa hosts the largest Afghan Refugees population (62.1%), followed by Balochistan (30.3%), Punjab (4.2%), Sindh (4.2%), Islamabad (2%) and Azad Kashmir (0.4%).⁸

The registration process was initiated in 2006 and the PRCs have been extended six times over the last several years. Since 2002, 4,253,713 Afghan refugees have repatriated from Pakistan with UNHCR's assistance. The key findings for such high number of repatriation are:

1. Feeling unwelcome
2. Strict border control
3. Happy/content to return

148,692 people repatriated between 1 October and 31 October, 2016, alone which is likewise the most elevated number of returns in October since 2002. The daily average number of returnees in October was around 5,700, an upsurge to the average approximately 4,600 daily returns in September.⁵

8.2.3 Refugees – Current Status

In November, 2016, Governor of Khyber Pakhtunkhwa, Iqbal Zafar Jhagra said that Pakistani authorities are continuously in contact with their Afghan counterparts for peaceful and complete resettlement in their native country and all the Afghan refugees would be repatriated by the end of year 2017.⁹

On October 7, 2016, in a quadrilateral meeting in Geneva, Minister SAFRON had a meeting with the Chief Executive Officer of Afghanistan, Mr. Abdullah Abdullah and discussed the return of Afghan refugees in a dignified manner. Mr. Abdullah appreciated that Pakistan has generously hosted Afghan

⁷ Tribune. (2016, October 5). Pakistan an exemplary host to Afghan refugees, says UNHCR rep. Retrieved December 23, 2016, from, <<http://tribune.com.pk/story/1193680/repatriation-pakistan-exemplary-host-afghan-refugees-says-unhcr-rep/>>.

⁸ UNHCR. (2011, November 30). Registered Afghan Population in Pakistan - 2010-2011. Retrieved December 28, 2016, from <<http://unhcrpk.org/wp-content/uploads/2012/04/Registered-Afghan-Population-in-Pakistan.pdf>>.

⁹ Staff Reporter. (2016, November 24). Afghan refugees to be sent back next year: Jhagra. Retrieved December 29, 2016, from, <<https://www.thenews.com.pk/print/167311-Afghan-refugees-to-be-sent-back-next-year-Jhagra>>.

refugees for the past four decades and the announcement of 500 US Dollars by Pakistani Government at Brussels Conference. He added that Afghan Government is also making efforts for the sustainable resettlement of refugees back in Afghanistan. Mr. Abdullah Abdullah and Mr. Abdul Qadir Baloch stressed the importance of close coordination between the governments of both the countries regarding the return of Afghan refugees.¹⁰ Afghanistan, Pakistan, Iran and the UNHCR attended the Quadripartite Steering Committee.

8.2.4 Refugees – Controversies

When there are humanitarian conflicts and crises, the bordering states are also impacted in the long run. Generally states voluntarily help one another to minimize this impact; however, Pakistan has been unfortunate in this regard.

Sharbat Gula, once appeared on famous National Geographic Cover, is a green eyed Afghan girl who was arrested in Pakistan for falsifying documents and staying illegally. She was deported to Afghanistan by Pakistani authorities. Amnesty International reacted on the deportation and termed it as “grave injustice”.¹¹

Pakistan Frontier Corps had a skirmish with Afghan Border Police when they tried to disrupt the construction of a gate. The gate is designed to curb illegal cross-border movement and check the movement of terrorists since Pakistani authorities implemented stringent visa requirements.

According to Pakistan's Inter-Services Public Relations (ISPR) that one Pakistani Army Major got injured and died later on. Two Pakistani guards and nine civilians were also injured during the skirmishes.¹²

Torkham is one of the main border crossings between Afghanistan and Pakistan and is the busiest border between the two states. It connects Khyber Agency of Pakistan with Afghan province of Nangarhar. Afghan traders on daily basis have always used it. Pakistani authorities applied some strict visa conditions that are deemed as unilateral move to trouble Afghan travelers.

The government of Pakistan called the US drone strike in May, in Balochistan, a result of Afghan espionage on its territory. As per the Pakistan Government claims the increased border controls are to crack down on smuggling and militant activity across the border.^{13,14}

8.2.5 Refugees - Worldwide

As much as 65.3 million individuals were displaced by the end of year 2015 that indicates that global forced displacement has increased due to persecution, conflict, violence, and human rights violations.

¹⁰ Staff Reporter. (2016, October 08). Dignified return of Afghan refugees agreed. Retrieved December 29, 2016, from, <<http://nation.com.pk/national/08-Oct-2016/dignified-return-of-afghan-refugees-agreed>>.

¹¹ Ahmadzai, A. A. (2016, November 14). Don't Forget the Afghan Refugees of Pakistan. Retrieved December 29, 2106, from, <<http://nationalinterest.org/feature/dont-forget-the-afghan-refugees-pakistan-18399?page=2>>.

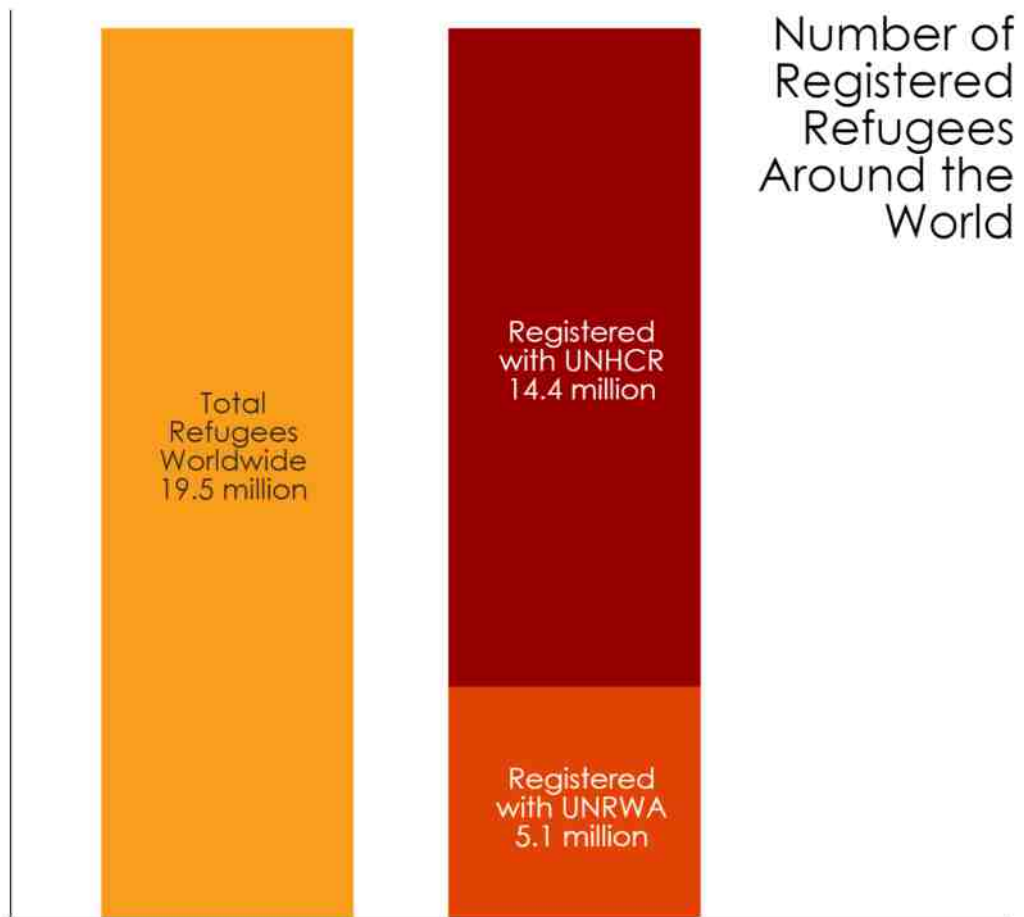
¹² Staff Reporter. (2016, June 14). Pakistan Army major injured in Torkham firing succumbs to wounds. Retrieved December 30, 2016, from, <<http://tribune.com.pk/story/1122285/pakistan-army-major-injured-torkham-firing-succumbs-wounds/>>.

¹³ Panda, A. (2016, June 13). Pakistan, Afghanistan Exchange Fire at Torkham Border Crossing. Retrieved December 30, 2016, from <<http://thediplomat.com/2016/06/pakistan-afghanistan-exchange-fire-at-torkham-border-crossing/>>.

¹⁴ Staff Reporter. (2016, June 14). Pakistan Army major injured in Torkham firing succumbs to wounds. Retrieved December 30, 2016, from, <<http://tribune.com.pk/story/1122285/pakistan-army-major-injured-torkham-firing-succumbs-wounds/>>.

This is 5.8 million more than the previous year (59.5 million). A number of 12.4 million newly displaced persons is estimated that includes 8.6 million individuals displaced within their own territory and 1.8 new refugees. Rests were new applicants for asylum.

Graph 8.2 Number of Registered Refugees Worldwide



The NAP Tracker, 2016 - The Center for Research and Security Studies, 2017

Republic (4.9 million), Afghanistan (2.7 million), and Somalia (1.1 million).

In 2015, UNHCR submitted 134,000 refugees to States for resettlement. According to government statistics, States admitted 107,100 refugees for resettlement during the year, with or without UNHCR's assistance. The United States of America accepted the highest number (66,500).

During 2015, only 201,400 refugees returned to their countries of origin. Most returned to Afghanistan (61,400), Sudan (39,500), Somalia (32,300), or the Central African Republic (21,600).¹⁵

8.3 Internally Displaced Persons (IDPs)

8.3.1 IDPs – Numbers

According to the statistics of UN office for the Coordination of Humanitarian Affairs (OCHA) Pakistan, around 5.3 million people remained displaced since 2008, 4.8 million of these have returned including 700,000 people who repatriated in 2016 only.¹⁶ UN office for the Coordination of Humanitarian Affairs (OCHA) reported that around 76,200 IDP families have returned to their homes till September, 2016, that brings the total number of returned households to 190,000. The process of repatriation started in March, 2015, by the Government of Pakistan. During the preceding 18 months, 62 percent registered displaced persons have returned to FATA. A total of 162,000 families repatriated to Khyber, North Waziristan, and South Waziristan Agencies and around 26, 185 families returned to Kurram and Orakzai Agencies.

Approximately 114,500 families remained displaced in FATA and Khyber Pakhtunkhwa, according to UNHCR and 85, 817 families according to OCHA. Government of Pakistan had disbursed approximately 51 million Dollars to the repatriating families as return grants.¹⁷

8.3.2 IDPs – Causes

The primary causes of displacement include insurgency, counter-insurgency and other related violence. In June, 2014, Pakistan launched Operation Zarb-e-Azb, designed to root out militancy permanently from the Federally Administered Tribal Areas and adjoining regions. This has contributed greatly to the displaced persons crisis. History effectively repeated itself, as a similar operation in 2009 had also displaced some 3.4 million people. Other causes include natural disasters such as floods and earthquakes.

8.3.3 IDPs – Rehabilitation Plan

Federal Minister for Finance and Revenue, Mohammad Ishaq Dar, informed the National Assembly on March 16, 2016, that a comprehensive rehabilitation plan has been devised for the dignified return of

¹⁵ UNHCR. (2016) Global - Trends Forced Displacements 2015. Retrieved December 31, 2016, from <<http://www.unhcr.org/576408cd7.pdf>>.

¹⁶ OCHA. (2016, December 29). Pakistan: IDP/Returnee Survey of Humanitarian Needs in KP/FATA (29 Dec. 2016). Retrieved January 15, 2016, from, <https://www.humanitarianresponse.info/system/files/documents/files/pakistan_idp_returnee_survey_fata_2016.pdf>.

¹⁷ Reliefweb. (2016, September 30). USAID – Pakistan – Complex Emergency FY 2016. Retrieved December 31, 2016, from, <<http://reliefweb.int/sites/reliefweb.int/files/resources/09.30.16%20-%20USAID%20DCHA%20Pakistan%20Complex%20Emergency%20Fact%20Sheet%20%234.pdf>>.

IDPs by the Government of Pakistan.¹⁸ He said that a cell has also been set up in Economic Affairs Division for their welfare. A proposal is also under consideration for the payment of a lump sum amount to IDPs for construction of houses.

An amount of 80 billion PKR has been specified in rehabilitation plan and World Food Program has also disbursed 20 billion PKR among IDPs.¹⁸ The return of IDPs is planned to be completed by November, 2016,¹⁹ which was later updated to December.²⁰ Reports in December, 2016, confirmed that cold was preventing the return of some IDPs, and that several still awaited the plans for rehabilitation.²¹ The FATA Disaster Management Authority (FDMA), stated that 336,042 families awaited return, of which 274,044, or rough 81%) had been sent back to their homes so far.

8.3.4 IDPs – Worldwide

Trend of displacements due to multifarious disasters, conflict, and violence have been on rise since 2003. Statistics from the Internal Displacement Monitoring Center's report of May, 2016, reveals that 27.8 million displacements happened in 127 countries during 2015. At the end of the year, there were 40.8 million IDPs worldwide. The year 2014 had the highest figures of displacements ever recorded. If we analyze these figures, on an average 24,000 displacements occurred in a day. 8.6 million of the cases were new for the year 2015. Middle-East witnessed the highest number of displacements in comparison to rest of the world combined. In similar comparison, displacement figures for Yemen, Syria and Iraq accounted for half of the total.

Displacement figures are higher for developing countries. It is significant to note that Colombia, DRC, Iraq, Sudan and South Sudan are among countries listed with largest numbers of displacements (30 million in total). Figures for displacement in the last years are estimated around 25.4 million annually on an average.²²

¹⁸ Samaa News. (2016, March 18). Govt has comprehensive plan to rehabilitate IDPs: Dar. Retrieved December 31, 2016, from <<https://www.samaa.tv/pakistan/2016/03/govt-has-comprehensive-plan-to-rehabilitate-idps-dar/>>.

¹⁹ Bureau Report. (2016, November 01). Largest Fata wheat seed distribution begins. Retrieved December 31, 2016, from <<http://www.dawn.com/news/1293566>>.

²⁰ Ali, Z. (2016, May 21). Waziristan IDPs repatriation to complete by December: army. Dawn. Retrieved March 15, 2017, from <<https://www.dawn.com/news/1259739>>.

²¹ Bureau Report. (December 26, 2016). Severe cold hampering IDPs' return to tribal areas. Dawn. Retrieved March 15, 2017, from <<https://www.dawn.com/news/1304534>>.

²² NRC, IDMC. (2016, May). Global Report on Internal Displacement 2016. Retrieved December 31, 2016, from <<http://www.internal-displacement.org/globalreport2016/pdf/2016-global-report-internal-displacement-IDMC.pdf>>.

PART 9: CRIMINAL COURTS

NAP POINT 20: Reforms in criminal courts system to strengthen the anti-terrorism institutions including provincial CIDs.

PART 9: Table of Contents

- 9.1 Introduction
- 9.2 The Criminal Procedure Code of Pakistan
- 9.3 Progress on Legal Reforms
- 9.4 National Action Plan by Ahmer Bilal Soofi

PART 9: CRIMINAL COURTS

9.1 Introduction

Our ninth and final theme explores the final point in the NAP, reforms in the criminal courts system to facilitate better implementation of rule of law and speedier access to justice. One of the biggest criticisms of Pakistan's fight against terrorism is its inability to prosecute and convict terror suspects.^{1,2}

9.2 The Criminal Procedure Code of Pakistan

Code of Criminal Procedure, the most comprehensive bill on proceedings of criminal courts in Pakistan, contains all the procedures and provisions which are necessary to regulate the working of criminal law courts in the country. All criminal courts work under this act and it has a central role in the Pakistan legal system.

Criminal law in Pakistan and the procedural codes that are followed, are very different in their application from the criminal law that is followed in the developed world. Pakistan's criminal justice system needs to be understood in the context of the society and the region's history. Most of the criminal laws in Pakistan were introduced by the British Empire. The Code of Criminal Procedure (V of 1898) and the Penal Code (XL of 1860) both of which were implemented in the colony are still by and large the prescribed statutes followed by the courts for criminal cases in Pakistan.

The shortfalls of PPC and CrPC are dire. Radical changes are required for revamping of the existing criminal justice system of Pakistan. Despite the growing urgency of reform, Pakistan's police, and indeed the whole criminal justice system, still largely functions on the mandate of "maintaining public order" rather than undertaking contemporary crime.

9.2.1 Pending Cases in Pakistan's Courts

Rate of conviction is thought to be the most significant performance indicator of any judicial system. Dr. Shoaib Suddle, while discussing the poor criminal judicial system of Pakistan told the Senate Committee on August 20, 2015 that conviction rate in Pakistan is only 10 percent and that too, through bribe and influence.

Any moderately complex civil suit takes 20 to 30 years to be resolved by the exhausting litigation system after numerous rounds of appeals, revisions and remands. There are around two million pending cases in Pakistani courts.³

Former judge of Supreme Court of Pakistan Justice (R) Nasir Zahid had likewise expressed once that the

¹ Staff Reporter. (2016, July 15). Criminal justice system: 'Conviction rate low as judicial system in need of reform'. Retrieved January 1, 2017, from, <<http://tribune.com.pk/story/1142622/criminal-justice-system-conviction-rate-low-judicial-system-need-reform/>>.

² Gul, I. (2016, May 17). Reforming the justice system. Retrieved January 1, 2017, from, <<http://tribune.com.pk/story/1105109/reforming-the-justice-system/>>.

³ Ahmad, S. (2016, December 20). Reforming Pakistan's criminal justice system. Retrieved January 1, 2017, from, <<http://www.dawn.com/news/1303096/reforming-pakistans-criminal-justice-system>>.

conviction rate in the Pakistan was less than 10 per cent.

Nonetheless, the Pakistan Institute of Legislative Development and Transparency (PILDAT) had referred to much higher conviction figures for Punjab and Sindh in its October, 2015, report.

As much as Rs. 1,149,766,000 were spent on salaries of the members of the prosecution services out of the budget of Rs. 1,215,078,000 (nearly 95%) of Punjab Prosecution Service. In 2014, Prosecution Service of Punjab dealt 712,888 and an average amount of 1,704 PKR was spent on them.

In 2014, the Courts cosigned 91, 261 on account of the fact that the accused had absconded and 121,937 were disposed off on account of lack of evidence. As many as 4,596 cases were disposed of in the 27 districts of Sindh. The number of convictions was 4,596 and the number of exonerations was 11,385. The number of cases still pending rests at 71,276.

One of the huge issues of criminal judicial system in Pakistan is pending court cases and insufficient number of court judges. On December 10, 2015, in a Full Court meeting Chief Justice Anwar Zaheer Jamali reflected on the issue disposal of cases in Supreme Court. During the period from October 4, 2015 to December 5, 2015, around 3,147 cases were decided against the institution of 2,603 cases, leaving 26,599 cases pending. It is one the daunting facts that only 2,400 judges have the task to clear 1.7 million pending cases in different courts of Pakistan.

In October 2015, it was revealed by the Chief Justice of Pakistan Justice Anwar Zaheer Jamali that there were 60 judges working in Lahore High Court, 40 in Sindh High Court, 11 in Balochistan High Court and 20 in Peshawar High Court and 7 in Islamabad High Court.

Other main causes of poor prosecution in Pakistan and hence the dismal conviction rates are: Absence of professional autonomy, poor training, lack of access to basic data, inadequate tools to investigate in the Police Department, delay in registration of FIRs due to the reluctance of police, totally ineffective witness protection mechanism, lack of initiative on the part of state prosecutors due to insufficient financial rewards, political appointments of blue-eyed police personnel and prosecutors, un-ending reliance on old conventional tactics and barbaric sources to investigate the crime and criminal reluctance in using scientific sources for probe etc.^{4,5}

9.3 Progress on Legal Reforms

This is the weak justice system of Pakistan that has allowed forming military courts instead of overhauling the whole criminal judicial system. On September 3, 2016, a sub-committee was set up to 'thoroughly consider the impediments in implementation and execution' of various points of National Action Plan.

This committee was assigned the task to thoroughly consider the obstacles in the implementation of

⁴ Shah, S. (2016, March 12). Poor prosecution plays havoc with judicial system. Retrieved January 2, 2017, from, <<https://www.thenews.com.pk/print/104661-Poor-prosecution-plays-havoc-with-judicial-system>>.

⁵ Staff Reporter. (2016, July 15). Criminal justice system: 'Conviction rate low as judicial system in need of reform'. Retrieved January 2, 2017, from, <<http://tribune.com.pk/story/1142622/criminal-justice-system-conviction-rate-low-judicial-system-need-reform/>>.

these points; NAP-1 (Execution of Convicted Terrorists), NAP-2 (Special Trial Courts) and NAP-20 (Revamping of Criminal Justice System).^{6,7} The fact that this committee was set up 21 months after the enactment of the NAP is indicative of the seriousness of the government's overall attitude towards legal reforms.

Further, at the time of the 21st amendment being passed, the government had committed to bring reforms in the criminal judicial system within two years so as to avoid military courts in future.

9.4 OPINION: National Action Plan

by Ahmer Bilal Soofi

Formulated in the aftermath of the blood-curdling attack on the Army Public School (APS), Peshawar, the primary objective of the National Action Plan (NAP) was to reassure the citizenry of the State's writ and to comprehensively eradicate the scourge of hydra-headed terrorism in Pakistan. To this end, the NAP has been a partial success, but crucially its implementation remains inchoate and stunted.

The military courts, envisioned under the NAP, and established via the 21st Amendment to the Constitution, have proved to be a viable short-term solution in bringing jet-black terrorists to justice as mandated by the United Nations Security Council (UNSC) Resolution 1373 (2001).

Given the horrendous nature and frequency of terrorist attacks against the State and citizenry of Pakistan by terrorist non-state actors, the military courts were an essential measure that was upheld by the Supreme Court under the law-of-war paradigm.

Notwithstanding their effectiveness and necessity in the short-term, the military courts, however, should not be mistaken for a long-term or permanent solution. For that, a holistic and specifically tailored reform of the criminal justice system is urgently required and should be prioritized by the State and its organs, including the judiciary, in order to strengthen the already existing criminal courts (under the Criminal Procedure Code and the Anti-Terrorism Act) as well as their procedures and build their capacity to efficiently and speedily deal with genuine cases of terrorism.

Despite the implementation of NAP somewhat stymied by the structural constitutional impediments imposed by the 18th Amendment to the Constitution, the Karachi operation has largely been meeting its objectives by significantly reducing violent crime and terrorism in the city and restoring its economic activity. Additionally, intelligence-based combing operations carried out under NAP in urban areas and other parts of Pakistan have tactically proven to be extremely successful in eradicating terrorism and its threats. Moving forward, such operations should continue. Moreover, to further harmonize the implementation of NAP between the Federal and provincial governments, the existing provincial Apex Committees should be strengthened.

The NAP has had its fair share of criticism as well, which, moving forward, should provide a constructive

⁶ Staff Reporter. (2016, September 04). Sub-committee to consider NAP impediments. Retrieved January 3, 2017, from, <<http://nation.com.pk/national/04-Sep-2016/sub-committee-to-consider-nap-impediments>>.

⁷ Abbasi, A. (2016, October 05). Criminal justice system to be overhauled. Retrieved January 3, 2017, from, <<https://www.thenews.com.pk/print/155038-Criminal-justice-system-to-be-overhauled>>.

basis for a much fuller implementation of its 20 points. Much of the criticism of these points is that they are lacking and are not as extensive as one might expect from a document of this nature. For instance, it fails to provide timelines, guidelines or mechanisms for the measurable implementation of these points.

The goal now should be to take the NAP forward by focusing not just on its tactical goals but also the strategic ones. In this regard, the State should work on developing a Countering Violent Extremism (CVE) framework to de-radicalize terrorists and re-integrate them into the society. Where the NAP calls for the registration of all religious seminaries across Pakistan, the same could be used to help standardize the curriculum of these madrassas and bring it in line with the State of Pakistan's ideology and its international law obligations. Further, Federally Administered Tribal Areas (FATA) Reforms and the repatriation of internally displaced people should be expedited to fully uproot the menace of terrorism.

ANNEX I: EXECUTIONS

#	Name	Date of Hanging	City of hanging	Charges and Year
1	Aqeel Ahmad	12/19/14	Faisalabad	Attack on GHQ
2	Arshad Mahmud	12/19/14	Faisalabad	Attempt on Gen. Musharraf
3	Ghulam Sarwar	12/21/14	Faisalabad	Attack on Musharraf convoy
4	Rashid Mehmood	12/21/14	Faisalabad	Attack on Musharraf convoy
5	Zubair Ahmed	12/21/14	Faisalabad	Attack on Musharraf convoy
6	Akhlaq Ahmad	12/21/14	Faisalabad	Attack on Musharraf convoy
7	Niaz Mohammad	12/31/14	Peshawar	Attack on Musharraf
8	Ghulam Shabbir	01/07/15	Multan	Murdered DSP + 1 [2000]
9	Ahmed Ali	01/07/15	Multan	Murdered 3 civilians [1998]
10	Khalid Mahmud	01/09/15	Rawalpindi	Attack on Musharraf
11	Zulfikar Ali	01/13/15	Rawalpindi	Attack on US consulate
12	Behram Khan	01/13/15	Karachi	Murder of an advocate
13	M. Shahid Haneef	01/13/15	Sukkur	Murder of a def. min. official
14	Mohammad Talha	01/13/15	Sukkur	Murder of a def. min. official
15	Khaleel Ahmad	01/13/15	Sukkur	Murder of a def. min. official
16	Mushtaq Ahmad	01/13/15	Faisalabad	Attack on Musharraf
17	Nawazish Ali	01/13/15	Faisalabad	Attack on Musharraf
18	Arif Zahid	01/15/15	Lahore	Murdered three cops
19	Saeed Awan	01/15/15	Karachi	Murdered DSP/son
20	Ikramul Haq	01/17/15	Lahore	Murdered Imambargah guard
21	Attaullah	02/03/15	Karachi	Murdered a Shia doctor
22	Muhammad Azam	02/03/15	Karachi	Murdered a Shia doctor
23	Fayyaz Ahmed	02/13/15	Mirpur AJK	Murdered advocate's son
24	Muhammad Riaz	02/13/15	Mirpur AJK	Murdered advocate's son
25	Muhammad Siddique	03/12/15	Toba Tek Singh	Murdered three men
26	Muhammad Akhtar	03/13/15	Faisalabad	Murdered father-in-law of rape victim
27	Muhammad Sajid	03/13/15	Faisalabad	Murdered woman
28	Zafar Iqbal	03/17/15	Multan	Raped/Murdered minor

29	Muhammad Faisal	03/17/15	Karachi	Murdered during robbery
30	Muhammad Afzal	03/17/15	Karachi	Murdered during robbery
31	Muhammad Nawaz	03/17/15	Faisalabad	Murdered two relatives
32	M. Nadeem Zaman	03/17/15	Rawalpindi	Murdered four family members [1998]
33	Muhammad Javed	03/17/15	Rawalpindi	Murdered female cousins
34	Muhammad Iqbal	03/17/15	Gujranwala	Murdered over family dispute
35	Muhammad Riaz	03/17/15	Jhang	Murdered over family dispute [1995]
36	Muhammad Sharif	03/17/15	Jhang	Murdered during robbery
37	Mubashir Ali	03/17/15	Jhang	Murdered during robbery
38	Rab Nawaz	03/17/15	Mianwali	Murdered woman
39	Zafar Iqbal	03/17/15	Mianwali	Murdered own father [2003]
40	Ghulam M.	03/18/15	Jhang	Murdered brother-in-law
41	Zakir Hussain	03/18/15	Jhang	Murdered over personal dispute
42	Asad Khan	03/18/15	Attock	Murdered five
43	Tahir Shabir	03/18/15	Lahore	Murder
44	Shafaqat Ali	03/18/15	Faisalabad	Murdered two brothers [1998]
45	Muhammad Syed	03/18/15	Faisalabad	Murdered two brothers [1998]
46	Shaukat Ali	03/18/15	Rawalpindi	Murder
47	M. Shabbir	03/18/15	Rawalpindi	Murder
48	Rab Nawaz	03/18/15	Rawalpindi	Murder
49	Talib Hussain	03/18/15	Rawalpindi	Murder
50	Ahmed Nawaz	03/18/15	Mianwali	Murder
51	Abdul Sattar Khan	03/19/15	Mianwali	Murder [1992]
52	Ghulam M.	03/19/15	Rawalpindi	Murdered two relatives [1996]
53	M. Asghar	03/19/15	Rawalpindi	Murdered two relatives [1996]
54	Gulistan Zaman	03/19/15	Rawalpindi	Murdered civilian [1998]
55	M. Nasrullah	03/24/15	Multan	Murdered over family dispute [1994]
56	Ayub Bashir	03/25/15	Lahore	Murder
57	Shahbaz Ali	03/25/15	Sahiwal	Murdered 7-year-old boy [1998]
58	Jalal Murejo	03/25/15	Sukkur	Murdered cousin [1997]
59	Abdul Razzaq	03/25/15	Sukkur	Murdered 7th grade student [2001]

60	Ghulam Yaseen	03/25/15	Bahawalpur	Murdered and raped woman [2001]
61	Mohammad Khan	03/25/15	Mianwali	Murder
62	Muhammad Afzal	03/26/15	Faisalabad	Murdered over old rivalry [1995]
63	Akramul Haq	03/31/15	Attock	Murdered/Kinapped 3-year old girl
64	M. Ameen	03/31/15	Adiala	Murder [1998]
65	Hussain Shah	03/31/15	Mianwali	Murdered two brothers [2000]
66	Muhammad Riaz	03/31/15	Sargodha	Murdered two men
67	Jafar alias Kali	04/07/15	sahiwal	Murdered two siblings
68	Tayyab Ghulam Nabi	04/07/15	Lahore	Murder [2002]
69	Amir Hamza	04/08/15	Machh	Murder [1995]
70	Sikandar	04/08/15	Bahawalpur	Murder
71	Hamid Mehmood	04/09/15	Lahore	Murdered juvenile for ransom
72	Raja Mushtaq	04/09/15	Rawalpindi	Murdered two civilians
73	Lonay Khan	04/14/15	Bahawalpur	Murder
74	Ejaz	04/16/15	Gujranwala	Murder [1995]
75	Abdul Jabbar	04/16/15	Gujranwala	Murder [2001]
76	Zafar Iqbal	04/16/15	Faisalabad	Murder and Robbery [2005]
77	Qaiser	04/16/15	Rawalpindi	Murder
78	Majid	04/16/15	Rawalpindi	Murdered six people
79	Manzoor Vasli	04/18/15	Vehari	Murdered police constable [2001]
80	Allah Rakha	04/21/15	Lahore	Murder [1996]
81	Ghulam Nabi	04/21/15	Lahore	Murder
82	Mohammad Azam	04/21/15	Faisalabad	Murdered seven in-laws [2004]
83	Nizam Din	04/21/15	Faisalabad	Murdered three people [1998]
84	Mohammad Husain	04/21/15	Faisalabad	Murdered three people [1998]
85	Nauman	04/21/15	Sialkot	Rape [1999]
86	Saleem	04/21/15	Sialkot	Rape [1999]
87	Zafar Ullah	04/21/15	Gujranwala	Murdered four
88	Latif Mehdi	04/21/15	Gujranwala	Murdered four
89	Inayat Ullah	04/21/15	Gujranwala	Murdered seven
90	Liaquat Ali	04/21/15	Sahiwal	Murder [1998]

91	Raja Raees	04/21/15	Rawalpindi	Murdered three [1998]
92	Sultan alias Raja	04/21/15	Multan	Murder [2000]
93	Azhar Mahmood	04/21/15	Gujrat	Murder [1995]
94	Riaz Ahmad	04/21/15	Quetta	Murder [2004]
95	Mohammad Rizwan	04/22/15	Lahore	Murdered six people [2006]
96	Moazzam Khan	04/22/15	Lahore	Murder [1995]
97	Zahid Hussain Chohan	04/22/15	Sahiwal	Murdered police constable [2001]
98	Mohammad Nazeer	04/22/15	Bahawalpur	Murder [2001]
99	Muhammad Hanif	04/23/15	Sahiwal	Murder [2006]
100	Gul Mohammad	04/23/15	Sargodha	Murder [1999]
101	Munir Husain	04/28/15	Vehari	Murdered nephew/niece [2000]
102	Abdul Ghafoor	04/29/15	Vehari	Murdered and raped 8-year-old [1991]
103	Zulfiqar Ali	05/06/15	Lahore	Murdered two [1998]
104	Saulat Mirza	05/12/15	Machh	Murdered three [1997]
105	Ahmed Khan	05/17/15	Lahore	Murder [2008]
106	Zulfiqar	05/20/15	Faisalabad	Murdered taxi driver [2000]
107	Muhammad Musa	05/20/15	Machh	Murder [2005]
108	Aijaz alias Jajji	05/21/15	Gujranwala	Murder [1998]
109	Shaukat Masih	05/21/15	Faisalabad	Murder [2000]
110	Abbas	05/21/15	Multan	Murder [1996]
111	Ehsaan	05/23/15	Lahore	Murder
112	Arshad	05/23/15	Lahore	Murdered two [1991]
113	Abdul Ghaffar	05/23/15	Multan	
114	Muhammad Wazir	05/23/15	Sahiwal	Murder
115	Shakil Anees	05/26/15	Lahore	Murder [1998]
116	Sher Ali	05/26/15	Lahore	Murdered two [2001]
117	Iftikhar Ahmad	05/26/15	Faisalabad	Murdered three [2001]
118	Asif Zaib	05/26/15	Faisalabad	Murder [1998]
119	Ishaq	05/26/15	Sahiwal	Murder
120	Mohammad Nawaz	05/26/15	Gujranwala	Murder
121	Rana Faryad	05/26/15	Multan	Murder

122	Mohammad Afzal	05/26/15	Jhelum	
123	Amjad Ali	05/26/15	Sargodha	Murdered niece, witnesses; raped niece
124	Noor Ahmad	05/26/15	Toba Tek Singh	Murdered six family members
125	Sardar Ibrahim	05/26/15	Machh	Murder [2003]
126	Abdul Khaliq	05/27/15	Lahore	Murder
127	Shehzad	05/27/15	Lahore	Murder
128	Muhammad Khan	05/27/15	Machh	Murdered brother/nephew [2004]
129	Sanaullah	05/27/15	Vehari	Murdered/kidnapped minor
130	Abdul Sattar	05/27/15	Vehari	Murdered/raped girl
131	Naseer Ahmad	05/27/15	Gujrat	Murder [2002]
132	Faisal Mahmood	05/27/15	Gujrat	Murder [2000]
133	Shahsawar Baloch	05/28/15	Hyderabad	Hijacked a PIA plane [1998]
134	Sabir Baloch	05/28/15	Hyderabad	Hijacked a PIA plane [1998]
135	Shabbir Baloch	05/28/15	Karachi	Hijacked a PIA plane [1998]
136	Mehmood Ali	05/28/15	Karachi	Murdered minor [2002]
137	Malik Khurram	05/28/15	Haripur	Murder
138	Muhammad Afseer	05/28/15	Attock	Murder [1998]
139	Muhammad Ashraf	05/28/15	Sahiwal	Murdered two [2000]
140	Ameer Abdullah	05/28/15	Sargodha	Murder [2002]
141	Murad Ali	05/30/15	Sargodha	
142	Muhammad Khan	06/02/15	Sargodha	Murdered two [2002]
143	Khizer Hayat	06/02/15	Mianwali	Murder [1998]
144	Muhammad Sarwar	06/02/15	Sahiwal	Murdered woman [1993]
145	Chan Zeb	06/02/15	Attock	Murdered two
146	Abdul Rehman	06/02/15	Adiala	
147	Javed alias Jeeda	06/03/15	Lahore	Murdered two [1987]
148	ShamsulHaq	06/04/15	Lahore	Murder [1999]
149	Fateh Muhammad	06/04/15	Mianwali	Murdered two [1999]
150	Sanaullah	06/09/15	Sialkot	
151	Mohammad Abid	06/09/15	Faisalabad	
152	Nawaz alias Kaka	06/09/15	Sahiwal	

153	Abid Maqsood	06/09/15	Sialkot	
154	Aftab Bahadur Masih	06/10/15	Kot Lakhpat	Murdered three [1992]
155	Tariq alias Tara	06/10/15	Kot Lakhpat	Murder [1995]
156	Name unknown	06/10/15	Faisalabad	Murdered five
157	Shahid Shafiq	06/11/15	Faisalabad	Murder [1996]
158	Gul Muhammad	06/11/15	Haripur	Murder
159	Khizer Hayat	06/15/15	Multan	
160	Mukhtar	06/16/15	Lahore	Murder [2004]
161	Jawed Sultan	06/16/15	Rawalpindi	Murder [1990]
162	Muhammad Rafiq	06/16/15	Rawalpindi	Murder [1990]
163	Ikram Hussain	06/16/15	Rawalpindi	Murder [1990]
164	Allah Ditta	06/16/15	Faisalabad	Murdered woman [1999]
165	Mohammad Younas	06/16/15	Faisalabad	Murdered three [2000]
166	Ashraf	06/16/15	Gujranwala	Murdered/raped 12-year-old girl [1999]
167	Basharat	06/16/15	Sialkot	Murdered three [1999]
168	Ghulam Rasool	06/16/15	Bahawalpur	Murdered three
169	Asghar Ali	06/16/15	Bahawalpur	Murdered nephew [2000]
170	Abdur Rauf	06/16/15	Jhelum	Murder
171	Name unknown	06/16/15	Dera Ghazi Khan	Murder
172	Nabeel Ahmed	06/17/15	Faisalabad	Murder [2000]
173	Muhammad Saleem	06/17/15	Faisalabad	Murder [1998]
174	Muhammad Rashid	06/17/15	Faisalabad	Murder
175	Mohammad Aslam	06/17/15	Mianwali	
176	Fayaz	06/17/15	Sahiwal	Murder
177	Qaiser	06/17/15	Sahiwal	Murder
178	Muhammad Iqbal	06/17/15	Gujrat	Murder
179	Farooq Babar	07/26/15	Multan	Murder 1988
180	Karim Nawaz	07/26/15	Multan	Murder [1999]
181	Qari Shamsul Islam	07/27/15	Peshawar	
182	Akhtar Hussain	07/28/15	Multan	
183	Karim	07/28/15	Attock	

184	Muhammad Safdar	07/29/15	Attock	Murdered two [2003]
185	AftabAhmed	07/29/15	Attock	Murder [1998]
186	Mohammad Usman	07/29/15	Attock	Murder [1998]
187	Mohammad Tufail	07/29/15	Kasur	Murdered two [2001]
188	Mohammad Nawaz	07/29/15	Sargodha	Murder [2002]
189	Nayyar Abbas	07/29/15	Multan	Murder [1996]
190	Gulfam alias Gullu	07/29/15	Gujrat	Murder [2001]
191	Ahmad Din	07/29/15	Jhang	Murder
192	Muhammad Tariq	07/30/15	Sargodha	Murder [2000]
193	Muhammad Arshad	07/30/15	Rawalpindi	Murder [2002]
194	Jahandad Khan	07/30/15	Rawalpindi	Murder [2002]
195	Israr Ahmad	07/30/15	Bahawalpur	Murder [2002]
196	Samar John	07/31/15	Lahore	Murder/kidnapping
197	Nadeem Shehzad	07/31/15	Lahore	Murder/kidnapping
198	Riaz Yousuf	07/31/15	Lahore	Murdered woman/her 4 kids [1999]
199	Zafar Iqbal	07/31/15	Rawalpindi	Murder
200	Mohammad Ashraf	07/31/15	Rawalpindi	Murder
201	Shafqat Hussain	08/04/15	Karachi	Murder/kidnapping
202	Laghir Maseeh	08/04/15	Sialkot	Murder/kidnapping
203	Ghulam Rasool	08/04/15	Gujrat	Murder [2000]
204	Amanullah Khan	08/05/15	Mianwali	Murdered three [2006]
205	M. Riaz Khan	08/05/15	Mianwali	Murdered three [2006]
206	M. Mumtaz Khan	08/05/15	Mianwali	Murdered three [2006]
207	Waqar alias Mithu	08/05/15	Gujranwala	Murdered five [2000]
208	Tariq Ilahi	08/06/15	Gujranwala	Murder [2001]
209	Inamullah	08/06/15	Lahore	Murder [1996]
210	Shafaqat alias Ashfaq	08/06/15	Lahore	Murder
211	Ghulam Shabbir	08/08/15	Multan	Murder [2000]
212	Abdul Qayyum	08/18/15	Sahiwal	Murdered three [1999]
213	Amjad Ali	08/19/15	Gujranwala	Murder [1998]
214	Bashir Ahmad	08/20/15	Gujranwala	Murder [1999]

215	Zulfiqar alias Nanna	08/25/15	Bahawalpur	Murdered four policemen [1997]
216	Shahid Mehmood	08/26/15	Karachi	Murdered two [1998]
217	Tajammal Abbas	08/26/15	Bahawalpur	Murder/rape [2004]
218	Maqbool Hussain	08/27/15	Multan	Murdered six people [1996]
219	Mohammad Ashraf	09/01/15	Sahiwal	Murder [1994]
220	Jumma Khan	09/01/15	Bahawalpur	Murder [2000]
221	Zahoor Hussain	09/02/15	Jhelum	Murdered three [1992]
222	Arshad Mehmood	09/02/15	Jhelum	Murder [2005]
223	Ajmal alias Pathar	09/02/15	Bahawalpur	Murder [2001]
224	Muhammad Khan	09/03/15	Bahawalpur	Murder [1995]
225	Muhammad Boota	09/03/15	Bahawalpur	Murder [2003]
226	Faqeer Muhammad	09/03/15	Bahawalpur	Murder [2004]
227	Maqbool alias Qulli	09/03/15	Kasur	Murder/kidnapping
228	Mohammad Sadiq	09/05/15	Sahiwal	Murder [1999]
229	Muhabat Ali	09/09/15	Vehari	Murder [2001]
230	Muhammad Bashir	09/09/15	Vehari	Murder [2001]
231	Mubashir Hassan	09/09/15	Adiala	Murder [1999]
232	Aslam Sial	09/09/15	Bahawalpur	Murder [1992]
233	Tanzil Ahmad	09/10/15	Lahore	Murder [2005]
234	Asif alias Achoo	09/10/15	Vehari	Murder [1998]
235	Muhammad Khalid	09/10/15	Faisalabad	Murder [1999]
236	Abdul Shakoor	09/10/15	Bahawalpur	Murder [2001]
237	Allah Ditta	09/16/15	Lahore	Murder
238	Haji Shabbir	09/16/15	Haripur	Murder [1996]
239	Muhammad Ashfaq	09/16/15	Faisalabad	Murder [1999]
240	Imran	09/22/15	Lahore	Murder
241	Ansar Iqbal	09/29/15	Sargodha	Murder [1994]
242	Muhammad Anwar	09/29/15	Gujranwala	Murder [2002]
243	Mushtaq s/o Nawaz	09/30/15	Lahore	Murder [2002]
244	Muhammad Ikhlq	10/01/15	Faisalabad	Murdered two [2001]
245	Shaukat Ali	10/01/15	Faisalabad	Murdered two [2001]

246	Muhammad Akram	10/03/15	Sahiwal	Murdered three [2002]
247	Idrees	10/06/15	Lahore	Murder [1997]
248	Muhammad Anees	10/10/15	Bahawalpur	Murder [1997]
249	Mohammad Azam	10/13/15	Gujrat	Murdered father-in-law [1999]
250	Mohammad Aslam	10/13/15	Gujrat	Murdered father-in-law [2000]
251	Ghulam Qadir/Haider	10/13/15	Bahawalpur	Murder of relatives [2002]
252	Ghulam Sarwar	10/13/15	Bahawalpur	Murder of relatives [2003]
253	Thanedar alias Thenoo	10/13/15	Bahawalpur	Murdered wife/father-in-law [2001]
254	Mohammad Akram	10/13/15	Sialkot	Murder [2000]
255	Mohammad Ashraf	10/13/15	Attock	Murder
256	Akram s/o Waleed	10/13/15	Multan	Murder [1992]
257	Mohammad Shafeeq	10/13/15	Multan	Murdered during theft [1992]
258	Rana M. Aslam	10/14/15	Dera Ghazi Khan	Murdered wife [1996]
259	Ghulam Mustafa	10/14/15	Faisalabad	Murdered woman [2001]
260	Younas	10/14/15	Gujrat	Murder [2002]
261	Suleman	10/14/15	Gujrat	Murder/kidnapping [1998]
262	Shafiq	10/14/15	Gujrat	Murder/kidnapping [1998]
263	Mohammad Hassan	10/15/15	Bahawalpur	Murdered two [2005]
264	Zaman	10/15/15	Multan	Murdered Punjab CM [1993]
265	Zareen	10/15/15	Rawalpindi	Murdered two
266	Rab Nawaz	10/15/15	Rawalpindi	Murder
267	Ghulam Akbar	10/15/15	Dera Ghazi Khan	Murder [1996]
268	Hazoor Baksh	10/15/15	Dera Ghazi Khan	Murder [1996]
269	Abdul Sami	10/15/15	Lahore	Murder
270	Anwar Shamim	10/15/15	Lahore	Murder
271	Idrees Ali	10/17/15	Sialkot	Murder [2001]
272	Khalil Ahmad	10/20/15	Lahore	Murder [2002]
273	Nadeem	10/20/15	Lahore	Murder [1999]
274	AmjadAli	10/20/15	Attock	Murdered two [2002]
275	Muhammad Bashir	10/20/15	Attock	Murder [1998]
276	Aleeq Shah	10/20/15	Attock	Murder [2001]

277	Mohammad Farooq	10/20/15	Sargodha	Murder [2003]
278	Mustafa	10/20/15	Bahawalpur	Murdered six [2000]
279	Mohammad Akram	10/20/15	Faisalabad	Murder [2000]
280	Mohammad Saeed	10/20/15	Faisalabad	Murder [2003]
281	Khalil Ahmad	10/20/15	Kasur	Murder[2003]
282	Munir s/o Nazir	10/21/15	Lahore	Murder
283	Asfar Ali	10/21/15	Mianwali	Murder
284	Fiaz	10/21/15	Bahawalpur	Murdered son-in-law
285	Saif	10/21/15	Dera Ghazi Kahn	Murdered two
286	Qamaruz Zaman Jatt	10/21/15	Toba Tek Singh	Murder
287	Abdul Majeed	10/27/15	Dera Ismail Khan	Murdered two [2002]
288	Mohammad Azam	10/27/15	Bahawalpur	Murdered two [1999]
289	Imtiaz Hussain	11/02/15	Sahiwal	Murder
290	Ikram	11/03/15	Kasur	Murder [1998]
291	Nisar Ahmed	11/03/15	Gujrat	Murdered two [2000]
292	Ghazanfar Iqbal	11/03/15	Gujrat	Murdered two [2000]
293	Mohammad Annar	11/03/15	Gujrat	Murdered two [2000]
294	Muhammad Rana	11/03/15	Gujrat	Murder
295	Mohammad Irshad	11/04/15	Bahawalpur	Murder [1999]
296	Muhammad Nadeem	11/12/15	Bahawalpur	Murder [1997]
297	Khadim Hussain	11/18/15	Bahawalpur	Murder [2003]
298	Muhammad Younas	11/29/15	Lahore	Murder [2001]
299	Abdus Salam	12/02/15	Kohat	APS Attack [2014]
300	Hazrat Ali	12/02/15	Kohat	APS Attack [2014]
301	Mujeebur Rehman	12/02/15	Kohat	APS Attack [2014]
302	Sabeel Yahya	12/02/15	Kohat	APS Attack [2014]
303	Pervez Khan	12/10/15	Attok	Murder [2000]
304	Rustam	12/10/15	Attok	Murder [2003]
305	Muhammad Ishaq	12/10/15	Jhelum	Murder [2006]
306	M. Akram Rahi	12/12/15	Faisalabad	Murder [1996]
307	Mansoor Ahmed	12/12/15	Lahore	Murder [2009]

308	Zafar Iqbal	12/13/15	Sialkot	Murder [1996]
309	Khalid	12/13/15	Sialkot	Murder [1996]
310	Manzoor Hussain	12/16/15	Multan	Murder [2003]
311	Muhammad Tahir	12/16/15	Multan	Murder [2003]
312	Aziz Ur Rehman	12/16/15	Bahawalpur	Murder [2002]
313	Akhtar Ali	12/16/15	Bahawalpur	Murder [2002]
314	Muhammad Azam	12/16/15	Gujrat	Murder [2004]
315	Iftikhar Ahmed	12/16/15	Gujrat	Murder [2004]
316	Nadeem	12/16/15	Sialkot	Murder [2001]
317	Muhammad Iqbal	12/16/15	Dera Ghazi Khan	Murder [2004]
318	Zahid Mahmood	12/16/15	Dera Ghazi Khan	Murder [2005]
319	Mukhtar Ahmed	12/16/15	Gujrat	Murder [2004]
320	Muhammad Ishaq	12/17/15	Faisalabad	Murder [1992]
321	Liaqat Hussain	12/17/15	Faisalabad	Murder [1992]
322	Ahmad	12/17/15	Dera Ghazi Khan	Murder [1999]
323	Muzhar Hussain	12/18/15	Rawalpindi	Murder
324	Dilawer	12/18/15	Rawalpindi	Murder
325	Muhammad Anwar	12/18/15	Vehari	Murder [1993]
326	Sarfaz Arif	12/18/15	Vehari	Murder [1996]
327	Naveed Ahmed	12/18/15	Attock	Murder [2002]
328	Zahoor Ahmed	12/20/15	Lahore	Murder [2002]
329	Mukhdoom Gujjar	12/20/15	Lahore	Murder [2003]
330	Noor Saeed	12/30/15	Kohat	Terrorism
331	Murad Khan	12/30/15	Kohat	Terrorism
332	Inayatullah Khan	12/30/15	Kohat	Terrorism
333	Israruddin	12/30/15	Kohat	Terrorism
334	Siraj ul Haq	12/30/15	Kohat	Terrorism
335	Abdul Rashid	01/12/16	Bahawalpur	Murder [2004]
336	Sardar Ali	01/12/16	Toba Tek Singh	Murder [1993]
338	Rizwan Kiyani	01/12/16	Rawalpindi	Murder [1995]
341	Allah Ditta	01/13/16	Jhang	Murder [1999]

337	Sajid Hameed	01/14/16	Sialkot	Murder [2003]
340	Muhammad Sultan	01/16/16	Attock	Murder [2007]
339	Ghulam Jilani	01/19/16	Mianwali	Murder [2004]
342	Anwar Khan	01/20/16	Sahiwal	Murder [1993]
343	Hakim Khan	01/20/16	Jhelum	Murder [2004]
344	Noor Khan	01/20/16	Sahiwal	Murder [2003]
345	Muhammad Akram	01/20/16	Sahiwal	Murder [1999]
346	Mumrez	01/28/16	Mianwali	Murder [2005]
347	Zulfiqar Ali	02/03/16	Lahore	Murder [1995]
348	Mohammad Jora alias Mittho	02/04/16	Multan	Murder [1996]
349	Bilal Ahmad alias Abu Abdullah	02/04/16	Kohat	Terrorism
348	Ghafoor Masih	02/09/16	Faisalabad	Double Murder [2007]
349	Haider Shehzad	02/19/16	Bahawalpur	Murder [2000]
350	Abdul Majeed	02/09/16	DGK	Double Murder [2002]
350	Altaf Ahmad	02/10/16	Multan	
351	Muhammad Tariq bin Younas	02/10/16	Kot Lakhpat	Murder [1995]
352	Ramzan	02/23/16	Sahiwal	Triple Murder [1992]
351	Faiz Alias Faizo	02/23/16	Sahiwal	Murder [1992]
352	Mumtaz Ahmad	02/23/16	Toba Tek Singh	Murder
353	Hafiz Nemat Gul	02/24/16	Mianwali	Murder [1993]
354	Adrees	02/24/16	Kot Lakhpat	Murder
357	Irshad	02/25/16	Gujranwala	Child Kidnapping [1999]
358	Imran Sabir	02/25/16	Kasur	Triple Murder [2003]
358	Saeed Khan	02/26/16	Rawalpindi	Terrorism
359	Mumtaz Qadri	02/29/16	Rawalpindi	Terrorism
360	Muhammad Ali	03/02/16	Jhang	Murder [1998]
361	Shahid Nadeem	03/08/16	Sialkot	Murder [2001]
363	Khalid Iqbal	03/08/16	Rawalpindi	Murder [1989]
364	Tariq Mahmood	03/09/16	Toba Tek Singh	Murder [1999]
365	Gauhar Ali Afridi	03/15/16	Sahiwal	Murder [1998]
366	Mohammad Sohail Ahmed	03/24/16	Sahiwal	Terrorism

367	Obaidullah	03/24/16	Sahiwal	Terrorism
368	Ghazanfar Ali	03/29/16	Sargodha	Murder [1999]
370	Ghulam Abbas	03/30/16	Sialkot	Murder[1997]
371	Mehmood s/o Khawaja khan	03/30/16	Kohat	Terrorism
372	Rab Nawaz	03/30/16	Kohat	Terrorism
373	Khalid Parvez Bhatti	04/02/16	Vehari	Murdered an advocate [1999]
374	Aslam	04/05/16	Kot Lakhpat	Murder [2003]
376	Muhammad Imran	04/06/16	Kot Lakhpat	Murder [1996]
377	Muhammad Luqman	04/06/16	Kot Lakhpat	Murder [1996]
378	Raheel Ahmad	04/06/16	Kot Lakhpat	Murder [1994]
379	Tahir Mahmood	04/09/16	Sialkot	Murder [2002]
380	Nasir Mahmood	04/09/16	Sialkot	Murder [2002]
381	Adeel Shahzad	04/12/16	Faisalabad	Murder [2001]
382	Muhammad Ashraf	04/12/16	Sahiwal	Murder [2000]
383	Anwar-ul-haq	04/13/16	Multan	Murder [2000]
384	Ghulam Farooq	04/13/16	Sialkot	Murder [1999]
384	Muhammad Irfan	04/13/16	Jhang	Murder [2006]
386	Waris Mir	04/13/16	Larkana	Murder [1995]
387	Imtiaz Ahmad	04/14/16	Haripur	Murder [2005]
388	Muhammad Javaid	04/14/16	Rawalpindi	Murder [2010]
399	Allah Ditta	04/14/16	Multan	Murder
400	Imran Alias	04/26/16	Faisalabad	
401	Mohammad Tahir s/o Rafiq	04/26/16	Faisalabad	Murdered 4 persons [2005]
402	Ghulam Hussain	04/27/16	Bahawalpur	Murder [2008]
403	Ali Raza Khanzada	04/28/16	Haripur	Murder [2004]
404	Farhad Saeed	04/28/16	Haripur	Double Murder [1997]
405	Asghar Ali	05/3/16	Sargodha	Murder [2007]
406	Nadim Aslam	05/3/16	Lahore	Murder
407	Mohammad Ishfaq	05/3/16	Lahore	Murder
408	Mohammad Arif	05/3/16	Lahore	Murder
409	Shahzad	05/3/16		

410	Mohammad Zahoor Ahmad	05/05/16	Mianwali	Triple murder [2008]
411	Mohammad Mansha	05/10/16	Sahiwal	Murder [2001]
412	Capt(ret'd) Zafar Iqbal	05/10/16	Rawalpindi	Murder [1994]
413	Mirza Sarfaraz	05/10/16	Rawalpindi	Murder [1993]
414	Ghazanfar Abbas	05/11/16	Multan	Triple murder [1993]
415	Ejaz Ahmad	05/26/16	Lahore	Double murder [2007]
416	Said Jehan	05/26/16	District Timergara	Double murder
417	Bashir	05/31/16	Attock	Murder [2001]
418	Hameed Akhtar	06/1/16	Sahiwal	Murder [1995]
419	Muhammad Tariq	06/2/16	Kasur	Murder [2005]
420	Bashir Hussain	06/06/16	Multan	Triple Murder
421	Tahir Hussain	07/18/16	Rawalpindi	Double murder [2003]
422	Chan Zeb	07/18/16	Rawalpindi	Double murder [2003]
423	Muhammad Shafique	07/26/16	Sialkot	Double murder [2004]
424	Ghulam Mustafa Rana	07/27/16	Sahiwal	Triple murder [1992]
425	Muhammad Sibtain	07/27/16	Sargodha	Murder [1998]
426	Ali Gul	07/28/16	Machh	Murder [2005]
427	Ghazanfar Ali	07/30/16	Mirpur	Murdered relative [2005]
428	Muhammad Yaqoob	07/30/16	Mirpur	Murdered a prayer cleric [2006]
429	Salman	08/16/16	Attock	Murder during robbery [2001]
430	Ehsanullah	11/24/16	Sialkot	Triple murder [1993]
431	Mohammad Bilal	12/24/16	Rawalpindi	Murder [1996]
432	Naveed Khan	01/10/17	Rawalpindi	Double murder including an ATA judge [2006]

ANNEX II

THE TWENTY POINTS IN THE NATIONAL ACTION PLAN

1. Implementation of death sentence of those convicted in cases of terrorism.
2. Special trial courts under the supervision of Army. The duration of these courts would be two years.
3. Militant outfits and armed gangs will not be allowed to operate in the country.
4. NACTA, the anti-terrorism institution will be strengthened.
5. Strict action against the literature, newspapers and magazines promoting hatred, decapitation, extremism, sectarianism and intolerance.
6. All funding sources of terrorists and terrorist outfits will be frozen.
7. The defunct outfits will not be allowed to operate under any other name.
8. Establishing and deploying a dedicated counter-terrorism force.
9. End to religious extremism and protection of minorities will be ensured.
10. Registration and regulation of religious seminaries.
11. Ban on glorification of terrorists and terrorist organisations through print and electronic media.
12. Administrative and development reforms in FATA with immediate focus on repatriation of IDPs.
13. Communication network of terrorists will be dismantled completely.
14. Concrete measures against promotion of terrorism through internet and social media.
15. No room will be left for the extremism in any part of the country.
16. Ongoing operation in Karachi will be taken to its logical end.
17. Balochistan government to be fully empowered for political reconciliation with complete ownership by all stakeholders.
18. Action against elements spreading sectarianism.
19. Formulation of a comprehensive policy to deal with the issue of Afghan refugees, beginning with registration of all refugees.
20. Reforms in criminal courts system to strengthen the anti-terrorism institutions including provincial CIDs.

¹NACTA - 20 Points of the National Action Plan. (n.d.). Retrieved March 02, 2016, from <http://www.nacta.gov.pk/NAPPoints20.htm>

ANNEX III

DEATH PENALTY OFFENSES

1. Murder – Section 301 of Pakistan Penal Code (PPC)
2. Aggravated murder – Sec 302 of Pakistan Penal Code (PPC)
3. Robbery resulting in death – Sec 396 of PPC
4. Bearing false witness intending or knowing the accused may be convicted of a capital offence, if an innocent person is convicted and executed as a result – Sec 194 of PPC
5. Acts to strike terror or create a sense of fear and insecurity...resulting in death
6. Haraabah – Sec 15 of the Offences Against Property (Enforcement of Hudood) Ordinance, 1979
7. A scheduled offence likely to create terror or disrupt sectarian harmony – Sec 7 of the Anti-Terrorism Act, 1997
8. Hijacking – Sec 402-B, C of PPC
9. Sabotage of the railway system – Sec 127 of the Railways (Amended) Act, 1995
10. Rape – Sec 6 of the Offence of Zina Ordinance (Enforcement of Haddood), 1979
11. Gang rape – Sec 10(4) of the Offence of Zina Ordinance (Enforcement of Haddood), 1979
12. Stripping a woman's clothes – Sec 354-A of PPC
13. Abduction to subject someone to unnatural lust – Sec 12 of the Offence of Zina Ordinance (Enforcement of Hudood), 1979
14. Kidnapping or abduction of minor – Sec 364-A of PPC
15. Kidnapping for ransom or extortion – Sec 365-A of PPC
16. Importing, exporting into and from Pakistan dangerous drugs – Sec 13 of the Dangerous Drugs Act, 1930
17. Importing, exporting inter-provincially or manufacturing drugs – Sec 14 of the Dangerous Drugs Act, 1930
18. Drug smuggling – Sec 9 of the Control of Narcotics Substances Act, 1997
19. Adultery – Sec 5 of the Offence of Zina Ordinance (Enforcement of Haddood), 1979
20. High treason – Sec 2 of the High Treason Act, 1973
21. Waging or abetting war against Pakistan – Sec 121 of PPC
22. Mutiny and subordination – Sec 31 of the Pakistan Army Act, 1952
23. Abetment of mutiny – Sec 132 of PPC
24. Giving up military passwords, intentionally using unassigned military passwords – Sec 26 of the Pakistan Army Act
25. Offences in relation to enemy, treachery, mutiny, and cowardice – Sec 24 of the Pakistan Army Act, 1952
26. Arms trading – Sec 13-A(1) of the Pakistan Arms (Amendment) Ordinance, 1996
27. Blasphemy – 295-C of PPC

Source: Death penalty offences. (2015, November 26). Retrieved February 16, 2016, from <http://hrcp-web.org/hrcpweb/death-penalty-offences/>.

ANNEX IV:

PROSCRIBED ORGANIZATIONS BY THE INTERIOR MINISTRY

#	Organization	Proscription Date
1.	Lashkar-e-Jhangvi (LeJ)	August 15, 2001
2.	Sepah-e-Muhammad Pakistan (SMP)	August 15, 2001
3.	Jaish-e-Muhammad (JeM)	January 22, 2002
4.	Lakhar-e-Taeba (LeT)	January 22, 2002
5.	Sepah-e-Sahaba Pakistan (SSP)	January 22, 2002
6.	Tehreek-e-Jaafria Pakistan (TJP)	January 22, 2002
7.	Tehreek-e-Nifaz-e-Shariat-e-Mohammad (TNSM)	January 22, 2002
8.	Tehreek-e-Islami	January 14, 2002
9.	Al Qaeda	March 18, 2003
10.	Millet-e-Islami Pakistan (Ex-SSP)	November 15, 2003
11.	Khuddam-ul-Islam (Ex JeM)	November 15, 2003
12.	Islami Tehreek Pakistan (Ex-TJP)	November 15, 2003
13.	Jamiat-ul-Ansar	November 20, 2003
14.	Jamiat-ul-Furqan	November 20, 2003
15.	Hizbut Tehrir	November 20, 2003
16.	Khair-un-Nas International Trust	November 29, 2004
17.	Balochistan Liberation Army (BLA)	April 12, 2006
18.	Islamic Students Movement of Pakistan	August 30, 2006
19.	Lashkar-e-Islam	August 22, 2008
20.	Ansar-ul-Islam	August 22, 2008
21.	Haji Namdar Group	August 22, 2008
22.	Tehreek-e- Taliban Pakistan (TTP)	August 25, 2008
23.	Balochistan Republican Army (BRA)	October 2, 2010
24.	Balochistan Liberation Front (BLF)	October 2, 2010
25.	Laskhar-e-Balochistan (LeB)	October 2, 2010
26.	Balochistan Liberation United Front (BLUF)	October 2, 2010
27.	Balochistan Muslla Defa Tanzeem (BMDT)	October 2, 2010
28.	Shia Tulaba Action Committee	April 16, 2011
29.	Markaz Sabeel Organizations	April 16, 2011
30.	Tanzeem Naujawana-e-Ahle Sunnat (TNA)	April 16, 2011
31.	Peoples Aman Committee	April 16, 2011
32.	Ahle Sunnat Wal Jamaat (ASWJ) (ex SSP)	February 15, 2012
33.	Al Harmain Foundation (AHF)	March 6, 2012
34.	Rabita Trust (BT)	March 6, 2012
35.	Anjuman-e-Imamia Gilgit Baltistan	April 24, 2012
36.	Muslim Students Organization (MSO)	April 24, 2012
37.	Tanzeem Ahl-e-Sunnat Wal Jamaat, Gilgit Baltistan	September 7, 2012
38.	Balochistan Bunyad Parast Army	September 7, 2012

39.	Tehreek Nafaz-e-Aman	September 7, 2012
40.	Tahafuz Hadudullah	September 7, 2012
41.	Balochisan Waja Liberation Army	September 7, 2012
42.	Baloch Republican Party Azad	September 7, 2012
43.	Balochistan United Army	September 7, 2012
44.	Islam Mujahidin	September 7, 2012
45.	Jaish-e-Islam (JI)	September 7, 2012
46.	Balochistan National Liberation Army	September 7, 2012
47.	Khana-e-Hikmat Gilgit Baltistan	March 13, 2013
48.	Tehrik-e-Taliban Swat (TTS)	March 15, 2013
49.	Tehrik-e-Taliban Mohmand (TTM)	March 15, 2013
50.	Tariq Geedar Group (TGG)	March 15, 2013
51.	Abdullah Azam Brigade	March 15, 2013
52.	East Turkmenistan Islamic Movement (ETIM)	March 15, 2013
53.	Islamic Movement of Uzbekistan (IMU)	March 15, 2013
54.	Islamic Jihad Union (IJU)	March 15, 2013
55.	313 Brigade	March 15, 2013
56.	Tehrik-e-Taliban Bajaur (TTB)	March 15, 2013
57.	Amar bil Maroof Wa Nahi Anil Munkir	March 15, 2013
58.	Baloch Students Organizations Azad (BSO-A)	March 15, 2013
59.	United Baloch Army (UBA)	March 15, 2013
60.	Jeay Sindh Muttahida Mahaz (JSMM)	March 15, 2013
61.	Daish/ISIL/IS/ISIS	July 15, 2015
62.	Jamat Ul Ahrar (JuA)	Nov 11, 2016
63.	Lashkar-e-Jhangvi Al-Almi (LeJA)	Nov 11, 2016
64.	Ansar-ul-Hussain	Dec 30, 2016

With analysis and articles by: Ahmer Bilal Soofi, Imtiaz Gul, Waqar Gillani, Shehzada Zulfiqar, Hasan Mansoor, and Zeeshan Salahuddin.

The NAP Tracker is the only publication of its kind that tracks the Pakistani state's progress on all 20 points of the National Action Plan. The points are loosely divided into nine categories, with each category encompassing one or more points from the NAP.

This report is an attempt to provide an objective look at Pakistan's ongoing struggle against terrorism and extremism. It is our hope that the data contained in this publication helps civil-military leaders, lawmakers and decision makers better understand this struggle, and make informed choices in the best interests of Pakistan.

Center For Research & Security Studies, Islamabad

Ali Plaza, Second Floor, Plot 14-M, F-8 Markaz, Islamabad.

Tel: 92-51-831 4801-03, Fax: 92-51-831 4804

E-mail: mail@crss.pk, web: www.crss.pk