

# Evolving Dynamics of **FATA** Reflections on Transformation

Editors: Noel I. Khokhar, Sehar Kamran, Manzoor Ahmed Abbasi, Ghani Jafar



# **Evolving Dynamics of FATA: Reflections on Transformations**

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***Dedicated to:***

***The Martyrs of Pakistan Armed Forces  
&  
The Victims of Terrorism***



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## **Foreword**

Federally Administered Tribal Areas (FATA) of Pakistan became the focus of international community after the incident of 9/11. These areas served as a bulwark for British Indian Empire against the lengthening shadow of Tsarist and later on Soviet communist expansionism. During the Soviet-Afghanistan war of 1980s FATA remained the hub of Mujahideen's activities. Ironically, most of Mujahideen outfits turned into terrorist organizations after 9/11 and resorted to a long spade of violence. It was in this backdrop that FATA was branded as the 'epicentre of terrorism' and 'the most dangerous place on earth'. The people of Pakistan were the worst victims of terrorism, as they witnessed nothing but violence and arsenal in a more than decade long war. Therefore, they need much awaited respite from further bloodshed and violence.

Pakistan Army has rendered unprecedented sacrifices for cleansing the area of the menace of terrorism. Operation 'Zarb-e-Azb' is at the culmination stage and, hopefully, it will help bring about lasting changes in the geo-strategic environment of this region. It is really an appreciable effort by the faculty of National Defence University, Islamabad, and the researchers of the Centre for Pakistan and Gulf Studies (CPGS), Islamabad that they have been able to come up with a well researched book on various aspects of FATA.

I am sure, this book will provide a fresh perspective on FATA, which will afford academicians and researchers with an opportunity to undertake further research on the fast evolving dynamics of FATA. I compliment the efforts of Major General Noel I. Khokhar, DG ISSRA and his team and Senator Sehar Kamran, President CPGS, and her team for this timely publication.

Islamabad  
September, 2014

Lieutenant General Javed Iqbal  
President NDU



## Preface

This book is the outcome of a most timely initiative taken jointly by the Centre for Pakistan and Gulf Studies (CPGS), Islamabad, and the Institute of Strategic Studies, Research and Analysis (ISSRA), the National Defence University (NDU), Islamabad, to prepare a well-researched, critical and analytical study on Pakistan's Federally Administrated Tribal Areas (FATA). The book covers wide range of subjects relevant to FATA, its historical background, constitutional position, legal perspective, internal and external drivers, socio economic challenges, security situation and issue of militancy. It also suggests remedial steps, reforms and a way forward for the government to help improve the region of FATA and the lives of its inhabitants.

Although the learned scholars, researchers at both the CPGS and ISSRA, as well as some renowned academicians have taken up various dimensions for constructing their respective narratives of the relevant topics, there is a common thread that runs through all of them: the lack of attention towards FATA that has been meted out to this highly strategic zone by all successive governments of Pakistan.

Apart from FATA's geo-strategic location along our porous border with Afghanistan, it would be well worth noting that the proud and brave *Pathans* living in this tribal area have not only stood as formidable sentinels in the defence of our motherland, right since the formation of Pakistan in 1947 but also volunteered in large numbers to join the struggle for Kashmir's liberation in 1948. An untold number of them were martyred by the Indian Occupation Forces.

The publication of this book comes at a time when the Armed Forces of Pakistan are valiantly carrying out Operation *Zarb-e-Azb* against those enemies of Pakistan, who have been a serious

threat to peace and stability of our beloved motherland. These miscreants and militants, by spreading the menace of terrorism, have damaged Pakistan more than any other war, which the country had fought since its inception.

Unfortunately, militancy in the region has formed an industry on which local people started depending to earn their livings. FATA became a hub of explosive factories, Improvised Explosive Devices (IED's) and the selling market of illegal arms, which became the backbone of the economic structure of this region. The Operation Zarb-e-Azab that started on June 15 this year has been successful in targeting and eliminating the basic infrastructure of militants. For sustainable peace it is vital that the State takes significant measures on bringing reforms and initiating development projects, with prime focus on providing the people of FATA with opportunities to progress economically and offer alternative means and source of income, so that they can retain their livelihood sustainably and respectably.

Moreover, the sufferings of the Temporarily Displaced People (TDPs) have to be given serious attention. A healing hand must be placed in the wounds of the affected people of FATA before these wounds become a chronic cancer.

It is the dire need of time to take necessary steps for bringing economic stability, educational and developmental projects prior to rehabilitation of the war-torn people back to their homes. A special emphasis is also required to introduce and vigorously follow programs for promoting patriotism in the FATA region. Furthermore, the local people of FATA may also be offered induction into the security institutions, as an opportunity to bring them into the realm of national integration. Border security is another important issue, fool-proof measures are required to ensure security and restrict cross border flow of terrorism and militants.

According to the latest data released by the Inter-Services Public Relations (ISPR) on the Operation, as of 9<sup>th</sup> September, it is stated that 920 terrorists had been killed, 114 apprehended and some important roads had been opened, together with the major towns of North Waziristan, including Miranshah, Mirali, Dattakhel, Boya and Degan, having been cleared from militants stronghold.

At the same time, 82 soldiers of Pakistan Army have been martyred and 269 injured. All these sacrifices laid by the fearless officers and men of Pakistan Army call for all Pakistanis to pay rich tributes to the Armed Forces and also pray that Allah Almighty grants their family members the fortitude to bear the loss of their loved ones.

We have in this book both merged and differentiated our efforts. Thus, the chapters are the fruit of our individual and collective efforts. The responsibility was as assumed as follows: One, 'Historical background of FATA', where the authors discussed the historical background of FATA in detail; Two, 'Politico-constitutional aspects of FATA', the paper discusses the constitutional position of FATA in legal perspective with historical roots, and relates it with the tribal culture (Pakhthunwali) and the rise of militancy. The paper also argues there should be no political alienation of the tribal areas; Three, 'Rejuvenating FATA: Education as an instrument of change' is my humble contribution, the paper suggests reforms, while highlighting the myriad of problems and challenges faced by FATA's education system; Four, 'Socio-economic: Challenges', this paper engulfs the topics of demography, education, industry, infrastructure and health facilities and identifies the current challenges FATA faces, Five, 'Militancy in FATA: cultural and religious dimensions', the paper revolves around the topic of militancy in FATA and discusses the cultural and religious dimension of the issue. It also focuses on the factors behind the cultural change in society of FATA and gives an insight into the seven agencies of FATA; Six, 'External and internal

drivers inside FATA and their linkages’, this paper revolves around the entrenchment of foreign fighters inside FATA. It focuses on the militant groups operating in FATA including the Uzbeks, Chechens, Libyan Islamic Fighting Group (LIFG) and Chinese Uyghurs, but especially focuses on the Uzbeks. It also establishes a link between the internal militant networks cooperating with the foreign fighters; Seven, ‘Military operations by the Pakistan Army in FATA: the war within’, the paper gives a detail account of the peace agreements conducted by the governments with various Taliban groups. The paper pleads that political problems need to be dealt with politically. Military solutions are only temporary remedies to salvage the fiery situation. Eight, ‘Elevating the socio-economic profile of FATA: A way forward’, in this paper the focus is laid on the current socio-economic situation in FATA, and attempts to recommend ways for improving the conditions in the region. It also discusses the importance of development in FATA through government departments like Ministry of States and Frontier Region (SAFRON), FATA Development Authority (FDA) and the FATA Disaster Management Authority (FADA); Nine, ‘Management of Pakistan-Afghanistan border’, it deals with Durand Line, the Pak-Afghan border and argues that the border is porous in nature, which is used for illegal trades. The paper argues that the safe management of the border will enhance the trade of both Afghanistan and Pakistan.

We earnestly hope that the findings and recommendations encompassed in this book would be given due attention by the policy-makers of Pakistan for the purpose of reforming and rejuvenating the FATA region, which it urgently deserves.

Senator Sehar Kamran (T.I.)  
President

The Centre for Pakistan and Gulf Studies  
Member Senate Standing Committees on:  
Defence, Foreign Affairs, Human Rights & Overseas Pakistanis

## FATA: Geography, History and Culture

Noel I. Khokhar, Manzoor Ahmed Abbasi & M. Suleman Shahid\*

### Abstract

*The Federally Administered Tribal Areas (FATA) presents a mosaic of geographical, historical and cultural landscape, typical in its own right, perhaps, like nowhere in the world. It served as a gateway to numerous historical invasions from the north-west and a launching pad for the activities of the then Mujahidin in the Afghan war of 1980s. This region was identified as 'the epicenter of terrorism' and 'the most dangerous place on earth' after 9/11. The study in hand explores the geography, history and culture of FATA, with a view to analyzing their impact on the socio-cultural and psychological formation of the people of this region. Grounded in socio-cultural theories and developmental studies, this paper hypothesizes that 'culture' is a dynamic phenomenon, which evolves over a period of time, in its interface with the environment and experiences of the people in relation to the environment. The study assumes that FATA's culture, commonly known as 'Pukhtoonwali', manifests the compulsions of the people rather than their choices, to continue with the primitive social structures and governance practices. The paper further asserts that FATA's culture is not impervious to change, as the common folklore wisdom dictates. Change is an imminent human phenomenon. FATA's culture has already gone through enormous changes over the past four decades. It is, therefore, argued that the academic debate about cultural*

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*landscape of FATA needs to be directed towards the promotion of a learned, tolerant and pluralistic culture, which, in turn, would require sustained efforts for the introduction of a balanced education system and an accelerated pace of development.*

**Key Words:** FATA, geography, history, culture, transformation

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## **Introduction**

The Federally Administered Tribal Areas (FATA) have been a gateway to the most decisive invasions from Central and Middle Eastern regions as well as cross-cultural transformations. These areas have received an increased attention of the international community in recent years, mainly as the hub of terrorist networks. The region served as a launching pad for the activities of the then Mujahedeen against Soviet forces in the decade of 1980s, but it never became the focus of the world at large. Ironically, it is now being branded ‘the epicentre of terrorism’<sup>1</sup> and ‘the most dangerous place on earth’.<sup>2</sup>

There are a number of ways to approach the study of geography, history and culture. Most of the studies, conducted in the context of FATA, seem to be historicist in nature, representing the cyclic and deterministic approach, wherein the notion of ‘history repeats itself’ emerges as a leading principle. This approach makes one a passive recipient of historical and cultural baggage, with little room for improvement in his lot, through the power of will, guided by informed choices.

The second approach, which these researchers advance and which should take the lead in the context of academic discourse of FATA, revolves around the ‘notion of change’,



through a deliberate attempt, aimed at socio-cultural transformation. In a globalized world of the twenty-first century, where cultural boundaries are fast melting, it would be a fallacy to assume that FATA is imperious to change. 'Change is the rule, not exception in human affairs. This change, however, should be for the betterment of human beings.

This study explores the geography, history and culture of FATA, with a view to analyzing their impact on the socio-cultural and psychological makeup of the people of this region. The underlying assumptions of the study are: one, the geography of any region and historical experiences of its people play a dominant role in the evolution of culture; two, the culture is reflected and manifested by the individual and collective behaviour patterns of the individuals and; three, culture is a dynamic phenomenon, which evolves over time, through interaction of man with the environment.

"FATA has undergone a phenomenal change in the last one decade, both in physical and psychological realms, with no parallel in its history."<sup>3</sup> There are no more inaccessible areas; the last 'no go area' in North Waziristan is being cleared by Pakistan Army, with no likelihood of its returning to obscurantism. Massive development work has been undertaken by Pakistan Army and political administration, affording much wanted opportunities to the people of FATA. Once the menace of terrorism is rooted out, a new dawn would appear on the horizons of FATA, which brings hope, progress and prosperity.

This paper highlights that the existing plight of the people of FATA should not be left to fate. The FATA culture represents the compulsions of the people rather than their choices, to live under primitive social customs and taboos. They need a new light, which should emanate from the provision of a balanced education, employment opportunities, political

inclusion and better standards of life, through sustained developmental efforts. The study unfolds with a discussion on geography and its impact on the psychological make-up of the people of FATA, followed by the history of the region and a detailed analysis of FATA culture.

### **Geography and its Impact**

The geography of any region emerges as the most dominating factor shaping the environment, in which the people of that region carve out their living. 'Environmental psychology' has attracted considerable attention of intellectuals and researchers world over. It deals with human behaviour in relation to environments.<sup>4</sup> It has been hypothesized that environment influences behaviour at several levels. "The characteristic personality make-up of persons in a country is shaped by the nature and type of environment to which they are subjected to for long periods of time."<sup>5</sup> People exposed to hostile and scarcity-ridden environments become practical and their approach to their environment is unique, as they at times tend to "display the artificial moral control over themselves and the environment."<sup>6</sup>

The ancient Indian Vedic texts contained assertions about environmental effects on human behaviour. For example, it was believed that the cold climate makes people 'Rajasik', which necessitates extreme hard work by the people to plan in advance, store food, firewood, warm clothes and footwear for winter. "People in such environment develop linear intelligence and become practical. Their approach to environment is characterized by aggression, competition, exploitation and manipulation."<sup>7</sup> Hot and humid climate is indicative of 'Thamasik' temperament, which is characterized by laziness and attitude of surrender. The moderate climate, on the other hand, can be indicative of 'Sathwik' temperament, which may be

manifested by self-awareness and the relationship of adjustment to one's environment.<sup>8</sup> Much earlier, a Muslim historiographer and sociologist, Abdur Rehman Bin Ibn Khuldun (1332-1406) believed that "many differences among groups of people are created by environmental factors such as climate, quality of soil, and availability of water and food."<sup>9</sup>

The debate about geographical and environmental effects on the attitudes and behaviours of people is important in the context of FATA, because it was primarily the geography and environment of FATA which allured the militants and terrorists from different corners of the world to find safe havens and, again, these were geographical constraints, which forced the people of FATA to let them settle and carry on with terrorist activities. Instead of castigating the people of FATA and their culture, one needs to empathize with them, as to how they are still bound by primitive practices, and how they are forced to make compromises and adjustments even with rogue elements under straitened circumstances. This approach to study FATA will pave the way for the much needed socio-cultural transformation.

The FATA region is typical of its characteristics, perhaps, like none other in the world. Besides being one of the most important areas of the country, mainly due to its strategic location, it is also perceived as one of "the most sensitive areas in Pakistan and, indeed, in South Asia."<sup>10</sup> "It stretches like a rampart from north-west to south-west of North-West Frontier Province (now Khyber Pukhtunkhwa, or KP) along with the borders of Afghanistan."<sup>11</sup> It lies from 32-58' to 35-00' north latitude and 69-15' to 71-50' east longitude between the Durand line and administrative districts of KP. The territorial landscape of FATA is characterized by "a tangle of difficult mountains, intersected by long narrow valleys, innumerable gorges and torrent beds, interspersed with cultivable lands."<sup>12</sup>

There are rugged mountains, with barren slopes, as in Mohmand and Khyber Agencies, and rough and difficult hilltops and ridges as in South Waziristan.<sup>13</sup> The mountain ranges rise from 1,500 to 3,500 meters above sea level and the highest peak is Sikaram Peak (4,755 meters) on the Pakistan-Afghanistan border. There are numerous dry water courses, which hardly get any water throughout the year, as rainfall is quite low in this area. These dry water courses dissect the length and breadth of the mountains, leaving only a few places available for human habitation and cultivation (Figure-1).

**Figure-1: Cultivable Areas of FATA**

| <b>Land Use (FATA, 2003-04)</b> |           |
|---------------------------------|-----------|
| Land use                        | Area (ha) |
| Reported area                   | 2,722,042 |
| Cultivated area                 | 199,530   |
| Irrigated area                  | 87,011    |
| Current fallow                  | 30,607    |
| Forest fallow                   | 46,202    |
| Uncultivated area               | 2,468,512 |
| Not available for cultivation   | 2,240,761 |

**Source:** Government of KPK, 2005a.

FATA consists of seven Agencies: Mohmand, Khyber, Kurram, Orakzai, Bajaur, South Waziristan and North Waziristan, and six Frontier Regions (FRs). The total population of FATA, according to 1998 census, is 5.7 million, but presently it is expected to be about seven million. The total area of FATA is estimated to be 27,220 square kilometres with a porous border of 450 kms, with Afghanistan.<sup>14</sup>

**Figure-2: Profile of FATA**

| <b>Agency/FR</b> | <b>Area (sq km)</b> | <b>Population (total)</b> | <b>Population density (persons per sq km)</b> | <b>Annual growth rate , 1981-1998 (in per cent)</b> |
|------------------|---------------------|---------------------------|-----------------------------------------------|-----------------------------------------------------|
| FATA             | 27,220              | 3,176,331                 | 117                                           | 2.19                                                |
| Bajaur           | 1,290               | 595,227                   | 461                                           | 4.33                                                |
| Khyber           | 2,576               | 546,730                   | 212                                           | 3.92                                                |
| Kurram           | 3,380               | 448,310                   | 133                                           | 2.50                                                |
| Mohmand          | 2,296               | 334,453                   | 146                                           | 4.28                                                |
| North Waziristan | 4,707               | 361,246                   | 77                                            | 2.46                                                |
| Orakzai          | 1,538               | 225,441                   | 147                                           | -2.69                                               |
| South Waziristan | 6,620               | 429,841                   | 65                                            | 1.95                                                |
| FR Bannu         | 745                 | 19,593                    | 26                                            | -6.65                                               |
| FR DIKhan        | 2,008               | 38,990                    | 19                                            | -2.09                                               |
| FR Kohat         | 446                 | 88,456                    | 198                                           | 2.59                                                |
| FR Lakki         | 132                 | 6,987                     | 53                                            | -4.81                                               |
| FR Peshawar      | 261                 | 53,841                    | 206                                           | 2.22                                                |
| FR Tank          | 1,221               | 27,216                    | 22                                            | -0.61                                               |

There are a number of border passes<sup>15</sup> between Pakistan and Afghanistan, but seven routes are well known, which run through this territory, i.e., Malakand, Khyber, Gandab route through Mohmand territory, Kohat route through Parachinar, Bangash or Paiwar route through Kurram, and Gomal and Tochi routes through Waziristan. To its south there

is the famous Bolan route to Quetta in Balochistan province. These are “corridors of invasion and commerce between the Indus plains and Central Asia.”<sup>16</sup> There are five rivers—Swat, Kabul, Kurram, Tochi and Gomal—running through this area.

The territory has an extreme climate. It is hot and sultry in the plains to extreme cold on the snow-clad mountains. The months of May, June and July are the hottest, and December, January and February are the coldest. But, at places, the summers are pleasant and winters extremely cold as in Orakzai Agency. The climate is generally dry in both summer and winter, especially in Mohmand Agency. It is a low rainfall area and the rainfall varies from about 60 inches on the hills to 15 inches or even less in the plains in a year. The mountains, which attract rain, are rich in forest wealth.

Common varieties of flora and fauna as available in other parts of KPK are also found in FATA, with some difference in the degree of produce. The principal timber trees found in some areas of FATA are the pine (pines excel), ilex and olive. Beside these, there are numerous other trees of various kinds, such as the Gurguri, Palosik Kangar, Chirai, Chikri, Sanata, etc.<sup>17</sup> In some areas of FATA, the principal wild animals are Oorial (mountain sheep), a variety of black bear, leopard, jackal, fox, wolf and porcupine. Among birds, one may mention the golden eagle, magpie, black bird, raven and imperial pigeon, etc. Game birds are not numerous. They consist chiefly of Chakor, Sisi, hare, some pheasants on higher altitudes, and some partridges and quails in the lower valleys. Wild ducks are also occasionally met, on their way down the country. Snakes are rare. The rivers produce snow trout but not of large size.<sup>18</sup>

## History

*"Those who cannot remember the past are condemned to repeat it."<sup>19</sup>*

George Santayana

The tribal areas of Pakistan have a fascinating history, and it is very tempting to go back and recount the periods of Alexander the Great, Genghis Khan, Tamerlane, Mahmud Ghazni and Emperor Babur, each of whom traversed this territory on their way to the riches of India.<sup>20</sup> It would be equally fascinating to trail along the pages of history to narrate the story of repeated invasions through this region. But, constrained by the space available for this chapter, it would be appropriate to restrict the historical account of FATA to the British and the post-British periods.

The areas that today make up FATA were once part of the battle ground on which the Great Game of imperial domination was played out in the 19<sup>th</sup> century. For the British colonial administrators of India, effective control of the region was imperative for the defence of their Indian possessions, serving as a bulwark against Russian expansionism in Central Asia. It proved difficult, however, for the colonial government to establish its writ in the tribal areas.<sup>21</sup>

Colonial administrators oversaw but controlled the region through a combination of British-appointed agents and local tribal elders. The people were free to govern internal affairs according to tribal codes, while the colonial administration held authority in what were known as 'protected' and 'administered' areas over all matters related to the security of British India.

Although various tribes generally cooperated with the British, in return for financial incentives, this quid pro quo arrangement was never completely successful. Throughout the second half of the 19<sup>th</sup> century, the British troops were embroiled in repeated battles with various tribes in the area.

Between 1871 and 1876, the colonial administration imposed a series of laws, the Frontier Crimes Regulations (FCRs), prescribing special procedures for the tribal areas, distinct from the criminal and civil laws that were in force elsewhere in British India.<sup>22</sup> These regulations, which were based on the idea of collective territorial responsibility, provided for dispute resolution through a *jirga* (council of elders), also proved to be inadequate.

Frustrated in their efforts to subdue the region, the British in 1901 issued a new Frontier Crimes Regulation that expanded the scope of earlier regulations and awarded wide powers, including judicial authority, to administrative officials. In the same year, a new administrative unit, the North West Frontier Province, was created by carving out parts of the then Punjab province and adding certain tribal principalities.<sup>23</sup> The province, as it was constituted at the time, included five 'settled' districts (Bannu, Dera Ismail Khan, Hazara, Kohat and Peshawar) and five tribal agencies (Dir-Swat-Chitral, Khyber, Kurram, North Waziristan and South Waziristan), and was placed under the administrative authority of a chief commissioner reporting to the Governor-General of India.

The institution of the Political Agent (PA) was also created at the same time. Each Agency was administered by a PA who was vested with wide powers and provided funds to secure the loyalties of influential elements in the area. It was also during this period that the *Maliki* system (of tribal elders) was developed to allow the colonial administration to exercise



control over the tribes.<sup>24</sup> Under this system, *Maliks* were designated as intermediaries between the members of individual tribes and the colonial authorities, and they used to assist in the implementation of government policies.

Despite these efforts, bolstered by repeated military campaigns, the colonial administration retained what was at the best a tenuous hold on the area until the British quit India in 1947. Soon after Independence, various tribes in the region entered into an agreement with the government of Pakistan, pledging allegiance to the newly created state. Some 30 instruments of accession were subsequently signed, cementing this arrangement. Tribal agencies of Khyber, Kurram, North Waziristan and South Waziristan were retained as such, and later, Mohmand Agency (in 1951), Bajaur and Orakzai (in 1973) were added.<sup>25</sup>

Accession did not subsume the political autonomy of the tribes. The instruments of accession signed in 1948, granted the tribal areas a special administrative status. Except where strategic considerations dictated, the tribal areas were allowed to retain their semi-autonomous status, exercising administrative authority based on tribal codes and traditional institutions. This unique system, given varying degrees of legal cover in each of the country's earlier Constitutions, was crystallized in Pakistan's Constitution of 1973, through special provisions in Articles 246 and 247, giving a special status to the tribal areas.

## **Culture**

FATA's culture, on the face of it, encompasses certain images, which are taken as given, leaving little room for man as an agent of change or evolution, to bring about any improvement. This chapter is an attempt to underscore the

need for a sustained effort to evolve the culture in all parts of Pakistan, including FATA, based on solid educational and philosophical foundations. Before dilating upon the culture of FATA and its relevance to contemporary socio-political developments, the word 'culture', its connotations and implications, need an underpinning.

This debate is extremely significant to understand FATA's culture, which occupies a significant portion of academic discourse in recent years. M. Apte, an American anthropologist, wrote a ten-volume *Encyclopedia of Languages and Linguistics*, wherein he says that "despite a century of efforts to define culture adequately, there was in the early 1990s no agreement among anthropologists regarding its nature."<sup>26</sup> The difficulty in understanding of the term stems from the different usages as it was increasingly implied in the nineteenth century. The term culture has broadly been used in three ways:<sup>27</sup>

1. First, as exemplified by Mathew Arnolds in his exposition *Culture and Anarchy* (1867). 'Culture' referred to special intellectual or artistic endeavours or products, what might be called in the contemporary world as 'higher culture', as opposed to 'popular culture', which was called 'folkways' in the earlier usage. By this definition, only a small portion of any social group, which relates to aesthetics, has a culture, the rest are the potential sources of anarchy.<sup>28</sup>
2. Second, it is referred to as a quality possessed by all people in all social groups, as pioneered by Edward Tylor in *Primitive Culture* (1870). It can, however, be arrayed on a development continuum, i.e., evolutionary continuum from 'savagery' through 'barbarism' to 'civilization'.<sup>29</sup> Tylor's full definition of culture will help elucidate the concept more clearly; which says, "Culture is that complex whole which includes knowledge,

beliefs, art, morals, law, custom, and any other capabilities and habits acquired by man as a member of society.”<sup>30</sup> According to this definition, culture is an evolutionary phenomenon, which encompasses almost everything, i.e., from knowledge to habits to capabilities. It also connotes that culture could have universal appeal.

3. The third and the last usage of culture was developed in anthropology in the 20<sup>th</sup> century, by the work of Franz Boas and his students and was also grounded in the work of Johann Von Herder. This school of thought dismissed the value judgment related to the concept of culture and stressed that one should never differentiate between ‘high culture’ and ‘low culture’; similarly, one ought not to depict some culture as savage and the other as civilized. They also dismissed the idea of a single culture, espoused by the evolutionists, and emphasized the uniqueness of many and varied cultures of different people and societies.

Here lies the difficulty in understanding of the concept of culture, as Avruch said, “part of the difficulty in the term lies in its multiple meanings. But to compound matters, the difficulties are not mere conceptual or semantic. All of the usages and understanding came attached to, or can be attached to, different political or ideological agendas that, in one form or another, still resonate today.”<sup>31</sup> Spencer-Oatey, thus, aptly propounds that “culture is a fuzzy set of basic assumptions and values, orientation to life, beliefs, policies, procedures and behavioural conventions that are shared by a group of people and that influence (but do not determine) each member’s behaviour and his/her interpretations of the meaning of other people’s behaviour.”<sup>32</sup>

## Characteristics of Culture

Helen Spencer-Oatey has described the following characteristics of culture:

- a. Culture is manifested at different layers of depth. The culture of a particular group of people or a society manifests at three different levels:
  - (1) *Artefacts*: The dress code, the manner in which people address each other, the smell and feel of the place, its emotional intensity, permanent archival manifestations, such as records, products, books, museums, monuments, preservation of historical places, etc.<sup>33</sup> This level of analysis is tricky, because we can describe how a group constructs its environments and what behaviour patterns are discernible, but we cannot understand the underlying logic as to why a group behaves the way it does.
  - (2) *Values*: To analyse the behaviours of the individuals in a group, we look for the values that govern behaviours. Since values cannot be observed, we have to be content with manifested behaviours or interview the individuals to find out why they do what they do. But, still, the underlying reasons for their behaviour may remain concealed or unconscious.
  - (3) *Assumptions*: “To really understand a culture and to ascertain more completely the group’s values and overt behaviour, it is imperative to delve into the underlying assumptions, which are typically unconscious but which actually determine how group members perceive, think and feel.”<sup>34</sup> Assumptions are, in fact, values transformed over a period of time about how things really are,

- i.e., our concepts of reality. Assumptions are increasingly taken for granted and drop out as a subject of awareness or debate.
- b. Culture affects behaviours and interpretation of behaviours. The social set-ups in which we live, affect our thinking and behaviour patterns. Certain aspects are physically visible; their meaning is invisible, which can be interpreted by insiders only.<sup>35</sup>
  - c. Culture can be differentiated from both universal human nature and unique individual personality. It derives from one's social environment. The Prophet Muhammad (Peace be upon him) said, "Every infant is born innocent. It is his parents who make him a Jew, a Christian or magi, etc. (environment)."
  - d. Culture influences biological process. The effect of culturally produced ideas on our bodies is immense.
  - e. Culture is associated with social groups. Culture is a collective attribute of a group of people, not the individual actions.
  - f. Culture is both an individual construct and a social construct.
  - g. Culture is learned. Culture is learned from the people you interact with, as you are socialized. Culture is also taught by the explanations people receive for the natural and human events around them.<sup>36</sup>
  - h. Culture is subject to gradual change.

### **FATA Culture**

FATA culture has been an enigma for scholars and researchers, particularly from the West. The observations made about the psyche and behaviours of Pathans range from derogatory ones, at one extreme, to highly praiseworthy at the other.<sup>37</sup> For example, Alberuni (973-1048) speaks of tribal people as "rebellious, savage races, occupying the frontiers of

India towards the west.”<sup>38</sup> Another Muslim historian, Naimatullah Herwi, who was official historian both in the Mughal and Afghan courts, said, “the Afghans (Pathans) are enterprising in nature, quick, shrewd and even deceitful in exploiting situation for politico-economic gains, capable of politico-military strength, provided they are led by some able leader.”<sup>39</sup> Theodore Pannel, a 19<sup>th</sup> century missionary who spent twenty years among Pashtuns, wrote, “The Afghan (Pathan) character is a strange medley of contradictions, qualities in which courage blends with stealth, the basest treachery with the most touching fidelity, intense religious fanaticism with an avarice, which will even induce him to play false to his faith.”<sup>40</sup>

The two prolific British writers, Sir Winston Churchill and Sir Olaf Caroe, however, described a highly positive character of Pathans. Sir Winston Churchill, had a tenure of service in NWFP during the British rule in India. He says, “Every man is a warrior, a politician, and a theologian ... For the purpose of social life, the most elaborate code of honour has been established and on the whole faithfully observed. A man who knew it and observed it faultlessly might pass unarmed from one end of the frontier to another. The slightest technical slip would, however, be fatal.”<sup>41</sup>

Sir Olaf Caroe wrote, “For the stranger who has the eyes to see and ears to hear, always as he drove through the Margalla Pass just north of Rawalpindi and went on to cross the great bridge of Attock, there was lifting of the heart and a knowledge that, however hard the task and beset with danger, here was a people who looked him in the face and made him feel, he had come home.”<sup>42</sup>

As discussed earlier, modern research in behavioural sciences has made great progress. There is no scope for sweeping generalizations about the character and behaviour of

individuals or groups of people. It has to be analyzed in the context of geography, historical experience and general philosophy of life. "Folklore wisdom says that the tribal regions constituting FATA are locked in isolation and historically impervious to change and progress. Since they have fiercely resisted all invaders since time immemorial without subjugation, they should retain their autonomous status.

This is a travesty of historical truth. If foreign invaders did not occupy these regions, there was nothing attractive for them to hold them."<sup>3</sup> The wilderness, harsh climate and lack of resources were hardly any attraction; hence, they bypassed or moved to greener pastures. All invaders from the northwest wanted to come to India, then known as land abounding in gold, agriculture and wealth.

Besides, change is an imminent human phenomenon and these regions have not been immune from the vagaries of time and regional and international cross-currents of change. The Soviet invasion, Afghan jihad, civil war, Taliban rule, refugees, drugs and gun trade, proximity and effects of subcontinental culture and exposure to trade and cultural influences of Pakistan — all have cumulatively exposed the tribal region to forces of transition, albeit, at a slow pace of change.<sup>4</sup> The question worth posing is: should these tribal regions continue to stay as *Ilaqa Ghair* or a state within state and must the status quo of the past 63 years linger on? Why the government must remain hesitant in opening up the region and extending its sovereign legal writ? Needless to say, it is in Pakistan's supreme national interest to integrate these regions, by purging the area of all kinds of malcontents. That a region should remain outside the writ of the state for so long is anachronistic.<sup>5</sup>

## **Salients of FATA Culture**

The FATA culture, in view of these researchers, is not a learned culture, based on deep philosophical foundations. It reflects the natural tendency of human species to adjust with the environment. Even the oft-cited religiosity of FATA people is a misnomer, as the religious education in *Madaris* (religious schools), particularly in tribal areas, does not go beyond rituals. The training in religion, which should bring about spiritual refinement, compassion for humanity as a whole, and peace within and without, is rarely given in these religious schools. It is with that premise that cultural taboos of FATA are being presented in the succeeding paragraphs.

### **a. Languages**

The Federally Administered Tribal Area (FATA), as its name suggests, is characterized by a very strong tribal structure. There are 11 major tribes with several smaller tribes and sub-tribes. The majority of the population is Muslim, with a sprinkling of minorities such as Sikhs, Hindus, etc. Pushto and Hindko are the main languages; with a softer dialect, it is spoken in the south, and with more guttural dialect in the north. A less spoken language is *Urmari* in the south.<sup>43</sup>

### **b. Way of Life**

Born in a rugged and harsh area, the people generally spend a very hard life, the women being the worst sufferers. Generally, the elders attend to agriculture, while the young ones join either the armed forces or the Frontier Corps. Many of them are also in transport business or act as supply contractors. The younger generation, motivated by the government's liberal educational and other social policies, is now attending schools and colleges as well and many of them, after completing their education, have of late joined even the provincial and federal



civil services. They are also now gradually adopting the white-collar way of life, with a preference for city life.<sup>44</sup>

### c. Traditions

The 20-year-long war in Afghanistan had a very negative impact on FATA. A large influx of Afghan refugees brought with them miseries of unimaginable proportions. In some areas of FATA, the refugees outnumbered the local population. The Afghan War brought with it death and destruction, guns and drugs. Hordes of Afghan refugees, mostly widows, sick and maimed, homeless and hopeless, entered the tribal area. The refugees brought with them diseases of humans and animals not known in the area, deforestation, overgrazing of land, destruction of infrastructure, dumping in large quantities of arms and over-utilization of FATA's meagre social services are just a few. Besides the quantifiable physical damages caused by the Afghan war, there are many un-quantifiable damages. The damage to the environment, bio-diversity, etc., seems smaller in comparison to the cultural damages inflicted by the war.<sup>45</sup>

### d. Dress

Generally, men wear baggy clothes, with a waistcoat and a headgear. In some areas, *Kullah Lungi* such as Khyber and Mohmand Agencies, *Karakulli*/velvet cap and simple *Lungi* or big cloth woven overhead without a cap or any other article under it are also worn. Women's dress consists of a head sheet, as *khat*, and a pair of baggy trousers. The *khat* is a long garment like a nightgown extending from the neck to the legs. Younger women also stitch silver coins on the front of this garment. Women's jewellery and their ornaments do not differ much from those worn by the Pathan women. However, large ear rings '*Deodi*', small ear rings '*Shanri*', small nose ring '*Chargul*' and '*Nata*', etc., are comely used.<sup>46</sup>

### e. *Pakhatoonwali* - The Code of Pakhtoons

Allen argues that *Pukhtunwali* still forms the single most powerful guidance and unifying force in frontier life today, while, at the same time, being the most divisive force in NWFP politics, stand shoulder-to-shoulder with Islam. The issue of *Shariah* (Islamic) law versus secular law remains a matter of hot dispute in Pakistan.<sup>47</sup> Various aspects of *Pakhatoonwali* are listed below:<sup>48</sup>

- (1) *Nang* (honour). Under this code, a tribesman is obliged to employ every means to shield and protect himself, his honour and the honour of his family.
- (2) *Melmastia* (hospitality). This means the showing of hospitality to all visitors and traditions. *Melmastia* enjoins the obligation of protection, as it provides for sort of nourishment. Unfortunately, the erstwhile noble traditions of tribal hospitality and honour stand greatly perverted, isolating the FATA and bringing it into the spotlight as an 'epicentre of terrorism.'
- (3) *Bada'l* (revenge). *Badal* permits no limitation in time or space and is regardless of cost or consequences. Blood feuds and enmities at times extend over generations.
- (4) *Nanawatay* (to seek forgiveness). It means to go in and seek forgiveness from the victim to whom a wrong has been done. It is used when the vanquished party is prepared to go into the house or *hujra* of his enemy to beg forgiveness and make peace with him, usually with the Holy Quran in hand. There is no *nanawatay* when the dispute involves *tor* (black), i.e., concerned with dishonour of a woman. *Tor* can only be converted to *Spin* (white) by the victim on agreed conditions, showing respect and reciprocal magnanimity.

- (5) *Tor* (black). It is a state of open guilt or infamy. It refers to cases which are concerned with the honour of a woman. *Tor* is converted to *Spin* by death.
- (6) *Tarboor* (cousin). This term is used for paternal cousin and has a connotation of cousin in *Pukhtun* customs and traditions. The *tarboor* may be grown up, as a childhood friend, at times, the chief rival for status and political leadership within the lineage. It is in this competition that *tarboorwali* (cousin rivalry) exists and manifests itself in many conflicts in the tribal areas.
- (7) *Jirga* (tribal council). It is an assembly of tribal elders who are called to decide specific issues and whose decision is binding on all parties of conflict.
- (8) *Teega* or *Kanrai* (ceasefire stone). It means a fixed date until which all hostilities between warring factions will be suspended as decided by the *jirga*. The *jirga* then ensures the implementation of ceasefire. Any violation of the terms of truce, by any party, makes it liable to joint action by *jirga*.
- (9) *Badragga* (tribal escort). A tribal escort is usually composed of members of that tribe through which travellers are passing. If a *badragga* is violated, a tribal feud would follow. *Hamsayais* is a word used for client or dependent groups who attach themselves to a larger or stronger *Maliks*. An attack on *Hamsayais* considered an attack on the protector.
- (10) *Lungi* means the allowances given by the political authorities to individual *Maliks*.
- (11) *Nagha* is a tribal fine decided by the council of elders and imposed on the wrongdoer. It is extracted, if necessary by force.
- (12) *Hujra* is a common sitting (or sleeping) place for males in the village; visitors and unmarried young

men sleep. There expenses are usually shared by the village. Almost every *hujra* has a mosque attached to it. It is in the *hujra* that the hospitality of Pahtans is portrayed.

- (13) *Rawaj* ‘the Pathan’s way of life; which is also governed by *Rawaj*, or *Rawaj-i-Aam*(customary law), and by *Shariat* (Islamic law). *Rawaj* is more in use than *Shariat* and is generally preferred.

### **Analysis/Key Findings**

Having gone through the geography, history and culture of FATA and analysis thereof, the following key findings emerge from this study:

- a. The terrain of FATA consists of extremely rugged mountains, rough and barren land mass, with a few valleys where the population is concentrated. The soil is generally arid. Hence, there are a few arable lands. Owing to scarcity of water and pastures, even livestock is minimal. There is no industry in FATA.
- b. Since there are scant opportunities of employment either in agriculture or industry, there is rampant poverty in the region which makes people vulnerable to different kinds of exploitation.
- c. Though the border between Pakistan and Afghanistan, i.e., the Durand Line, is a historical reality, successive Afghan governments have been challenging its legitimacy, mostly for political reasons,<sup>49</sup> which does not help in an effective border management between both the countries. Notwithstanding the porous nature of the border, there is a dire need to secure this border through effective border management, ideally in collaboration with Afghanistan and, if they are unwilling to cooperate, doing it by ourselves.

- d. The communication infrastructure in FATA region is far from being satisfactory. It needs to be developed at a faster pace, so that this region can catch up with the rest of the country.
- e. FATA culture reflects the compulsions of the people rather than their choices to continue with the primitive customs, conventions and taboos which, though permeated in the social fibre of this region, are not impervious to change, as conventional folklore wisdom dictates. Culture is not static; rather, it is a dynamic phenomenon, which evolves over time. However, a learned and more tolerant culture needs to be promoted with the provision of balanced education, democratic societal set-up and openness of society to a better quality of life.
- f. The people of FATA deserve the much needed change. They have gone through the torments of invasions, proxy wars and, lately, a horrible spade of militancy and terrorism. It would be an injustice to the people of this region, if FATA relapses once again into *Ilaqa Ghair*. FATA needs to be integrated in mainstream politics, as a separate province or the part of KPK

## Conclusion

The study of geography, history and culture of FATA is a fascinating and revealing experience for any researcher. It helps in understanding, with a sense of empathy, how the people of this region are still continuing with decadent socio-cultural and politico-economic structures, the colonial laws orchestrated to meet peculiar administrative requirements and never ending bad governance practices. The geography of FATA imposes harsh choices for the people of this region, constraining the employment opportunities and rapid infrastructure development. FATA practically remained an isolated entity for

the most part of its history. Ironically, even in the post-independence history of the last 63 years, it remained *Ilaqa Ghair*, which literally means an abandoned territory or ‘a no go area’.

The Afghan war of 1980s and the post-9/11 developments have impacted FATA to an unimaginable magnitude. The silver lining in the existing predicament, notwithstanding the sufferings of the people and the challenges thereof, is that FATA seems to embrace a new beginning in all spheres of life. It is no more an *Ilaqa Ghair*, as Pakistan Army is now monitoring each nook and cranny of this region. FATA is set to become a mainstream political entity in Pakistan; a destiny which can no longer be denied to the people of this region. All efforts, in the short and long term, should, therefore, be directed at the transformation of FATA, in order to promote a tolerant, pluralistic and knowledge-based culture in the region.

## Endnotes

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## Politico-constitutional Aspects of FATA

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### Abstract

*This paper is an endeavour to analyze the legal position of FATA, as determined in the 1973 Constitution of Pakistan, along with the political and administrative set-up of the area. It would also suggest the desirable political and constitutional amendments that could be introduced in order to plug the loopholes in the legal structure of the region. At the same time, it would highlight the relationship between the complex legal position of FATA and the intensifying extremism. Needless to say, the consequences for internal makeup of FATA and fallout on the entire country are, indeed, interwoven. The FATA region functions semi-autonomously. The variables related to the myriad of problems in the area have a direct link with the colonial administrative/political and judicial structures of governance and also the Pashtun cultural code (Pashtunwali). Despite being a legal-geographical part of Pakistan under Article 247 of the Constitution, FATA remains in the clutches of an entrenched political administration which is in the hands of the tribal Maliks. Furthermore, the body of laws regulating the region constitutes a complex system provided by the Frontier Crimes Regulation (FCR) and also a 'Jirgah' system running in tandem. The Regulations have undergone numerous amendments, the latest being on August 27, 2011, vide an Executive Order of the President of Pakistan. However, the region still remains a hotbed of conflict and hostage to the ongoing wave of terrorism. The tribal elders and Maliks are now themselves challenged, and maintaining rule of law has indeed*

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*become a predicament for them. Against this backdrop, the paper intends to bring forward recommendations for policy and law makers to deal with the present embroiling situation at FATA through political and constitutional reforms.*

**Keywords:** political, constitutional, structures, governance, amendments

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## 1. Prelude

The Federally Administered Tribal Area (FATA) is unique in the legal and constitutional architecture of Pakistan as a nation state. This attribute is pronounced in the given definition of the territory; its governance regime and relationship with the federal structures; and non-applicability of the laws that are otherwise applicable elsewhere in the country. The uniqueness is very often explained in terms of its roots in history and in tradition and customs, disregarding the social and political dynamics that have been in play over decades.

In geo-political terms, FATA<sup>1</sup> is a narrow 'infamous' belt along the so-called Durand Line, inhabited by numerous Pushtoon tribes, having strong ethnic linkages across the border with Afghanistan. The region, as we know it today, is successor to the Tribal Area of British Indian Empire, that was viewed as a buffer, whether defensive or expansionist. It had also symbolized the fragmentation of the Pushtoon heartland in the colonial times, and exercise of the power elite's writ through ordinance and a marriage of convenience with the tribal Maliks. In the subsequent contemporary history, the emphasis has remained on strengthening the status quo rather than opening up a participatory process for the tribal people.

Ironically, Article 247 of the Constitution of Pakistan 'adopts' the colonial understanding of the region: direct regulation of

the Federal Government and reliance on the outdated instruments of governance.

In the past decades, the State's treatment of the territory has remained unchanged, while the region has moved fast to a fundamental change in its societal makeup and its people's readiness to take up roles in governance. The impact of Afghan wars on the traditional social fabric is self-explanatory.

Also, the vagueness in FATA's status and its loose legal and political boundaries allow development of radical factions. Consequently, it is considered 'Ground Zero' for extremism in the region.<sup>2</sup> The latest amendments in the Frontier Crimes Regulation in 2011 and the introduction of the Political Parties Act in FATA have not served the purpose that was intended of them. It may be considered too small an act and too late.

Today, the biggest dilemma is related to the system of governance in FATA and accession of rights to the people there. Hence, is there a way out for mainstreaming FATA by reordering the legal and political structure of the area? This question is dominant in our review of the problem.

## **1.1 Background**

To recall, article 247 of the Constitution of Pakistan<sup>3</sup> asserts the complexity of the political and legal situation of FATA. The territory is part of the country, but excluded from jurisdiction of parliament. There is no forum as yet to introduce the tribal people's participation in decision-making which impacts them. In short, the area is 'administered' but not brought into the governance mode.<sup>4</sup> It puts forward a narrative of unfinished business after the boundaries of Pakistan were carved out from the British-held Indian Subcontinent.

Concurrently, the geographical and ethnic connectivity of the area with Afghanistan and Afghan Wars served as a critical point for fuelling a myriad of problems in the social, economic, security and political domains. The uniqueness of FATA, as expressed in the fourth and fifth Afghan Wars, turned out to be a double-edged weapon in relation to governance issues. The region became the hallmark of resistance against the Soviet occupation and later against the Western post-9/11. However, in the process, it witnessed structural changes in the societal makeup: support for resistance in the neighbourhood and ideology-driven combat in turn downsized the tribal Maliks (elders) and the *jirga* (judicial) system as run by them, sometimes as proxy of the political agent. This also marked the pre-eminence of the Madrsa-fed Taliban in the vacuum. Consequently, the traditional instruments of governance have fast lost relevance.

## **2. Governance and Functioning: A Bird's Eye View**

The system of governance in FATA, as introduced by the British in the early twentieth century, continued to function in tandem with the local scheme of *jirgas*.<sup>5</sup> This understanding was established by the British government while keeping the unique tribal structure of the area into focus, which made governance difficult without taking the tribes on board. An arbitrary law termed the Frontier Crimes Regulation (FCR) was implemented, and a system of governance introduced whereby both the Political Agents appointed by the government and tribal elders exercised control over the locals. This was intended to give the local tribes both freedom of practicing their traditions and to enjoy internal independence. Nonetheless, till to date, this condominium establishes the law and determines its implementation where necessary.<sup>6</sup>

In this regard, technically, each political agency in FATA has a Political Agent as an administrative head. His powers have always been unchecked, and the funds he receives from various sources remain non-auditable.<sup>7</sup> Furthermore, the tribal elders also exercise the same amount of authority in tandem with the agent. FATA is divided into seven agencies. Furthermore, the Provincially Administered Areas (PATA) fall under the Khyber Pukhtunkhwa (KPK) Chief Minister’s remit and represented in the KPK provincial legislature. On the other hand, the Frontier Region (FR) is adjacent to the settled districts of the KPK province. The table below indicates the agencies/FR which fall in these areas:

| <b>FATA</b>                                                                                                                                                                                             | <b>PATA</b>                      | <b>FRONTIER REGION</b> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------|------------------------|
| Bajour Agency                                                                                                                                                                                           | Chitral District                 | Dera Ismail Khan       |
| Mohmand Agency                                                                                                                                                                                          | Dir District                     | Tank                   |
| Khyber Agency                                                                                                                                                                                           | Swat District                    | Lakki                  |
| Orakzai Agency                                                                                                                                                                                          | Tribal area in Kohistan District | Bannu                  |
| Kurram Agency                                                                                                                                                                                           | Malakand District                | Kohat                  |
| South Waziristan                                                                                                                                                                                        | Tribal area in Manshera District | Peshawar               |
| North Waziristan                                                                                                                                                                                        | .....                            | -----                  |
| Source: <a href="http://fata.gov.pk/index.php?option=com_content&amp;view=article&amp;id=50&amp;Itemid=84">http://fata.gov.pk/index.php?option=com_content&amp;view=article&amp;id=50&amp;Itemid=84</a> |                                  |                        |

Keeping this structure in view, generally, FATA is divided into two broad administrative categories: protected areas and non-protected areas.<sup>8</sup> First, the protected areas are governed directly by the federal government.<sup>9</sup> It appoints special political officers in order to deal with both criminal and civil cases as

they are vested with judicial powers. However, after carrying necessary investigations for a case, the political officers formulate a *jirga* with the consent of disputing parties. If there is any ambiguity in its verdict or it is not in consonance with the customary law, the political agent or his representative can ask the *jirga* for re-examination, or a new *jirga* may be formulated. In case of the verdict's being acceptable to the parties and is in accordance with the customary law, the decree is finally accepted. It can, however, be challenged in an appellate court, or a tribunal consisting of the home secretary and the law secretary of the provincial or federal government. Hence, in the protected areas, the political administration is responsible for the implementation of a decree.

On the other hand, non-protected areas are governed through local tribes.<sup>10</sup> The cases are dealt with purely at the agency level through a local *jirgah*. The local mediators play a very important role in this regard as they settle disputes first through intervening and either achieving a truce (*tiga*)<sup>11</sup> in criminal cases or obtain security (*muchalga*)<sup>12</sup> in civil disputes. The parties then reach a settlement either through arbitration, *riwaj* (custom) or *Shariah* (Islamic law). Then, a *jirgah* decides the dispute according to the mode of settlement as suggested by the parties. Appeal is possible only to *jirgahs* and the political administration is not involved. However, implementation of the decree is the collective responsibility of the tribe.

Theoretically, the system of governance of FATA seems flawless. However, in practical terms, the entire structure projects a sorry image. In most cases, *jirgahs* are corrupt and favour the rich and influential parties. Furthermore, convening a *jirgah* is in fact a mammoth task to perform for the poor, as there are numerous requirements for it, including provision of hospitality. However, ironically, in a major legal and political



vacuum, *jirgahs* seem to be the only readily available option for the locals to address their mutual disputes.

Due to this, the powers of the *jirgah* system have swelled considerably. Hence, they remain unchecked and mostly unjust. On the other hand, Political Agents and Maliks have consistently failed to bring progress to the area. These issues are indeed manifest in the lack of will and extreme corruption in the administrative system. However, the thread goes back to the constitutional standing of the FATA region for Pakistan. FATA is given a special status in the Constitution of Pakistan due to which numerous loopholes emerge in the governance of the region.

## 2.1 Constitutional Borders

After the creation of Pakistan in 1947, the then tribal belt was 'adopted' by the country while retaining its special status. Again, the status was enshrined in Articles 246-247 of the Constitution of 1973. It is legally included in the territories of Pakistan,<sup>13</sup> and is represented in the National Assembly and Senate. However, it remains under the direct executive authority of the President of Pakistan.<sup>14</sup> This means that, without the discretion of the President of Pakistan, no laws framed by the National Assembly can be extended to this area. On the other hand, the members of the Parliament, even those elected on party basis and even genuinely representing the people, would not be allowed to make laws for FATA or even amend the existing ones. Furthermore, the higher and lower courts of Pakistan do not have jurisdiction over the region.<sup>15</sup> Hence, as discussed earlier, the Political Agent decides the case both of criminal and civil nature or directs a *jirgah* for deciding the case.

Furthermore, the Constitution empowers the Governor of KPK, as the representative of the President of Pakistan, to exercise executive authority in the region<sup>16</sup> under the overall supervision of the Ministry of States and Frontier Regions in Islamabad. He then appoints political agents to administer the area.<sup>17</sup> This, indeed, is an unusual scheme of administration for an area which is otherwise interwoven with KPK as far as cultural background is concerned. However, the area is somewhat different in terms of the social makeup and dialects.<sup>18</sup>

Nonetheless, the constitutional boundaries provided to the FATA region are in fact quite problematic. As the laws passed by Parliament are not automatically extended to the FATA region, getting the approval of the President of Pakistan becomes a hurdle in even providing the basic rights to the locals of FATA. In this regard, the Constitution requires some basic amendments and, in fact, should be brought to the level that would cater for the basic rights of the locals.

## **2.2. Frontier Crimes Regulations: Compulsions of the Colonial Era**

During the colonial era in the Subcontinent, the then tribal area retained its traditional and tribal structure quite strictly. The Frontier Crimes Regulation, popularly coined as FCR, 1901, governed the region distinctly from the other part of the subcontinent. These laws were customary in nature, and disproportionate in implementation of punishments so as to subdue tribes.<sup>19</sup> In fact, it provided a legal, administrative and judicial framework for governing FATA. Today, as a colonial hangover, FATA still continues to be governed through the Frontier Crimes Regulation, 1901. Interestingly, despite numerous amendments introduced in the regulations, in 1928, 1937, 1938, 1947, 1962, 1963, 1995, 1997, 1998, 2000 and

2011, the constituents and structure has remained the same. This has been the case because, unfortunately, whenever an amendment was introduced, it was of very minor nature and was cosmetic. For example, as an amendment, the word 'commissioner' was substituted with the phrase 'court of the commissioner', and in 1997, merely the definition of the word 'governor' was added.

All civil and criminal cases in FATA are decided under the FCR by a *jirga* (council of elders). Residents of the tribal areas may, however, approach higher courts, the Peshawar High Court and the Supreme Court of Pakistan through a constitutional writ challenging a decision issued under the 1901 Regulation. It is in fact a black and draconian law. Various provisions in the legal document are perceived to be inhumane and unjust. For example, the concept of, 'collective responsibility' through which the entire tribe may face the brunt for a wrong committed by an individual was declared unconstitutional by the Supreme Court of Pakistan.<sup>20</sup> Furthermore, despite amendments introduced in the Regulations, no implementation is as such reported in numerous cases. The locals remain marginalized and suppressed in the shackles of the legislation.

Consequently, it would not be wrong to say that law in isolation is of no use and should be an index of social structures and relationships of a society. The FCR is reflective of the compulsions of the colonial era and also of the subsequent colonial hangover. The draconian FCR which gives enormous rights to the Political Agents, remains a barrier in mainstreaming FATA even after the FCR amendments introduced in the year 2011. In this regard, social structures in FATA were not harmonized with the rest of society.

### **3. Complex Legal Realities: Linkages with Extremism**

In the absence of a significant advance towards mainstreaming of the FATA region in Pakistan, what has flourished has been socio-economic grievances. Furthermore, as the buffer zone between Afghanistan and Pakistan, the instability in the neighbourhood has consistently poured into the FATA region. Owing both to the ethnic and historical linkages across the border, the porous nature of the Durand Line has paved the way for extremist factions to settle in FATA. On the other hand, in the absence of a tangible administrative authority and corruption in the one which is present, these extremist factions got a feasible breeding ground. The tribal lot got exploited both due to their Pushtoon hospitality 'Pushtoonwali' and weak functioning of governance in the region. Resultantly, the extremist factions have merged with the tribes either by getting married to the local women or even by force.

In other words, the FATA region was considered as a political 'non-conductor' and the outreach of resources and fundamental rights to the locals became a misnomer. Mainly, the low income class which is in majority supported the extremist factions as they had nothing to lose.<sup>21</sup> Hence, the merger of extremist entities eventually made the region 'the most dangerous place' in the world.<sup>22</sup> Furthermore, adding to the complexity of the situation, the coordination of local security efforts is also quite ambiguous. Within a relatively small geographic space, the government has to work across a number of divergent and historically-conditioned systems. Hence, instead of formulating a synchronized system of security, a military response is opted for when the situation gets out of control. Due to this loophole, the extremist entities regularly operate across the artificial lines which divide the settled, FATA, Frontier Region and PATA.

Similarly, malfunctioning of the administration in FATA also fuels illiteracy and inadequate opportunities for education amongst the youth. They are left with no option but to either join the seminaries or work for the local war lords. The seminaries, which are unchecked and generally do not fall under any regulatory authority of the administration, give anti-state sermons to the children. That is building a narrative which is deteriorating the already weak administration of the area. On the other hand, as the tribal elders were no more influential, the vacuum was filled by the clergy. The same has happened in Balochistan as well. However, it did not create a war like situation. Currently there is 36% illiteracy in Malakand division, half a million children out of school in KPK and lowest economic indicators in FATA.<sup>23</sup>In fact, there is a narrative amongst the extremist entities in FATA of gaining a sense of identity after taking up the gun as their situation was quite worse before. Thus, the deprivation of the locals of FATA from their basic human rights and a tangible political structure which is accountable, paved way for all potential constituents of destabilization, violence and militancy to merge into the socio-political fabric of FATA.

### **3.1. Political Empowerment and Mainstreaming: Myths and Realities**

In essence, the contemporary FATA scenario represents a politico-legal vacuum against the backdrop of an institutional decay, and consequent irrelevance of the instruments of governance that persist from the colonial times. Society is now driven by a new class of ideologically-motivated youth, whether militant or otherwise, as the role of the traditional tribal elder is fast eroding. The relevance of FCR as an acceptable instrument of statecraft is highly doubtful. The vacuum is manifest in the growth of militancy and in its counter-action by Pakistani armed forces. In a nutshell, the scenario mirrors the impact of the

region's isolation from the broader processes across the country, together with its mobilization in the wars against, first, the Soviet and, then, the Western occupation of Afghanistan. These served as catalysts for the societal changes that had already come about.

The notions of reform today are, first of all, related to the need to bridge the politico-legal vacuum, rationalize the administrative frame in harmony with the societal changes, and to stem-out the tide of militancy. In this context, various prescriptions are in fact related to varying focal points and do not necessarily lead up to a composite picture. However, most seem to converge that in consonance with the society's evolution, it would be futile to reinforce the older instruments of governance (e.g. the tribal elder system and his relationship with the political agent) and, then, to expect any dividends in terms of stability and progress.

The stage is already set for comprehensive reforms towards empowerment and mainstream of the tribal belt. However, any half measures (not to be mistaken with an incremental approach) may turn out to be a useless input. For example, the decision to bring political parties in the region was introduced late and viewed as a too small a step. Similarly, there has been a growing talk of a separate province of FATA, even without appreciating the fact that Peshawar remained the radiating centre for various tribal agencies in spite of the political agents' rule in the region.

Some fundamental questions arise here: whether we would reform the tribal belt by keeping it a separate belt or the long line where agonies prolonged would remain as old wine in a new bottle? Would the mainstreaming serve the purpose of outweighing long-standing allegations of being instruments of Pushtoon division similar to the fashion of Colonial era? Is it

time to decisively weigh the idea of bringing FATA in KPK as a larger Pushtoon entity? Ideas on mainstreaming FATA by giving it the status of a separate province is indeed untenable. That would be seen, by and large, as an act of inventing new methods of isolating the region from the mainstream.

#### **4. Future Structures**

Today, the quest for FATA-specific reform relates to empowerment of the tribal people as well as to mainstreaming the region and its people with the rest of the country. The two tracks will have to run in tandem. Second, steps should be initiated to rationalize laws and, therefore, the administrative structure in FATA with that of the societal changes that have already come about. Third, in view of the region's destabilization over decades, a new drive for reform should rest on an incremental approach towards a change in the legal and administrative structures. That should ensure a balance between stability and reform, while moving towards empowerment of the people. Fourth, the process of reform, while mainstreaming FATA, should keep in view the peculiarities of the tribal region against the backdrop of separate development of various agencies. Fifth, the exercise should be based on the assumption that reform should not lead to perpetuating the fragmentation of Pushtoon people within the country.

The future structures in FATA will have to be placed on a three-fold track: first, introducing an elected local self-government at the Tehsil and District equivalents in the Tribal area and thus addressing a two-fold objective: filling in the vacuum caused by the erosion of the tribal elders' role and to introduce a legitimate alternate to the militant ideologue elite. Second, set in motion a Tribal Advisory Council to serve as a transitional mechanism to advise the governor and, in the later

phase, to the Chief Minister KPK once the area moves further towards mainstreaming. Third, incorporate the tribal region as part of KPK with an autonomous existence for the interim period. The process should commence with election of Provincial Assembly Members from FATA and abolition of separate seats in the Senate and merger of FATA and KPK representation in the National Assembly. Concurrently, appropriate amendments would be required in the Constitution and various laws that are to-date exclusively FATA specific.

## **5. The Way Forward**

The process of reform in the tribal region will have to run on twin tracks of empowerment and mainstreaming in tandem. It should introduce and groom institutions at the grass root level to fill in the power vacuum and to combat the 'extra-legal' new elites. An incremental approach should lead to the consolidation of the Pushtoon heartland within Pakistan, rather than seeking exclusiveness of the area, using new approaches.

Steps in the way forward may relate to the following:

### **a. Constitutional Amendments:**

Articles 246 and 247 of the Constitution of Pakistan which specifically deal with the FATA region need substantive amendments. The changes should reflect the extension of fundamental rights as ascertained in the preliminary chapters of the Constitution without the ambiguous process of gaining discretion of the President of Pakistan. Without these amendments, the governance and administrative structure of FATA may not improve.

### **b. Amending Laws:**

Amendments in laws may not serve the purpose if they do not eventually merge with the social setup. For this



purpose, the laws in FATA may be amended in two broad phases: first, introduce tangible amendments in FCR which will tone down the unconstitutional aspects of the Regulations. And, second, when it is considered not to be serving the purpose, FCR should be eventually abolished and the principle of 'one country one law' may be followed.

**c. Local Self-government at the Tehsil/District Equivalence:**

The vacuum created due to loss in control of tribal elders and overwhelming presence of clergy can be outweighed by creating a credible and legitimate local self-government system in the area. This is so because it gives a system of accountable, elected members which would also in turn outweigh the bureaucratic system of Political Agents.

**d. Tribal Advisory Council in the Interim:**

Such kind of a Council is envisaged as a transitional mechanism for empowerment and mainstreaming of the tribes: It should take up the role to advise the Governor and later to the Chief Minister as the region moves towards integration with KPK. It may, on the one hand act as a custodian of tribal tradition, and, on the other provide a forum for larger scale representation in various developmental projects at the local level.

**e. Integration with KPK with an Autonomous Entity in the Interim:**

Merging FATA with the larger Pushtoon population province of KPK is the most debated, though the only longterm and sustainable option. In this regard, we can benefit from the erstwhile Soviet model of Federation that catered to an autonomous region within a federating unit. In doing so, the representatives of

FATA in KPK should then be given authority to make and amend laws according to the will of their locals.

## Conclusion

Notwithstanding what has been proposed by researchers and academics in the context of reforms in FATA, it is advisable to initiate a wider debate in KPK and FATA regions, to brainstorm various proposed measures for empowerment and mainstreaming of the region and to crystallize ideas on fine points and timelines to actualize the agenda.

## Endnotes

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<sup>1</sup>According to the 1998 census, the population of FATA was 3.138 million or 2.4 per cent of Pakistan's total population, and is currently estimated at approximately 3.5 million.

<sup>2</sup> Rohan Gunaratna and Khuram Iqbal, *Pakistan: Terrorism Ground Zero*, Reaktion Books, 33 Great Sutton Street, London, 2011, p. 55.

<sup>3</sup>Article 247- The Constitution of Pakistan 1973 , Part XII- Miscellaneous, Chapter 3: Tribal Areas.

<sup>4</sup>AyazWazir, 'Talks with the Taliban', *News*, 20<sup>th</sup> March' 2014.

<sup>5</sup>Official Website Federally Administered Tribal Areas- Administrative System, Available at: [http://fata.gov.pk/index.php?option=com\\_content&view=article&id=50&Itemid=84](http://fata.gov.pk/index.php?option=com_content&view=article&id=50&Itemid=84), accessed on: 20<sup>th</sup> March' 2014.

<sup>6</sup>Imtiaz Gul, 'The most dangerous place- Pakistan's lawless frontier', Penguin Books, England, 2010, 44.

<sup>7</sup> Sabina Khan, "FATA's Political Status: What are the Consequences and Options for Pakistan?," *Strategic Insight*, Volume 10, Issue 2, Summer 2011.

<sup>8</sup>Opcit., 5. Administrative system of FATA.

<sup>9</sup> Ibid.

<sup>10</sup> Ibid

<sup>11</sup> Tiga means achieving a truce. It is a phenomenon especially used in criminal cases.

<sup>12</sup> Specifically used for civil cases in terms of paying some kind of security either monetary or moveable or immovable property.

<sup>13</sup> Article 1 of the constitution of Pakistan 1973.

<sup>14</sup> Article 51,59, 247 of the constitution of Pakistan 1973.

<sup>15</sup> Article 247 of the constitution of Pakistan.

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<sup>16</sup> Article 247 (2) of the constitution of Pakistan 1973.

<sup>17</sup> Opcit., 4. Ayaz Wazir.

<sup>18</sup> Dr. Nazya Fiaz, "Policy Intervention in FATA: Why Discourse Matters," *Journal of Strategic Security*, Volume 5, Number 1, Spring 2012.

<sup>19</sup> Asmatullah Khan Wazir and Muhammad Zaheer Khan, "Mainstreaming FATA Through Legal and Political Reforms," *Tigah*, Volume IV, January 2014.

<sup>20</sup> Sabina Khan, "FATA's Political Status: What are the Consequences and Options for Pakistan?," *Strategic Insight*, Volume 10, Issue 2, Summer 2011.

<sup>21</sup> Joshua T. White, "Applying Counterinsurgency in Pakistan's Frontier," *Brookings, Counterinsurgency and Pakistan Paper Series*, Number 2, June 25, 2009.

<sup>22</sup> Khalid Aziz, "Extending Stability to Pakistani Tribal Areas," *Regional Institute of Policy Research & Training*, 2008.

<sup>23</sup> Rahim Ullah Yousufzai, Seminar on 'Misgovernance- Radicalization Nexus in KPK, FATA and Malakand Division', NDU auditorium, National Defence University, 17<sup>th</sup> April' 2014.



## **Rejuvenating FATA: Education as an Instrument of Change**

*Senator Sehar Kamran (T.I.)\**

### **Abstract**

*Education holds key to enhancing competitiveness of the underprivileged and to pave the way for greater stabilisation as a stepping stone for peace and development in any state. A good education transforms a disorganised society into an organised and a civilized one. It is the only medium through which a moderate, progressive and peace-loving nation can be built.*

*To recall, Sir Syed Ahmed Khan, one of the greatest Muslim educationists and reformists had observed: "Acquisition of knowledge of science and technology is the only solution for the problems of Muslims."<sup>1</sup> These words of wisdom were most appropriate for the South Asian Muslims' endeavour to enhance their competitiveness in the colonial era. The prescription remains valid today as we struggle to look beyond the curse of extremism and consider revamping education in the underprivileged area of FATA so as to achieve a quantum jump towards progress.*

*The paper aims at revisiting the status of education, curriculum and resource mobilization to establish various dimensions of the problems faced by region. It also unfolds an*

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*outline of reforms that may be necessary to removing bottlenecks in the way.*

### **The Educational System and Roots of the Problem**

The low literacy rate and low education budget in Pakistan are glaring evidences that education sector has been neglected badly by the state ever since its inception in 1947. More than nine million children do not receive primary or secondary education, and literacy rates are stagnant<sup>2</sup>. Due to the inconsistency in governmental policies for educational reforms and lack of a comprehensive national vision, the standard of education has drastically deteriorated in the government held institutions. On the other hand, the poor education standards at the government institutions and an expensive private schooling culture have gradually strengthened the Madrasa (religious schools) culture in Pakistan, especially in the Khyber Pakhtunkhwa (KPK) province.

One of the reasons of the mushroom growth of Madrasas in Pakistan has mainly been because of the increase in income disparity in society. At the same time, the private education sector has boomed in recent years. These different education systems have contributed to the already increased polarization in society. This division has made it apparent that only those who can afford to pay expensive fees are the ones fortunate enough to benefit from modern education. It is a well-known fact that the majority of the Pakistani society cannot afford to send their children to private schools and colleges. This is further contributing to exacerbating the feelings of inferiority and deprivation among these classes of society. Such deprived members of society become emotional and, over time, establish anti-social feelings. This sense of deprivation provokes radical tendencies, extremism, religious fanaticism and in some cases even anti-state sentiments.

According to the United Nations Millennium Goals (MDG), over the years, Pakistan's literacy rate has improved considerably. Although Pakistan's 2015 MDG target of 88 percent has fallen considerably short at 58 percent<sup>3</sup>, it still has come a long way.

The state of Pakistan is one which has suffered most because of the curse of extremism and related issues like militancy. A general perception exists that such issues are primarily associated to Federally Administered Tribal Areas (FATA) of Pakistan.

In order to bring FATA, one of the most underdeveloped areas of Pakistan, at par with the rest of the country, educational reforms are a must. The education reforms in FATA can improve the situation of the region by leaps and bounds for not only the present generation but also for the future ones. For the purpose of recommending ways to improve the education system in FATA, we need to review the existing educational framework of the region.

### **Structure of Educational System**

One of the major problems of not only FATA but Pakistan as a whole has been the poor structure of the education system. FATA has been the worst-hit insofar as the educational infrastructure is concerned because of a myriad of reasons. Some of which are:

- Lack of development
- Insufficient funds
- Poor infrastructure

The education infrastructure that exists in FATA comprises primary, middle, secondary and higher secondary schools. There are only two degree colleges in FATA. No

university, private or government, exists in the region. The schools that exist in FATA are in a deplorable condition. FATA lacks in basic facilities like water, electricity and infrastructure. Furthermore, the shortage of teachers has contributed to the existing problem in the form of ghost schools.

There are only four teachers' training institutions in FATA. On the other hand, it should be noted that Islamabad, the federal capital of Pakistan, having a considerably lesser population and area has seven teachers training institutions. If a serious attempt to reform the education system is to be made, then, emphasis and focus on training of teachers should be laid. Proper incentives should be awarded to teachers on merit basis to promote the culture of regular attendance and invoking the students with a new spirit to learn. This would also help tackle the challenge of ghost schools in the area.

### **Budgetary Allocation for Education in FATA**

Educational sector in FATA has never been on the national agenda of any government. Until 2002, FATA's educational sector received only two percent of the Gross Domestic Product (GDP); but this allocation was raised to around three percent which is still less than the recommended percentage by UNESCO<sup>4</sup>, which recommends allocation of budget to at least four percent. In the 2014-2015 budget, the government has allocated Rs. 3.67 billion, which is an increase from the last year's education budget, which stood at Rs. 3.64 billion,<sup>5</sup> but it still is low, considering the destruction of schools due to militancy, as well as in context to the international standards for educational budget allocation. Furthermore, inflation is another factor which directly affects allocated funds value. Insufficient budgetary allocation is one of the main reasons as to why the educational infrastructure in FATA has been the worst as compared to the rest of Pakistan. The need to



focus on the structure and educational infrastructure of this semi-autonomous region only rose after the events of 9/11 and the violence which ensued.

### **Educational System in FATA**

According to the Annual Statistical Report 2012-2013, the number of educational institutions in FATA stands at 5,625, which include 3,640 primary schools, 455 middle schools, 275 high schools, 13 higher-secondary institutions, 37 degree colleges, four elementary colleges, 956 community schools, 44 industrial homes and 196 mosque schools.<sup>6</sup> Out of these 5,625 schools, 4,442 are functional which include 2,614 schools for boys and 1,828 schools for girls, while the number of non-functional schools stands at 1,064, which includes 578 boys schools and 486 girls schools, and about 119 schools remain closed.<sup>7</sup>

The multiple Cluster Indicator Survey (MICS) in FATA shows that 69.3 percent of FATA youth between 15 and 24 years population is illiterate and only 30.7 percent are literate.<sup>8</sup> The percentage of literates above 10 years of age population in FATA stands at 33.8 percent for males and 7.5 percent in females.<sup>9</sup> According to statistics available with the FATA Secretariat's Education Department, literacy rate in the tribal belt stands at 36.66 percent for males and 10.5 percent for females.<sup>10</sup> It is significant to note that the educational status in FATA has actually declined since 2013 by -0.20 percent.<sup>11</sup>

The infrastructure of schools has suffered the most because of the continuing violent conflict in the area. According to the data provided by the Ministry of States and Frontier Regions (SAFRON) about 1,029 educational institutions in FATA are non-functional.<sup>12</sup> As per the statistics released by SAFRON, in the financial year 2012-2013, 122 educational institutions

have been re-constructed and there is a plan to restore another 74 educational institutions.<sup>13</sup> The cost of reconstruction of these damaged institutions is very high. As estimated, some 1,858 millions are required to build the totally destroyed schools and colleges in the region, whereas, 684 millions are needed to build the partially damaged ones.<sup>14</sup>

These figures are huge and attention paid by the authorities towards reconstructing these destroyed schools and colleges' infrastructure is very little, particularly in the region of FATA. A very small crunch from the federal budget has been allocated to this sector, which is a hurdle in the progress of the tribal society. Another issue is the presence of 'ghost schools' in the area which are usually in control of the tribal *Maliks* (elders), who use them for personal *Hujras* (private male guest rooms) or business centres. Some of the deserted school buildings are even used by them to keep cattle and storage items.

On one hand, some schools in FATA have been non-functional mainly because they have been destroyed by the militant factions or are being used as camps by the security agencies or are serving as relief camps for those people who have been displaced by the on-going military operation in the region; whereas, on the other side, the blame of non-functioning schools can also be placed on lack of the basic facilities like school furniture, clean drinking water, availability of toilets and electricity. The Annual Statistical Report on FATA also reveals that 1,880 boys and 617 girls schools do not have a boundary wall, 2,303 boys and 1,246 girls schools lack proper arrangements for clean drinking water, 2,126 boys and 1,024 girls schools do not have electricity and 2,585 boys and 1,095 girls schools do not have proper toilets.<sup>15</sup> All of these factors have contributed to the declining percentage of literacy in FATA and students drop-out rate from the educational institutions.

Serious consultations and policy adaptation is required, as to how to collect and direct the funds towards rehabilitating and restructuring the educational sector of the region.

### **Major Problems**

Some of the major issues related to education that need to be addressed in FATA include:

#### **a. Tackling the Rise of *Madrassa* System**

One of the major reforms which needs to be implemented in the educational sector of FATA is tackling the rise of the *madrassa* system. *Madrassas* are regarded as a prestigious institutions in society, because it serves the purposes of the worldly as well as religious education. Along with education, they provide food and shelter to the needy, poor and orphan children. The *Madrassa* culture has gained popularity over the years, especially in FATA, mainly because of two reasons. First, the people of FATA are inherently conservative and religious, who prefer religious education over modern one. The mind-set behind sending their children to *Madrassas* is mainly because they want their young children of age five and above to have a religious orientation and be more pious.

The second reason as to why people send their children to *Madrassas* is monetary. The people of FATA in general have minimal sources of income and cannot afford to send their children to other cities and afford high fees so they send them to *Madrassas* because food, shelter and education are provided to them without any cost. Article-37 of the Constitution of Pakistan clearly states that it is responsibility of the state to provide basic education to all of its citizens on equal basis, but the successive governments since the inception of the country have failed to perform this

responsibility because of a number of reasons. This incompetence of the governments left a vacuum in the educational sector, which was ultimately filled by the *Madrassas*. There were only 900 *Madrassas* in Pakistan in 1971. In 1988, the number of registered *Madrassas* stood at 8,000 and the number of unregistered *Madrassas* stood at 25,000.<sup>16</sup> Recently, a conservative estimate of *Madrassas* in Pakistan put the number between 18,000 and 24,000.<sup>17</sup>

*Madrassas* gained much attention after the events of 9/11. The responsibility of the attacks was pinned on the extremists trained in *Madrassas*. *Madrassas* in FATA in particular came to the limelight as the area was identified repeatedly as safe havens for terrorists and global terrorism. What needs to be understood is that *Madrassas* are not solely responsible for promoting religious extremism in society. In fact, many of them have contributed positively and are providing welfare services to the people of Pakistan as well as depicting the true and fair picture of Islam.

The *Madrassas* in Pakistan need to be mainstreamed, and monitored by the Government strictly. As already pointed out, it is the responsibility of the state under the Constitution to provide education on equal basis to all its citizens. The people should not be obligated to send their children to *Madrassas* just because they cannot afford their education. Moreover, the government needs to implement its policies firmly regarding regularization and supervision of the *Madrassa* system in the country.

#### **b. Overcoming the Language Hindrance**

One of the major issues faced by children in schools in FATA is the language problem. They speak Pashto in their homes

and amongst themselves, Urdu in schools and the medium of their school syllabus has recently been converted into English. According to FATA Secretariat's education secretary, 69 schools in FATA have so far been converted into English medium institutions.<sup>18</sup> It means that the children's learning process is being carried out in three languages, which is a burden on the school-going children.

Language is a part of what and who we are – it defines our identity. Instead of making bilingualism or even multilingualism (in some cases) a problem, what is required is to convert this hindrance into an advantage. The students should be taught their basic syllabus in their mother tongues, and English and Urdu should be treated like other subjects. That would enhance the understanding of the students and make their learning more productive. The initial school years should be devoted to developing language skills; later, science subjects should be taught in English, and Social Sciences and *Islamiyat* (Islamic teaching) in Pushto or Urdu.

The biggest issue with English being the medium of instruction, is that the students, because of lack of competent teachers and understanding of the language, instead of learning concepts start cramming which itself is regressive. In order to deal with this issue, a review over the textual language, especially for the Tribal areas, is required. It is important that Pashto be made their language of instruction, while English is taught as a subject. It is also important to do so, to save them from any disadvantage, because without proficiency in English, meeting the challenges of a rapidly developing society and attainment of competitive positions in the employment sector is very difficult.

**c. Gender Disparity in Educational Sector**

Gender disparity is quite apparent in every field in FATA, especially the educational sector. According to the annual report titled 'Pakistan Education Statistics, 2011-12', 346,770 boys are enrolled in schools, whereas, the number of girls enrolled was 191,976.<sup>19</sup> Similarly, the number of male teachers serving in FATA totalled at 13, 965, whereas, the number of female teachers was 6,530.<sup>20</sup> The gender disparity, although it does exist in entire Pakistan, is glaring in FATA. Much of this has to do with the local customs and traditions. The culture of FATA restricts women from playing an active role in society.

The challenge of gender disparity is huge, and in order to tackle it, a number of concrete steps need to be taken. Women are an integral part of any society in the world. They must be integrated well in society and their participation must be made compulsory by the government. Incentives should be offered to the female students and teachers and more female involvement should be encouraged. The Gender Parity Index (GPI) of GER (Gross Enrolment Ratio) is the lowest in Pakistan at both the primary and secondary levels, standing at 0.47 percent and 0.16 percent,<sup>21</sup> respectively, as compared to other parts of the country. Moreover, an educational campaign should also be introduced, primarily targeting the family elders and the male section of society to educate them about the importance of active female participation in the world today.

**d. Teacher Absenteeism and Lack of Accountability**

Another problem, which the education system of FATA faces, is the absenteeism of teachers from the schools. This

problem has arisen because of the lack of accountability in monitoring the performance of the teaching staff there. Majority of teachers do not even go to schools, but get their salaries because a proper control and a system of assessing and evaluating their performance is missing. If the performance is evaluated regularly through a proper mechanism, this problem can be resolved.

**e. Political Interference**

Political interference in the matter of teachers' transfers, postings and appointments of staff as well as favouritism is another challenge faced by the educational sector in FATA, which hampers the functioning of educational system. Moreover, educational incentives and distribution of financial assistance is also influenced politically. The scholarships in the region are awarded on the basis of favouritism, which leads to disappointment among those who genuinely deserve them. In order to overcome these hurdles, an end to political interference is required.

**f. Non-availability of Separate Schooling**

One of the biggest issues faced, especially by the girls in FATA, is the non-availability of separate schooling arrangements. The local tradition of the region prohibits co-education, and because of the lack of separate educational facilities, girls are forced to drop out from the schools and lose the chance to attain higher educational degrees. Furthermore, the inconvenient location of schools and non-existing hostel facilities, particularly for girls, are another reasons for them to discontinue their education. According to FATA Secretariat's education department, the overall dropout ratio from nursery to grade five in government primary schools over a period of six years was 61 percent.

Out of this figure, 62 percent were boys and 58 percent girls. Moreover, the drop-out rate from grade six to grade ten in public schools over a period of five years was 72 percent.<sup>22</sup>

#### **g. Lack of Extra-curricular Activities**

Educational institutions in FATA region lack a proper working set-up. Their educational calendar does not include any sort of extra-curricular activities. Extra-curricular activities play an important role in overall grooming, character development, confidence building and make the schooling more appealing for the students. The promotion and propagation of extra-curricular activities can also help increase the literacy rate in the region.

#### **Government's Development Strategy**

The government's development strategy to initiate reforms in educational sector should be based on the following points:

- a. A rigorous campaign to enhance the value of good education should be spread all across FATA.
- b. Access to education should be made easy for all FATA Agencies and Frontier Regions.
- c. The students, who repeat their educational years as well as those who drop-out, should be motivated to improve their learning skills and continue their education.
- d. The quality of teachers' training should be improved.
- e. A proper mechanism to evaluate and monitor the performance of teachers should be introduced. It would help in creating a better accountability system.



## **Regulatory Mechanism for Educational System**

There is a dire need for a regulatory mechanism to be established which would monitor the educational, system of FATA. The turmoil that FATA has been facing, has stemmed from the roots of extremism and militancy and much of that has to do with the extremist literature, they have been studying or have been influenced by. In these circumstances, the need for formulating a regulatory mechanism is a must. The regulatory mechanism should include the following:-

- a. A teacher training programme conducted at the village level.
- b. Launching of an educational awareness campaign.
- c. A closely monitored and approved educational curriculum.
- d. Introduction of extra-curricular activities on regular basis.
- e. Establishment of adult educational centres as well as higher education.

Education and personality grooming both are important aspects required to shape the future of Pakistan, and it is equally important in FATA to focus on both aspects and engage students in quality learning. A comprehensive national curriculum must be developed to meet the requirements of the students in FATA. This educational curriculum should be a combination of religious and modern education, inculcating the spirit of patriotism, moral ethics, discipline as well as extra-curricular activities, including sports, which would not only help enhance the abilities of the students, but will also nurture them, to serve the country in a productive manner.

The regulatory mechanism shall oversee that prescribed curriculum and educational activities are properly being carried

out and it would also ensure that the students are being taught the right kind of material which promotes tolerance, national harmony and integration. While the regulatory mechanism would provide a direction as far as the syllabus is concerned. It will also provide a relief to the national and international authorities as to what type of courses are being taught there.

### **Proposed Youth Policy and Reforms in FATA's Educational Sector**

The following steps should be taken by the government to implement its already announced youth policy and reforms in educational sector of FATA. These initiatives should be based on following points:

#### **a. Formal Education Sector**

- (1) A uniform school and education system should be established to achieve the educational aims and objectives. That would also help attain social cohesion among the different communities of the region, regardless of private, religious or public schools.
- (2) The environment of educational institutions should be violence-free, and students should be provided with an atmosphere in which they can feel safe and secure.
- (3) In order to promote the culture of education, free of cost text books should be provided to the students at least till the primary level.
- (4) Internet access and libraries should be established and the culture of reading should be promoted to facilitate the young students who are interested in pursuing their careers in research.

#### **b. Introducing Scholarship Programmes**

- (1) A special focus group, with the purpose of facilitating the students of FATA with higher education through scholarship programmes, should be introduced.

- (2) Incentives in the form of education subsidy should be provided to the parents in FATA for sending their children to schools. For further encouragement this scheme should offer measurable incentives with respect to the number of children, their education level, class attendance and performance.
- (3) A special quota system for scholarships should be set up for females, religious minorities and physically-challenged individuals. That would help in integrating these relatively marginalized groups of FATA in the national cohesion.
- (4) Female participation in the educational programmes and courses should be encouraged.
- (5) Student's delegations from FATA, comprising both males and females should be sent to participate in national as well as international conferences for them to get a wider exposure. That would also help them to gain more confidence.
- (6) In order to extend the scope of the educational programme, a partnership based on public-private enterprise should be established.
- (7) The process to attain scholarships by students based on their good grades, who want to pursue higher education should be made faster and more effective. That would motivate them to perform in a better manner.
- (8) A programme of easy loans should be started for those students of FATA, who are unable to attain scholarships. The government can also ask for facilitation of these young students from different international donors and agencies.

**c. Non-formal Education**

- (1) There is a need to introduce learning and community service programmes.

- (2) The non-formal education programmes should target females and the people who are physically/mentally challenged.
- (3) A community-based structure and curriculum offers a good chance of acceptance in FATA. At least till the eight class, topics of social sciences should revolve around local traditions and inclinations.
- (4) A street campaign led by the educated youth, which targets and reaches out to the uneducated youth on streets, town and villages should be encouraged and made a part of their mandatory community service. That would-be a productive activity and shape the students into responsible citizens of Pakistan and help establish their leadership skills.

### **Proposed Reforms**

In order to achieve purposeful results in the educational sector of FATA, following reforms should be implemented:

1. There should be an immediate increase in the budgetary allocation for education.
2. In order to improve the education condition in FATA, a proper focus on development of education sector and a comprehensive strategy is required.
3. The door of opportunities should be open to all, an effort should be made to bring the FATA students at par with the rapidly changing diversified world and highly competitive society, an education system based on modern technology should be devised and implemented. It should be based on knowledge based curriculum, teaching by modern methodology and multi-media tools.
4. Computer education and a scientific outlook should be encouraged to generate more interest among the students.

5. A comprehensive teachers' training and capacity building programmes, based on the latest teaching techniques, should be devised and followed.
6. The emphasis on extra-curricular activities for students; like debating competitions, drama shows, sports, singing competitions and cultural activities should be encouraged. These activities would motivate students to attend schools and will also increase enrolment rate in the educational institutions.
7. A safe transportation system should be introduced for girls.
8. Hostel facilities and scholarship programmes should be made available, especially to the female students and teachers.
9. The education curriculum in FATA should be specifically structured to produce skilled boys/girls by the time they complete their matriculation. The process should be carried forward for those who continue to intermediate level. Parents should have satisfaction that after completing education, their children would have fair chances of getting jobs or shall have the requisite skill for self-employment. Focus of selecting the job-related skills should be based on local market requirements to facilitate the absorption of skilled persons close to their villages or hometowns.
10. The infrastructure of already existing schools should be further developed. The educational institutions' infrastructure has suffered badly in the last decade or so. Rehabilitation of these schools is imperative to achieve the desired results.
11. Schools should be provided with basic facilities like water, electricity, furniture, toilets and boundary walls etc.
12. A proper accountability mechanism for teachers should be devised and implemented. Their performance should be annually evaluated and they should be given promotion based on their performance.

## Conclusion

The educational potential is central to the stabilization process and nation building on a progressive footing. It should, therefore, be harnessed to enhance competitiveness of FAT people compared with the others in the country and to enlarge their participation in the national hold. This holds key to progress that is all encompassing and promises equitable sharing of fruits of development. The ideal of rejuvenating FATA must be achieved in an imaginative and purposeful drive.

Educating a society can, in many ways, guarantee reduced vulnerability of the people to extremism and fanaticism. If Pakistan can become successful in reforming its educational structure and developing the educational infrastructure of areas like FATA, a lot of its current and future problems can be resolved.

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## FATA: Socio-economic Challenges

*Dr Muhammad Khan & Ms Adeela Bahar Khan \**

### Abstract

*Growing inequality is one of the biggest social, economic and political challenges of our time. This paper enlightens about the socio-economic profile of FATA and the challenges it faces. It chronologically analyses the challenges that FATA has been facing, over time. The human miseries relating to the lack of the socio-economic development, along with the spill-over effects from across the border, are discussed in detail. The paper encompasses the topics of demography, education, industry, infrastructure and health facilities and identifies the current challenges FATA faces. It also emphasises that in the absence of any meaningful socio-economic development no major break-through in the region can be achieved.*

**Keywords:** *Socio-economic, challenges, development, deprivations, human-capital*

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### Introduction

One of the vital concepts of life, human resource development, aims at growth of work-based knowledge, expertise, productivity and satisfaction for a community,

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organization, institution or a nation. There have been inconsistent efforts in this field in South Asia in general and Pakistan in particular. Today, Pakistan stands at the 125<sup>th</sup> position in the human development index.<sup>1</sup> Although a part of Pakistan, FATA functions as a semi-autonomous region. This particular arrangement dates back to the days of British colonial rule in India, when the region served as a cushion between the British Empire and Tsarist Russia. The system continuously has more or less remained unchanged.

Following independence from the British rule in 1947, the area came under the sovereignty of a newly-created Pakistan. Owing to its special political and administrative status, the Federally Administered Tribal Areas (FATA) fall within the geographical area of Pakistan, as defined in the Constitution of Pakistan. However, its inhabitants do not have the benefit of the fundamental human rights, available to rest of the Pakistani masses.<sup>2</sup>

Since independence of Pakistan, FATA has not been given preference in terms of the development process being carried out in other parts of the country. FATA is the most under-developed region of Pakistan since the country won independence over six decades ago. The region has been and still is referred to as the tribal areas of Pakistan. This has resulted in political alienation, economic deprivation, and has fuelled deep resentment and grievances against the Centre. The absence of inclusive and participatory system at the grassroots, a bias in favour of traditional tribal system of economy and social hierarchy, have created conditions for the perpetuation of a cycle of underdevelopment which is conducive to militancy and religious conservatism. But, the Federal Government has also displayed its negligence towards the people of FATA by adopting a compartmentalized approach, in order to benefit some of the elite and influential segment of society. These ad-

hoc approaches have impoverished large segments of population and deprived it of developing the social status and economic empowerment.

Consequently, a large section of population of this area is living below the poverty line. Sixty percent population of FATA is currently vulnerable to poverty and other social issues. An unemployment rate ranging between 60 and 80 percent stemming from poor governance and unending conflict have kept the region in an eternal state of poverty, instability and isolation (Thereboot.org, 2013). At the same time, the unremitting drone strikes in the tribal areas have further aggravated the economic miseries of locals and deteriorated the already weak infrastructure, agriculture, livestock and the increasing unemployment in the region.

Unfortunately, out of 3.8 million population of seven FATA agencies,<sup>3</sup> approximately 80 percent of the population is unskilled and illiterate. There is a need of grouping and exposing them to various primary training processes prior to their utilization in respective fields. This would call for a two-pronged strategy: first; a short-term strategy of disengagement from extremist activities through inducement packages to sustain the poor and needy people and secondly; a medium and long term strategy for systematic the human resource development, and, thirdly, management by establishing human resource development bases. It is estimated that apart from normal annual budget of the region, if only 50 percent of the expenditures are aptly utilized for socio-economic development, human resource development and organizational issues in the area, the situation would improve in a very short period. Nevertheless, for socio-economic development, there is a need to have a secure environment in FATA.

## **Chronological Psychoanalysis**

Situated midway along Pakistan's border with Afghanistan is a wedge of rugged terrain, stretching some 450 kilometres; 27,220 square kilometres<sup>4</sup>, home to approximately 3.8 million Pashtuns, constitutes the region today known as FATA. This mountainous land is habitat to a majority Pakhtun population, made up of more than a dozen major tribes and hundreds of clans and sub-tribes.

The territories that jointly form FATA consist of seven 'Political Agencies'; Bajaur, Khyber, Kurram, Mohmand, North Waziristan, Orakzai and South Waziristan; and six smaller zones, called 'Frontier Regions' (FRs) in the districts of Bannu, Dera Ismail Khan, Kohat, Lakki Marwat, Peshawar and Tank. To the North and East, the tribal areas are surrounded by the North West Frontier Province (NWFP) now renamed as Kyber Pakhtunkhwa, whereas on the South the province of Balochistan. In the South-East, FATA joins the Punjab province. The western border of FATA which separates Pakistan from Afghanistan forms the Durand Line.

The area is governed arbitrarily through the Frontier Crimes Regulations (FCR) and its present constitutional status is enshrined in the Articles 246 and 247 of the Constitution of Pakistan. Being a poor and least developed part of Pakistan, the overall literacy rate of the region is less than 17 percent, compared to the national average of 54 percent. Per capita income is roughly \$250 dollars, half the national average of \$500 dollars. The unemployment ratio is over 70 percent, mainly because of non-existence of industrial sector and squeezed business activities consequent upon prevailing security situation. The inhospitable terrain of the region further isolates tribal communities from markets, health and education services, and exposes them to many outside pressures.

According to an estimate, over 60 percent of the population of FATA is below the poverty line,<sup>5</sup> and practically many of its areas are facing a famine due to the ongoing wave of food scarcity. The following table shows socio-economic overview of FATA with rest of the country (Table-1)<sup>6</sup>. It includes population density, cultivated area, population, and literacy health care and infrastructure indicators.

| Table 1: Socio-economic indicators, 2011-12    |       |       |           |           |                |              |                     |
|------------------------------------------------|-------|-------|-----------|-----------|----------------|--------------|---------------------|
| Item                                           | Pak   | KPK   | FATA 2007 | FATA 2012 | PUNJAB 2011-12 | SIND 2011-12 | BALUCHISTAN 2011-12 |
| Population density (per sq. km.)               | 222   | 340   | 117       | 157       | 315            | 216          | 19                  |
| Irrigated area as percentage of cultivated     | 84    | 55    | 40        | 38.2      |                |              |                     |
| Population per irrigated hectare               | 9     | 29    | 44        | 50        |                |              |                     |
| Cultivated area as percentage of reported area | 37.21 | 29.15 | 7.35      | 8.3       |                |              |                     |
| Literacy rate                                  | 58.00 | 50.00 | 17.42     | 21.40     | 60             | 60           | 46                  |
| Male                                           | 69.00 | 68.00 | 29.50     | 33.80     | 70             | 72           | 65                  |
| Female                                         | 46.00 | 33.00 | 3.00      | 7.50      | 51             | 47           | 23                  |
| Primary Enrolment Rate (percentage)            | 63    | 68    | 38        | 32        | 64             | 50           | 39                  |
| Population per doctor                          | 1206  | 6620  | 7670      | 6728      |                |              |                     |
| Population per hospital bed                    | 1665  | 1573  | 2290      | 2571      |                |              |                     |
| Length of roads per sq km of area              | 0.33  | 0.27  | 0.17      | 0.24      |                |              |                     |

## **Genesis of Human Misereries**

All through history, tribal areas of Pakistan have remained neglected as far as the socio-economic development is concerned. That is perhaps because of its special status under FCR, which limits the choices for the federal government to take a keen interest in regional development. Actually, this aspect could have been given attention as an issue of human rights, widely covered in the Constitution of Pakistan for all its citizens, irrespective of the special status of an area or region. In their tumultuous past, the tribal people have survived the historical Great Games, played between major powers in the region; firstly, between British India and Tsarist Russia in the 19th and early 20th centuries, and, secondly; between the United States-led West and the former Soviet Union from 1979 to 1989, which resulted in the latter's disintegration in 1991, thus bringing an end to the Cold War. During these two phases of the Great Game, the tribal people have maintained their traditions and integrity.

Rather, their tribal strength, values and traditions were exploited by the players of these games for their own benefits either directly or indirectly. In the current phase of this Great Game; which actually is an extension of the process of Soviet disintegration; their traditions and values have been torn apart. The institutions of Maliks (traditional elders) and the Political Agent (PA) have been overtaken by Mullahs; the so-called religious masters. It is worth mentioning that in spite of being Muslims; the peculiarity of the tribal culture is that their traditional customs, known as 'Riwaj', have always reigned supreme over everything else.

Lamentably, 9/11 came as a watershed in the history of Pakistan. This tragic incident has caused an inconceivable domestic turbulence in Pakistan. In reality, the incident was a

fallout of the Western-sponsored 'Jihad' against the invasion of former Soviet Union in Afghanistan (1979-1989). After the disintegration of Soviet Union, the former 'Jihadists' (religiously motivated volunteers from all over the world) were left out of work, as the U.S.-led West quit the region in haste. A large majority of 'Jihadists', especially Arabs and Central Asians, were not acceptable even to their native countries, and they remained in Afghanistan and FATA. Subsequent to the incident of 9/11, under strong U.S. and NATO pressure, most of them took refuge in the tribal areas alongside the Pakistan-Afghanistan border.

The presence of militants in the tribal areas was seen as a budding risk; therefore, security forces launched operations to flush them out. These militants have put up a strong resistance to these operations by security forces. However, their militancy had earlier remained restricted to North and South Waziristan only. After 2005, their activities were stretched out to the rest of the tribal areas and settled areas of North West Frontier Province (NWFP). By 2007, they successfully made inroads into the major cities of Pakistan and carried out suicidal attacks and bomb blasts endangering national sensitivities and killing thousands of innocent masses throughout the length and breadth of the country.

Over period of time, these militants were strengthened by acquisition of latest weaponry and equipments and an unending financial support by forces operating from outside the Pakistani borders, having a historical rancour against Pakistan. Until March 2014, this global war on terror has caused our 52,000 casualties of Pakistanis. Pakistani security forces have suffered approximately 7,500 casualties. It should be noted that these losses are more than the combined losses of the U.S., NATO and Afghan National Army.

Upon launching of the operations for weeding out these foreign elements by Pakistani security forces, they, along with the religiously-misled and criminal-minded elements of FATA, started organized attacks on them. Indeed, by 2007, most of the so-called religious elements gathered under a newly formed organization; "*Tehrik-e-Taliban Pakistan (TTP)*". It acts as an umbrella for various so-called Islamic militant groups, previously operating independently.

They won over the locals; either through religious motivation, used finances to bribe the poor FATA people or resorted to the use of force against those who could not be persuaded otherwise. They have destroyed the local tribal traditions and culture. These continuous disturbances ever since 2002, have caused a lot of losses to the lives and property either due to sporadic clashes between security forces and militants or because of collateral damages, thereby converting the area into ruins, leaving hardly any structural base for human resource development.

### **Spill-over and Blame Game**

The current phase of the Great Game named as the global war on terror is being fought against an indistinguishable enemy. It was initiated to track the culprits of 9/11 incident which occurred in USA and implemented by a group of nineteen militants, all Arab nationals. However, considering Osama Bin Laden (OBL) as its mastermind then hiding in Afghanistan under the Taliban regime, the U.S. invaded Afghanistan. For almost a decade, after the initiation of the so-called war on terror, the U.S. and NATO could not trace the people responsible for the 9/11, until on May 2, 2011, in a covert operation the U.S. Navy SEALs killed OBL in Abbotabad, Pakistan.



Since there exists a geographical contiguity between Afghanistan and FATA, NATO and U.S. forces in Afghanistan and the Afghan government have been frequently making accusations that the Taliban militants from FATA spill over to Afghanistan and create law and order situation there. Pakistan feels otherwise, and has a realization that militants in FATA are being supported by elements from across the borders. Indeed, for all practical purposes, FATA has become an extension of the Afghan war, just as Cambodia became an extension of the Vietnam War in 1960s. Despite of over 450 drone attacks in FATA, there has been no let up in militancy. Even the infamous Af-Pak strategy of President Obama did not work, as U.S. has made things worse than before, both for the U.S. and Pakistan through this policy. Indeed, the United States only desires a military solution of FATA, whereas Pakistan desires that it should be a mix of political, military and socio-economic measures.

Pakistan would never like FATA to become a “staging post for the Afghan insurgency”. Peace should be established there by its own people and forces through involvement of local populace and socio-economic devolvement, keeping our own resources in view. Analysts realize that the CIA-directed drone attacks have in most of the cases targeted innocent people and nonviolent religious organizations that have a pro-Pakistan character, whereas anti-Pakistan militants have never been targeted.

As viewed in the last twelve years, despite the presence and active involvement of the International Security Assistance Forces (ISAF) in Afghanistan, there has been a gradual increase in the poppy cultivation and production. According to estimates, poppy production has risen to 90 percent from what it used to be prior to 9/11. This illegal business is taking place right under the nose of the ISAF and has its explicit share in the financial

support of anti-Pakistan militancy. This has to be addressed immediately, along with many other sources used for funding of these militants.

Against this backdrop, the strategic location of FATA and the emerging geopolitical situation have directed the national as well as international attention towards the tribal areas. This has led to a broad-based commitment from a variety of quarters to foster development in the area, as part of the effort to bring peace and stability to the region. But, unfortunately, some of the issues need to be highlighted which would further help overcome the challenges faced by the people of the FATA since the creation of Pakistan.

The table below focuses on socio-economic issues, along with their description. The issues include society and culture, services and utilities, economy, development and the environment.

| <b>Issues</b>                 | <b>Description</b>                                                                                                                         |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Society and Culture</b>    | The conventional nature of tribal society, with strong confrontation to change in some quarters, obstructs social and economic development |
|                               | There is no room or chance for women to contribute to the development process                                                              |
| <b>Services and Utilities</b> | The overall level of education is low                                                                                                      |
|                               | Coverage of infrastructure facilities, services and utilities is unpredictable                                                             |
|                               | The quality of service delivery in basic social sectors is insufficient                                                                    |
|                               | Past development initiatives have focused on infrastructure rather than on the human resources                                             |
|                               | There is scarcity of professional and skilled                                                                                              |

|                                |                                                                                                            |
|--------------------------------|------------------------------------------------------------------------------------------------------------|
|                                | labour                                                                                                     |
|                                | Capacity constraints exist within the ranks of service providers                                           |
|                                | Baseline data is unreliable, planning mechanisms and monitoring systems are ineffective                    |
| <b>Economy and Development</b> | Few indigenous options exist for entrepreneurial activity                                                  |
|                                | Employment and income-generation opportunities are strictly restricted.                                    |
| <b>Environment</b>             | Environmental degradation is happening, with deforestation, intermittent drought and groundwater depletion |
|                                | There is no regulatory framework for environmental                                                         |

**An Appraisal of Socio-economic Profile of FATA**

**a. Demographics**

FATA is the habitat of roughly 3.18 million people according to the census in 1998. During the period of 1981-1998, the annual growth of population was figured to 2.19 percent. The demographics of FATA, according to the 1998 census, showed a declining trend during the same period in certain agencies and FRs. The table encompassing the statistics about the area, population and annual growth is given below in table:-

| Agency/FR   | Area (sq km) | Population (total) | Population Density (person per sq km) | Annual Growth rate 1981-1998(%) |
|-------------|--------------|--------------------|---------------------------------------|---------------------------------|
| <b>FATA</b> | 27,220       | 3,176,331          | 117                                   | 2.19                            |
| Bajaur      | 1,290        | 595,227            | 461                                   | 4.33                            |

|                     |         |            |     |        |
|---------------------|---------|------------|-----|--------|
| Khyber              | 2,576   | 546,730    | 212 | 3.92   |
| Kurram              | 3,380   | 448,310    | 133 | 2.50   |
| Mohmand             | 2,296   | 334,453    | 146 | 4.28   |
| North Waziristan    | 4,707   | 361,246    | 77  | 2.46   |
| Orakzai             | 1,538   | 225,441    | 147 | - 2.69 |
| South Waziristan    | 6,620   | 429,841    | 65  | 1.95   |
| FR Bannu            | 745     | 19,593     | 26  | - 6.65 |
| FR Dera Ismail Khan | 2,008   | 38,990     | 19  | - 2.09 |
| FR Kohat            | 446     | 88,456     | 198 | 2.59   |
| FR Lakki            | 132     | 6,987      | 53  | - 4.81 |
| FR Peshawar         | 261     | 53,841     | 206 | 2.22   |
| FR Tank             | 1,221   | 27,216     | 22  | - 0.61 |
| <b>Punjab</b>       | 20,5345 | 94,248,000 | 359 | 2.64   |
| <b>Sindh</b>        | 140,914 | 30,440,000 | 216 | 2.80   |
| <b>Baluchistan</b>  | 347,190 | 6,566,000  | 19  | 2.47   |
| <b>KPK</b>          | 74,521  | 17,744     | 238 | 2.82   |

The density of population in FATA for the year 1998 stands at 117 persons per square kilometre, with broad dissimilarities between individual agencies and FRs. In Dera Ismail Khan FR, for example, the population is delicately spread with 19 persons per square kilometre, while population density in Bajaur Agency reaches 461 persons per square kilometre.<sup>7</sup>

The average annual population growth for FATA is a little lower than the provincial average of 2.8 percent and the national average of 2.7 percent. The average household in FATA consists of 9.3 persons, compared to 8 persons in the KPK and 6.8 persons in the country as shown in the table below (Table-3).<sup>8</sup>

| Indicator                                | Pakistan | KPK    | FATA   | Punjab  | Sindh   | Baluchistan |
|------------------------------------------|----------|--------|--------|---------|---------|-------------|
| Geographical area (sq. Km.)              | 796,096  | 74,521 | 27,220 | 20,5345 | 140,914 | 347,190     |
| Annual population growth, 1981-98 (%)    | 2.69     | 2.82   | 2.19   | 2.64    | 2.80    | 2.47        |
| Urban population (percentage of total)   | 32.50    | 16.87  | 2.70   | 3.31    | 3.52    | 4.91        |
| Population density (persons per sq. Km.) | 166.30   | 238.10 | 116.70 | 359     | 216     | 19          |

During the 1998 census, the gender ratio of 108 males for every 100 females is somewhat confusing, since some 126,577 persons, most of whom are likely to be men, were recorded as migrants from FATA in other parts of Pakistan during the 1998 census. This should, in theory, leave a higher proportion of females in the local population. Census reporting in FATA is extremely difficult to conduct as there are many problems in gathering data, since tribal custom forbids the disclosure of information about women to outsiders. Table 4 depicts the population by gender in FATA.<sup>9</sup>

| Agency/FR        | Total     | Male      | Female    | Ratio |
|------------------|-----------|-----------|-----------|-------|
| FATA             | 3,176,331 | 1,652,047 | 1,524,284 | 108   |
| Bajaur           | 595,227   | 305,137   | 290,090   | 105   |
| Khyber           | 546,730   | 284,602   | 262,128   | 109   |
| Kurram           | 448,310   | 229,634   | 218,676   | 105   |
| Mohmand          | 334,453   | 175,404   | 159,049   | 110   |
| North Waziristan | 361,246   | 192,432   | 168,814   | 114   |
| Orakzai          | 225,441   | 112,766   | 112,675   | 100   |
| South Waziristan | 429,841   | 231,080   | 198,761   | 116   |

|                     |           |         |         |     |
|---------------------|-----------|---------|---------|-----|
| FR Bannu            | 19,593    | 10,380  | 9,213   | 113 |
| FR Dera Ismail Khan | 38,990    | 20,497  | 18,493  | 111 |
| FR Kohat            | 88,456    | 45,472  | 42,984  | 106 |
| FR Lakki            | 6,987     | 3,450   | 3,537   | 98  |
| FR Peshawar         | 53,841    | 27,063  | 26,778  | 101 |
| FR Tank             | 27,216    | 14,130  | 13,086  | 108 |
| Punjab (2012)*      | 2,816,795 | 1665711 | 1151084 | 144 |
| Sind (2012)*        | 1,432,148 | 817,372 | 614,776 | 132 |
| Baluchistan (2012)* | 210,391   | 119,631 | 90,760  | 131 |
| KPK(2012)*          | 560,265   | 330,739 | 229,526 | 144 |

#### **b. Educational Facilities**

Education is a basic human right, and a vital prerequisite to a highly effective social and economic investment. It further plays a significant role in combating the vulnerability of a person. Under Pakistan's Constitution, the state's obligation is to "eliminate illiteracy and provide free and compulsory secondary education" to all citizens (Article 37). Education is very important prerequisite for combating poverty, contributing to socio-economic development, empowering women, protecting children from perilous and abusive labour and sexual exploitation, safeguarding human rights and democracy, taking care of the environment, and influencing the population growth. Education is not given importance because of the tribal areas' tradition as societal norm and values and low economic development constrains facilities. Over the last few years, the existing security situation has slowed down the educational growth in this tribal belt.

According to the Annual Statistical Report 2012-2013, the number of educational institutions in FATA stands at 5,625 which includes 3,640 primary schools, 455 middle schools, 275 high schools, 13 higher-secondary institutions, 37 degree colleges, four elementary colleges, 956 community schools, 44 industrial homes and 196 mosque schools<sup>10</sup>. Among the ongoing militancy and violence, education in FATA has been extensively affected. According to the statistics available with the FATA Secretariat's Education Department, literacy rate in the tribal belt stands at 36.66% for males and 10.5% for females<sup>11</sup>.

The overall literacy ratio is 17.4 percent with 29.5 percent for males and only three percent for females, as compared to the national ratio of 43.92 per cent with 54.91 percent for males and 32.03 percent for females.<sup>12</sup> There are 5,344 educational institutions in the tribal region, out of which 4704 (88 percent) are public and 640 (12 per cent) private; all located in rural localities of FATA.<sup>13</sup> In 2005, there were 605,437 students in these institutions, out of which 440,285 (72.7 percent) were males and 165,152 (27.3 per cent) females.<sup>14</sup> According to the official record, a total of 22,079 teachers are employed in these schools.<sup>15</sup> Among these, 16,584 (75.1 per cent) are males and 5,495 (24.9 percent) females.<sup>16</sup>

Approximately 292 schools in FATA do not even have buildings. The earthquake of 2005 also put a severe constraint on the local infrastructure as well as the educational system when 1,700 students and 900 teachers were killed. The floods of 2010 also damaged the existing infrastructure. Currently, over 40 percent institutions do not function, mainly owing to the ongoing militancy and law and order situation. There has been frequent burning of girl's schools and two degree colleges in the area of Dera

Adam Khan and Peshawar by militants over the past two years, this further deteriorating the already low literacy rate of women.

Attacks on educational institutions in the region also registered a decline. As against 32 such attacks in 2012, year 2013 saw 12 such attacks. No casualties were reported in these attacks, both in 2012 and 2013, as human losses were not intended. Nevertheless, the continuous process of targeting educational institutions in a deteriorating security environment has had a crippling impact on education in the region. The Minister for States and Frontier Regions (SAFRON), Lieutenant General (Retd.) Abdul Qadir Baloch informed the Upper House of the Parliament on December 6, 2013, "Over 947 educational institutions were completely closed due to [the] worsening law and order situation while 82 schools have been damaged in FATA." He also disclosed that over 1,029 educational institutions were 'non-functional' in FATA. In 2008, an estimated 4,664 Government schools were operational in FATA, according to the KPK *Bureau of Statistics*.<sup>17</sup>

### **c. Basic Health Facilities**

Like education, health care and conveniences have also been a low priority in the tribal region. Leaving aside the agency headquarters where basic health facilities are available, general people of the area remain deprived of this basic requirement. Poor health care in the region has resulted in large numbers of untimely and avoidable casualties. Access to health services is severely limited, with just one dispensary, basic health unit or rural health centre reported in the year 2004 for every 50 square kilometres of area (GoNWFP, 2005a), and these facilities



concentrated near the settled areas. Available bed strength in the same year stands at 1,762 for all of FATA. Owing to poor health facilities, child and mortality rate is much higher in FATA compared to the rest of the country. The hierarchy of health outlets provides for a bedded hospital with a number of specialized treatment services and facilities at the Political Agency level, a network of rural health centres serving up to 50,000 people and a network of Basic Health Units below that serving up to 10,000 people in the rural areas. The existing situation in case of restorative care in FATA is as shown below:<sup>18</sup>

| <b>Health outlets</b> | <b>Existing number</b> | <b>Average Area covered (skm)</b> | <b>Average population served (number)</b> |
|-----------------------|------------------------|-----------------------------------|-------------------------------------------|
| Agency hospitals      | 7                      | 3886                              | 0.5 million                               |
| Tehsil hospitals      | 34                     | 800                               | 0.1 million                               |
| RHCs                  | 6                      | 4533                              | 0.6million                                |
| BHUs                  | 169                    | 161                               | 21300                                     |
| Dispensaries          | 222                    | 123                               | 16216                                     |
| MCH centre            | 58                     | 470                               | 62000                                     |
| TB clinics            | 11                     | 2400                              | 0.327million                              |
| Leprosy clinics       | 4                      | 6750                              | 0.9 million                               |

Statistically, there is one hospital bed for every 2,179 people in the FATA, compared to one for 1,341 in rest of the country. Health care indicators are equally disappointing, with one doctor for every 7,670 people compared to one doctor for 1,254 people elsewhere in the country.<sup>19</sup> The infant mortality rate stands at 87 deaths per 1,000 births, and maternal mortality rate stands at 600

deaths 100,000 births.<sup>20</sup> Much of the population is suspicious about modern medication, and some militant groups are openly hostile to vaccinations. FATA has been facing common health problems like high infant, maternal and child mortality rates, low birth weight babies, anaemia among women, especially among pregnant and breast-feeding ones, diarrhoea among children, acute respiratory infection among children and other health risks due to low vaccination coverage.

In the last one decade, many members of the polio vaccination teams have been targeted by terrorists. The threat to the vaccination teams still exists in settled areas of KPK as well as the FR regions of FATA. These terrorist activities have hampered the work of polio workers and as a consequence an increased number of polio cases in the region have been recorded.

While the availability of doctors for running health centres might be a serious issue for the Health Department, Basic Health Units (BHUs) must be set up in remote areas. For running such units, educated youth must be picked up immediately and sent to nursing training centres in various parts of the country. Besides being a resource base, the creation of new and activation of the existing BHUs by employing qualified staff from local areas would definitely be a step towards winning the hearts and minds of the local people.

#### **d. Infrastructure**

##### **(1) Roads and Bridges**

Wide-ranging communication networks are a prerequisite for development. Roads and bridges connect villages, towns and cities with each other, and

bring an improvement in the lives of those who especially live in distant areas. We should concentrate on the rural areas as well as its urban infrastructure for the population of about 2.7 percent.

In general, the communication sector including roads and bridges was handled by the British military between 1901 and 1932, and then handled by a public department for development. The area was at that time primarily of strategic importance, and colonial-era development focused on forts and cantonments, and the roads that were necessary to provide access to these and other installations and fortifications. Until 1947, just 25 percent of the area was reachable by road and that too for military purposes alone. All main roads and buildings were located near or led to forts or encampment, and power was supplied only to the forts.

Since construction of roads is very expensive, a corridor should be developed along major settlements, providing basic services like those related to agriculture and industry, so that transportation in and out could activate the local economy and thereby encourage investment and contribute to the national economy by creating employment in the basic sectors.

Similarly, roads should also provide access to resource-rich areas like those having mineral deposits, offering tourist attraction, or possessing any specific feature. Compared to other sectors, communications have always received a large share (approximately 40 percent) of FATA's annual allocation, but still lacks the necessary staff, capacity, equipment and resources.

Over the last five years, the allocation for roads and bridges has been nearly 3 billion rupees. According to figures from the works and services department, total coverage extends to 3,390 kilometres of blacktop and another 2,000 kilometres of shingle roads in the year 2006. The cost of laying roads in FATA (approximately 7.4 million rupees for 1 kilometre of blacktop and 5.2 million per kilometre for shingled roads) is far higher than in the settled areas because of increased costs for materials and transportation.

The road situation in FATA is better than the KPK Province, which has 0.13km/SKM against 0.17km/SKM in FATA, but these roads have not been able to contribute to economic development or poverty reduction in FATA. The main cause for this lack of connectivity between roads and economy has been that road construction, by and large, depends on the wishes of top officials who want to have roads to facilitate their mobility.

## **(2) Water Supply and Sanitation**

The primary source of water which we consume in domestic use is primarily rivers, streams, springs and perpetual watercourses. In mountainous areas, people often rely on rain-water ponds. In some other areas, this need of water is fulfilled by shallow wells.

FATA is mix of arid and somehow semi-arid land and annual ratio of rainfall is comparatively low to fulfil the desired requirements. The massive presence of Afghan refugees in this region has also put negative effects on the ecology of this area. FATA is an undeveloped zone with inadequate facilities of sanitation and only 10

percent of its population enjoys the proper sanitation system.

The short supply or non-availability of clean water is another challenge in this area, as latest survey indicates that only 43 percent population has access to the potable water facility in their lives with about 30 percent inside house and about 70 percent outside house.<sup>21</sup> The local infrastructure and institutions are less capable to deal with this growing demand of potable water for other purposes. The only plausible solution which local people are employing is hand pumps, as it suit in such terrain, because underground water level in average is 150 feet in this area.

The population settlement in this region is very scattered because of the mountainous ranges where it is difficult to construct the pipelines. This is a major impediment in the smooth supply of water to the inhabitants. Apart from this, it is a fact that FATA's populated areas are also lacking such facilities which is promoting unhygienic culture among the populace.

#### **e. Industrial and Agricultural Base**

The tribal belt contains commercially viable reserves of marble, copper, limestone, coal and a number of other natural resources. A number of minerals have been identified in the tribal region; almost all are laying untapped, mainly because of geographical barriers and financial constriction. In the 1970s, Federal Government made earnest efforts to establish industrial base in tribal areas. In order to provide equal opportunities to people of all agencies, several industrial units including; an oil mill in

Bajaur, match factory in North Waziristan, leather tannery and shoe factory in South Waziristan were established.

Despite this, industrial activity in FATA is restricted primarily to business units, operating with no government supervision. According to the Directorate of Industries, out of these, 120 are located in Bajaur Agency, 200 operate in Darra Adam Khel (FR Kohat), 237 in the rest of FR Kohat, 207 in Khyber, 28 in Kurram, 130 in Mohmand, 31 in North Waziristan, 24 in Orakzai, 16 in South Waziristan and 89 in other FRs. These include stone processing, textile weaving and firearms manufacture, as well as scattered units producing ghee (clarified butter) and other similar operations. Over period of time, due to nationalization and mismanagement, this industrial system proved unproductive. It was, therefore, closed down. That was the commencement and conclusion of the government efforts to introduce industrialization in the area.

Under the tribal system, acquisition of the regional land cannot be made by outsiders. At present, the government is heavily subsidizing infrastructure in the region. Electricity is provided free of cost to households and at a flat rate to industries, but supply is subject to frequent disruption and fluctuations in voltage. The dilapidated condition of many roads in the region hinders efficient movement of raw materials. Inter-tribal conflict creates a destabilising effect which deters potential investors from outside the tribal area.

In the absence of any worthwhile alternative means of earning, limited agricultural activities were adopted as the mainstay of the local economy. However, agricultural produce is too low to meet local requirements, which has compelled the FATA people to rely on KPK and the rest of

Pakistan. In essence, only 6.5 percent of the area is cultivated with low cropping intensity and stumpy yields. Livestock is yet another source of local subsistence, but does not constitute an adequate substitute for cereals. Heavy constraints in meeting local requirements has forced them to adopt the highly undesirable activity of poppy cultivation. Regrettably, under the prevailing security situation, neither any industrialization can be carried out in FATA, nor can any concerted efforts be made to explore local minerals.

**f. Primordial Mores**

The tribal inhabitants have been following a different life pattern than rest of Pakistan for centuries. In the tribal culture, they have been ruled through a system of Maliks (elders) and Political Agents, who have kept them backward and suppressed. Thus, over time, they have developed a strong resentment against them.<sup>22</sup> In the history of Pakistan, people of FATA have raised their voice for their basic human rights more than once. Unfortunately, neither democratic nor authoritarian governments of Pakistan have bothered to review these colonial laws which deny them their basic rights. People of the tribal areas have not been integrated in the Pakistani social order as the other heterogeneous groups, factions or nationalities elsewhere in Pakistan. Except for alluring speeches and rosy promises by the leadership, no worthwhile reforms in the rules and regulations have been made. The successive neglect by the governments has given rise to a number of challenges currently being faced by the people of FATA, like:

- (1) Relapsing youth; primarily because of rising unemployment, leading to poverty.

- (2) Very low rate of literacy, with only 24 percent of the males and 3 percent of females can read and write.
- (3) Inadequate and incongruously managed health facilities.
- (4) Worsening socio-economic conditions compounded by the influx of foreigners and Afghan refugees, creating social unrest, challenging the writ of government.
- (5) The establishment and development of a human resource base and creating job opportunities.
- (6) Reinvigorating institutions to restore normalcy in the region.

### **Meeting the Challenges of Socio-economic Development**

#### **Revitalization and Assimilation of Tribal Youth in the National Mainstream**

The youth of a nation is said to be the basic driving force in managing the human resource base and its consequent development. In FATA, over 50 percent of total population comprises of youth aged between 12 to 35 years.<sup>23</sup> Unfortunately, over the past decade, this age group, being the most vulnerable, has been badly affected by ongoing militancy, as they were used by domestic as well as by foreign elements for promotion of their own vested interests. The young generation at the time of 9/11 has grown up in an environment of the so-called Global War on Terror and has also become its victim owing to unavoidable circumstances which have existed ever since. Their retrieval and putting them back on track would require a gigantic effort. Because of unemployment, religious motivation and anti-American sentiments, a majority of them have become hard-core militants and still a vast number might be looking for an opportunity to fall on either side. The opportunity must be seized to bring them back before they also become party to militants. Irrespective of the whereabouts, as



mentioned above, there are confirmed indications that these militants have a huge amount of capital to take into service the jobless youth of FATA.

Regrettably, over the past few years, there has been a gradual increase in militancy with a worsening law and order situation in FATA. It is feared that if appropriate measures are not taken, the currently adolescent generation would also get into the control of the militants in another five years.<sup>24</sup> The situation may be manageable today, but if we allow this crisis to linger on, things may get out of hand. There is a pressing need for the concurrent engagement of tribal youth aging from 6- 35 years in three broad clusters as mentioned below:-

### **1. Segregation for Basic Education**

The first group of the youth, aged 6 -12 years, requires instant attention. In order to get rid of the seminary culture, there is a need to provide an alternative option of education to this generation. Since the current security situation does not allow a smooth conduct of formal educational process in that area, all the volunteer youth; preferably one per family of the age group between 6-12 years; must be picked up from the tribal areas with the consent of their parents and put in the existing schools located elsewhere in the country with boarding facilities. While the majority of these students could go through basic and technical education, the promising ones may be segregated and provided an opportunity to go for higher education. After completion of their education at various levels, they can be reverted to their home towns for utilization of their services in various departments, especially to impart education to the next generation. This class, if tailored correctly, can change the fortune of FATA.<sup>25</sup>

## **2. Isolating the Susceptible Class for Imparting Technical Education**

In the second category, the maximum number of youth in the age group of 13 to 18 years from all over FATA should be registered and given technical training in various fields. This is the most susceptible age group available for exploitation by terrorists. "The duration of training may vary from six months to two years diplomas."<sup>26</sup> For this purpose, sufficient funds must be made available for the establishment of an ad-hoc infrastructure in the settled areas or the existing institutions in other parts of the country may be used for the time being. The arrangement must cater to their boarding and lodging as well. Even a small stipend as an incentive for each individual for the duration of training may also be worked out. Depending upon the availability of funds, well qualified instructors on permanent basis must be made available for training of this group. Progressively, this provision must be converted into a permanent feature. In order to bring consistency in this effort, necessary arrangements must be made for quick employment of the qualified youth, so that they are not drifted back. The likely areas in technical education may include agriculture, small, medium and heavy industry. Depending on the level of skills, some of the qualified individuals could also be inducted in technical branches of security forces and other national organizations and institutions. Quite a number of them could be given interest-free loans to purchase tractors, etc., and also to run their independent small businesses. Nursing and teaching are also important departments which can even attract this class of the educated tribal youth.<sup>27</sup>

### **3. Disentanglement of Implicated Factions Through Job Opportunities**

Unfortunately, owing to the negligence of successive governments and tribal administration, a number of mature class of tribal youth between 18 and 35 years of age, have become party to the militants, mainly because of being unemployed. At times, they are paid just a few hundred rupees for taking precious lives of innocent civilians and security forces personnel, not realizing the nature of crime that they commit in the process.

No doubt, some time would be required to change the perception of hard-core militants. It is impossible to convert a large number of people from this category to a productive class, by providing those alternate options through employments on emergency basis or providing opportunities for day-to-day earning. Upon their segregation from militants, they can be given loans to set up their small businesses.<sup>28</sup> They may be employed for building of communication infrastructure and establishment of other resource bases alongside skilled manpower. In this way, they would be engaged mentally as well as physically to make a positive contribution and would not be available for exploitation by militants.

### **Conclusion**

FATA in its entirety can be named as an anachronism in an age in which states are effectively merging into political and economic blocs, thereby removing or neutralizing physical and legal barriers to facilitate free flow of goods and human beings. The current situation of FATA can best be resolved through a

dedicated socio-economic and human resource development programme and managing things for the betterment of the region. There is a pressing requirement that FATA's problem be tackled through a multi-pronged strategy by addressing their basic human rights. People of the area are required to be engaged through the provision of employment and basic necessities of life.

There is a need to spread modern facilities and vital requirements of life to the people to their satisfaction. The only way to bring that area at par with the rest of Pakistan is by open-handed provision of a resource base and job opportunities. Since security forces cannot be withdrawn straightaway from the area, alongside security, their services can be used for assistance in development of human resource or its management in the field of establishment of hospitals, schools, industries, recreation and other civic facilities to the people of FATA. The Engineering Corps of the Pakistan Army is already contributing in the field of road construction, water supply and other developmental tasks, including rehabilitation of the internally displaced persons.<sup>29</sup>

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## **Militancy in FATA: The Cultural and Religious Dimensions**

*Rahimullah Yousafzai & Asadullah Khan\**

### **Abstract**

*This paper revolves around the topic of militancy in FATA and discusses the cultural and religious dimension of the issue. The importance of culture and its link with the society is also discussed. The paper attempts to explain and answer the question of whether a link between culture and militancy exists or not?. It also focuses on the factors behind the cultural change in society of FATA. Militancy in the cultural construct, along with the Pashtun culture of keeping arms, and the role of their local Maliks (elders) and Khan is also discussed. It also gives an insight into each of the seven agencies of FATA, including the prominent tribes and the nature of the ongoing conflict there. The role of religion, seminaries and mosques in FATA is also discussed.*

**Keywords:** *Culture, religion, militancy, tribalism, religious-seminaries*

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### **Culture**

In the *Oxford Dictionary*, culture is defined as “The ideas, customs, and social behaviour of a particular people or society.” Culture usually depicts events from the past. Another definition given by Quebec Association for the interpretation of the National Heritage Committee on Terminology, July 1980,

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defines culture as "the combined creations and products of nature and of man, in their entirety, which make up the environment in which we live in space and time. Culture is a reality, a possession of the community, and a rich inheritance that may be passed on, which invites our recognition and our participation."<sup>1</sup>

Culture is the representation of bones and stones of a society. It is derived from the people; it is passed on from generations and becomes a part of people's normal life. Culture can be further divided into two categories, i.e., tangible culture and intangible culture. Tangible culture includes architecture, landscapes, art, moveable objects and architecture, etc., whereas, the intangible culture includes material which piques interest of the international community, like traditional dances, literature, rituals, etc. The function of culture is actually the preservation of the norms and values for the future generation. According to Hofstede, "Culture is the collective programming of the mind which distinguishes the members of one category of people from another."<sup>2</sup>

UNESCO has defined tangible culture as the practices, representations, expressions, as well as the knowledge and skills (including instruments, objects, artefacts, cultural spaces), that communities, groups and, in some cases, individuals recognise as part of their cultural heritage<sup>3</sup>. UNESCO even went ahead and founded an organization ICOMOS<sup>4</sup> (International Council on Monuments and Sites) in 1965, whose main function is to protect and conserve cultural heritage.

### **Importance of Culture**

Culture belongs to individuals, societies, nations and nation states through which they identify their past and predict their future. It gives them identity. All civilizations to date



existing in this globalized world have had a certain code of conduct or values which form their legacy. Nations with a strong cultural background are sensitive and protective of their culture.

The nations with older cultural background are usually culturally diverse. Culture holds a significant position, because it determines the spirit of the nation and its orientation. Also, it provides the nation and the future generations with a certain legacy of the aesthetics, goals, focus, education, and living standards of the people and offers comparisons with the situation nowadays for the better or worse. Culture grounds people with the knowledge of their land and nation and provide them with a sense of belonging.

If we analyze the broader picture of culture, that includes all the basic ingredients of civilization it can be categorized into geography, culture and the environment of humans. These components of civilization may exist individually as well, but usually are a vital part of a broader canvass known as culture.

The geographical environment is a unique aspect of culture, as no two geographical regions are alike. The mountains, landscapes, weathers and seas provide a unique view and an aesthetic value to the nature and values of the geographic environment. Culture is much more popular than buildings, architecture, etc., as it also considers the ethnographic and archaeological aspects of society.

Moreover, the human factor is also important and cannot be excluded, while discussing culture. Human beings experience this whole process of formation of a distinct culture. The customs and traditions are passed on to them from their ancestors in the form of set patterns or memories and they pass

these to their next generation in order to protect and maintain the real shape of their culture.

The above-mentioned factors have also strongly influenced the culture of FATA. FATA's mountainous terrain and its remoteness has ensured that its inhabitants are generally rough and tough. People who live in such a habitat are daring and can survive easily in an extreme environment. Their aims and ambitions are as strong as their mountains. Geographically, the Pashtun lands, particularly Afghanistan, have been referred to as "The Graveyard of Empires" by many scholars, including Steth Jones. The great powers of the world, including Great Britain, USSR and USA were unable to suppress the Pashtuns for long and rule them in peace. In fact, the repeated foreign intervention in their territory and affairs has been the main factor in the rise of militancy among the Pashtuns.

While discussing the human factor, it is pertinent to note that self-rule is inherited in Pashtun nature. Their history shows that they have never accepted any outsider as their ruler. Divided into tribes and sub-tribes with strong tribal affinity and social contract, they are proud of their past and determined to protect their interests and honour. They have their own tribal chieftains or clan heads known as Maliks and Khans, though their power has been diminished in the recent past due to the rise of the militants, the weakening of the 'jirga' (the tribal council of justice), the inroads made by political parties in FATA and the money brought into the area from migrant workers from the Gulf countries and Pakistani cities.

With regard to the conflicts in FATA, the causes are usually ownership of land and forests, and leadership and ethno-cultural disputes. Tribal disputes have become brutal, causing more casualties and destruction of properties due to the availability and use of sophisticated and heavy weapons as a

result of the conflicts in Afghanistan and FATA. The same bickering and fractious Pashtun tribes generally set aside their differences and forge unity in their ranks, when faced with an external threat. They are fever ready to fight and offer supreme sacrifice of their life to protect their faith and freedom. This element of their culture and character portrays them as violent and extremist in the eyes of the world.

### **Culture in Social Constructivist Paradigm**

Apart from being a part of the identity of the people, culture is also a way to protect one's identity, which means protecting their roots. It is a path not to get lost on the way and remain rooted to the ground. The ideological foundation of a nation or a state also relies on the identity and ultimately the heritage of its people.

The concept of a link between culture and identity can be better understood from the narrative of social constructivism. The social constructivists believe in the construction of new ideas. They highlight the significance of culture and the social construct, through which people recognize symbols, values or other happenings in a society and construct their ideals and sentiments regarding any aspect of life.

According to the social constructivists<sup>5</sup> theory, culture is actually a code of conduct that leads or guides a people to define the identity of a society. When people discover their identity, they prioritize their culture for themselves. They want to know their origin and their ancestral background.

The culture of people living in FATA has socially been constructed by generations that have lived there for centuries. The norms and traditions adopted by the people of FATA are somewhat different than their religious practices. Pashto and

Pakhtunkhali (the Pashtun traditions) can occasionally clash with religious beliefs, but Pashtuns have been able to balance the two, to retain their love for Islam and pride in their culture and language.

The special status of FATA, the absence of taxes and the lack of jurisdiction of the courts in the tribal belt make it a unique place in Pakistan. It is part of Pakistan, but most Pakistani laws do not apply there. The positive side of their constructed norm is that once the people of FATA forge friendship with somebody, they honour it through thick and thin. This was seen when the Afghan war against the Soviet occupying forces ended in February 1989, and the Red Army left Afghanistan as the Afghans, primarily Pashtuns, gave refuge to the foreign fighters and later the local militants and tribesmen in FATA did the same. It is also no secret that the people of FATA have historically resisted outside interference.

### **Militancy and Culture – Is There a Link?**

If we analyse the situation in FATA, its people are fighting a hard battle of survival, quite unlike the other parts of Pakistan. Their way of life is defensive as well as offensive. It is a set norm of every society that when they have bread and butter, they behave defensively; but when they are out of resources, they become offensive. This nature gives rise to certain violent acts or activities, which might promote militancy in some cases. FATA's culture is not directly linked to militancy, but some practices may be considered for inclusion in the militant dimension.

### **Militancy in FATA in the Cultural Construct**

A society suffering from problems like unemployment, poverty, social injustice, illiteracy, etc., faces hurdles in playing a constructive role for the progressive development of a nation.

To understand the link between militancy and culture in FATA, we need to understand the tribal construct and their major problems. FATA is divided into seven major agencies and six Frontier Regions. The tribal agencies are enlisted below:

1. Khyber Agency.
2. Kurram Agency.
3. South Waziristan.
4. North Waziristan.
5. Bajaur Agency.
6. Orakzai Agency.
7. Mohmand Agency.

The Frontier Regions are as follows:

- a. Peshawar.
- b. Bannu.
- c. Tank.
- d. Dera Ismail Khan.
- e. Kohat.
- f. Lakki Marwat.

The following table depicts the seven tribal agencies, the major tribes and the nature of conflict there:

| Agency  | Major Tribes                                                | Nature of Conflict                    |
|---------|-------------------------------------------------------------|---------------------------------------|
| Orakzai | Orakzai                                                     | Militancy, tribal conflict, sectarian |
| Mohmand | Mohmand, Safi                                               | Militancy and tribal conflict         |
| Kurram  | Turi, Bangash, Parachamkani, Jaji, Zarmusht, Muqbil, Mangal | Sectarian, militancy                  |
| Bajaur  | Tarklani, Utmankhel                                         | Militancy                             |

|                  |                                       |           |
|------------------|---------------------------------------|-----------|
| North waziristan | Utmanzai Wazir, Dawar, Saidgi         | Militancy |
| South waziristan | Ahmedzai Wazir, Mehsud, Burki         | Militancy |
| Khyber           | Afridi, Shinwari, Mullagori, Shalmani | Militancy |

Table 1- Source: Centre for Research and Security Studies, Islamabad (CRSS).

FATA is governed by Political Agents, who had vast powers in the past, but have now been sidelined due to the military's presence and the militants' power. The way of life of the tribal people is governed by the *Pashtunwali* code. It includes *melmastia* (hospitality), *badal* (revenge), *nanawatay* (giving refuge to one in need) and other attributes. Terms like the '*da khazoo draway*' means 'respecting females by all means', the *hujra* culture depicts collectivism in society and *jirga* is formed to settle disputes between individuals, clans or tribes. is laid on keeping one's word, even if the cost is too high.

### **Weapons and Pashtun Culture**

A gun is not only a part of the Pashtun culture, but also a source of some economic activity in certain areas. The gun-manufacturing industry in Darra Adamkhel, and to a smaller extent in Nawagai, etc., is a source of economic activity for many people. Gun in the Pashtun culture represents strength and power, though it must be said that many Pashtuns are now put off by arms due to the rise in violence and indiscriminate killings in their society.

### **Role of 'Maliks' in the FATA**

'Maliks' are the elders of the tribe in FATA. They are supposed to lead the tribe and assist the government in

maintaining peace and keeping the roads open. The Political Agent pays the 'Malik' a fixed amount to run his expenses and to look after his clan. The Malik from each tribe is supposed to have good quality of weapons and significant number of males to use those weapons in the hour of need.

### **Militancy-Religious Dimensions**

Pakistan was created in the name of Islam. The political and social discrimination based on the religious foundations in the subcontinent forced Muslims to unite under one flag for the establishment of an independent state, where they could live according to the principles of Islam. However, Islam got manipulated in the hands of politicians, clerics and others with vested interests. Instead of implementing the teachings of Qur'an and Sunnah in true spirit, personal considerations influenced policy-making.

Even 66 years after independence, Pakistan is yet to become a stable and prosperous country, as desired by its founders. The masses have been betrayed in the name of religion and their emotions manipulated in many ways. One such example is the Afghan 'Jihad' that was waged 1978-79 onwards and, in which, Pakistan played a key role by hosting the Afghan mujahedeen.

Also, the sectarian differences were exploited which led not only to political, social and economic problems, but also sowed the seeds of hatred in society. This caused enmity and ultimately divisions between the sectarian groups. These divisions took the form of extremist militias that were organized with names such as *Lashkar-e-Jhangvi*, *Jaish-e-Muhammad*, *Tehrik-e-Taliban Pakistan (TTP)*, etc. The extremism and acts of terror sponsored by some of these groups engulfed parts of

Pakistan, particularly those where tribal culture prevailed. One such region was FATA.

### **History of FATA**

FATA has a special status and has a unique administrative set-up based on the colonial system of government. The areas that constitute FATA were historically a part of the frontline for the “Great Game” of imperial domination in the 19th century. The region was important for Britain in order to halt the Russian expansion in Central Asia towards the undivided India which was under British Raj, then. Maintaining an effective control in the tribal areas proved to be a difficult task for the colonial rulers.

Muhammad Ali Jinnah, the founder and the first Governor-General of Pakistan, preserved the colonial administrative and legal structures, codified in a special legal framework, the Frontier Crimes Regulations (FCR) 1901. It is the mixture of traditional customs and norms with discretionary police, judicial and executive authority vested in the Political Agents. This separates FATA’s population from the rest of Pakistan population, due to its special status, where most Pakistani laws do not apply and the police and courts have no jurisdiction.

The government of Pakistan provides allowances and subsidies in return of the local tribes’ loyalty. Under this system, local chiefs or Maliks serve as the intermediaries between the tribes and the government authorities, and assist in the execution of state policies. However, the Maliks have lately become weak and so has the jirga, thereby, affecting the system of governance and justice.



## Religion and FATA

In terms of religion, there is a loose characterization of Islamic customs intermingled with tribal traditions. These customs are often interpreted by local religious scholars. Religious values are dominated more or less by cultural practices in all the seven tribal agencies. Men wear *shalwar-kameez* and are mostly bearded. Women are invariably veiled. There is a separate education system for boys and girls, and judicial proceedings are often regulated by *Shariah* or *Riwaj* (customs). The overwhelming majority is Sunni. A small but powerful Shia minority inhabits Kurram Agency and Orakzai Agency.

The religion served as a two-way sword in FATA. It strengthened the belief of Jihad in radical Islamic fighters and was also used as a tool to achieve socio-economic and socio-political purposes of power-seeking clerics, tribal elders and the moneyed class. The low socio-economic development in the region is largely due to the negligence of the government and that has prompted many people to turn to other sources of power. Due to religious reasons and poverty, parents send their children to seminaries which provide them food, shelter and education. The government schools are there, but are often in a bad shape.

The concept of 'Jihad' in Islam provides a medium for extremist activities in tribal areas. Certain verses are misinterpreted and serve to deepen sectarian divisions. The militants are intolerant towards other beliefs due to their strict and peculiar interpretation of Islam. The Shia minority in Kurram Agency has been under attack from the Sunni Taliban.<sup>6</sup> The Shia-Sunni conflict has caused a large number of deaths in the Kurram Agency and also in Orakzai Agency and the adjacent Hangu district. The Taliban militants are aided by Punjabi

militias belonging to *Sipah-i-Sahaba*, *Laskar-e-Jhangvi*, and other extremists groups.

These groups, along with the Afghan ‘mujahedeen’, were once trained for Afghan ‘Jihad’, manipulating their beliefs and playing on their emotions to prepare them for ‘Jihad’ against the Soviets. But when the fight got over, they were left unaided by the authorities once supervising them. The post-1979 era changed the ideological approach of the militants into a political aim that ranges from helping the Afghan Taliban to establish the government in Kabul to the Islamisation of FATA in Pakistan to the attacks against other community members and to wage a war against the state of Pakistan. They characterize the battle against the U.S. and its allies as part of ‘Jihad’, thereby, giving their political objective an ideological dimension. This has complicated the situation, which is now difficult to handle.

### **Role of *Madrassas***

*Madrassas* (Islamic schools) play a role in educating the deprived members of society of FATA. Lack of formal educational institutions forced the people to send their children to the *madrassas* for education. There is hardly any check and balance system in place by the government on the *madrassas* in FATA. A ‘mullah’ (religious figure) normally leads the seminary and is able to mould innocent minds the way he wants. Education quality, relevance and content also have a role to play in instilling violence<sup>7</sup>. Education methods and techniques at the seminaries need reforms and direction, but no such planning seems to be in place. Such militancy-promoting seminaries are safe havens for terrorists in FATA. These are sometimes used as recruiting location of suicide attackers.

*Madrassas* are not the only factor promoting militancy in FATA. The main problem lies with the policies of the government in the education sector. Not only in FATA, but also elsewhere in the education sector in Pakistan, there is a need for uniform educational policy and reforms. Parents in FATA and also elsewhere send their children to *madrassas* in good faith. They want their children to be educated according to the teachings of Islam, but as there is no check and balance system in place by the government, the students are exploited by the militants for advancing their agenda. This is clearly contradictory to Islamic values. Hence, the concept to emphasize on teacher's accountability over teacher training should be introduced in Pakistan to counter the evil of terrorism and militancy<sup>8</sup> in FATA.

### **Role of the Mosque and 'Mullah'**

The mosque is a prestigious institution in Islam and it enjoys reverence everywhere, including FATA. Often mosques and *madrassas* are part of the same unit, and the cleric who serves as the *peshimam* (prayer leader) has a living quarters there and his students are also accommodated.

The *peshimam* gives sermons every Friday on religious and social issues, performs a number of chores like leading funerals, teaching the Quran to neighbourhood children and live among the community as part of society. He interacts with the people five times a day in the mosque, and also on other occasions and gets frequent opportunities to influence the community. It depends on the prayer leaders, whether he impacts positively or negatively on the community. The low level of literacy in FATA, where social indicators are the lowest in Pakistan, meant that the clerics could influence the hearts and minds of people much more than is possible in the rest of Pakistan. Many 'mullahs', the givers of knowledge, and Taliban,

the seekers of knowledge, gained both religious and temporal leadership of their communities first in Afghanistan and later in places like FATA and soon began to challenge the traditional leaders such as Maliks and Khans. They acquired arms and power and finally challenged the writ of the state. This is how the *Tehrik-e-Taliban* Pakistan was born in FATA's South Waziristan Agency in December 2007, under the leadership of Baitullah Mehsud, and before long, it found adherents in the rest of FATA, Khyber Pakhtunkwa and beyond. Clerics, like Maulana Fazlullah of Swat, first preached against social evils through their illegal FM Radio Station to gain acceptance and, then, began to highlight political issues and demand enforcement of *Shariah* in Malakand division. Before long, he and his followers had become heavily armed and were ready to fight the state.

### **Philosophy of Ibne Tammiyah**

The Taliban operating in FATA and beyond have been interpreting 'Jihad' in the light of the philosophy of an Arab religious scholar Ibne Tammiyah Ibn Taymiyyah, who is often quoted by Al-Qaeda ideologues as an authority on the issue of Jihad, has stated: "It was instructed to abstain from fighting them (infidels) due to his (the Holy Prophet's (S.A.W.S) inability and the inability of the Muslims. Then, when they migrated to Madina and gained assistance, Allah permitted him (the Holy Prophet,) (S.A.W) to make armed 'Jihad', when they grew in strength, Allah prescribed for them fighting for their own safety, as they were not able to fight all of the infidels. But, when Allah opened up Makkah for them and ended fighting against the Quraish and Arabs, and a great majority of Arabs came into Islam, Allah instructed the Prophet (S.A.W.S) to fight all of the infidels except those who had temporal bond of agreement..."<sup>9</sup>

Ibne Tammiyah's followers usually take his interpretation and use the term jihad as synonym of war. They influence the innocent minds of the faithful to follow their interpretation of 'Jihad' by convincing them that the Heaven is beckoning them, if they fight all the infidels. This interpretation has influenced and affected the young minds that are not mature enough to understand the difference between right and wrong. The youngsters become a tool in the hands of these people, who use them to achieve their own goals and agendas.

As seen in recent times, the suicide bombers are often young boys with impressionable minds, who have been brain-washed into taking their own lives and of many others. There is a need to keep a watch on these preachers and check their activities before it is too late. Scores of suicide bombers have already blown themselves up and many others, because they were made to believe that their cause was right. More are on the way as the production and training of suicide bombers in FATA and elsewhere has not really stopped.

## **Conclusion**

No culture or society is formed on the basis of violence. There are certain circumstances and elements that lead the culture towards militancy and violence. The geographical environment and *Pakhtunwali* makes the Pashtuns and their area of habitation distinct from other regions. Militancy is never inherited in any society. It is adopted when the survival of society is at stake. Same is the case with the people of FATA. Many elements like foreign intervention, political deprivation, neglect by successive governments, etc., have prompted the frustrated elements of society to become violent. Also, Islam is the religion of peace, but certain misguided clerics and those with vested interests have exploited the situation and have used the sentiments of the hapless Muslims through wrong

interpretation of Jihad. *“Say: O people of the Book! Do not exceed the limits in your Religion other than the truth, and do not follow the vain desire of people who went astray in time gone by, and who misled many, and strayed themselves from the Right Path.: [Qur’an 5:77]*

### **Endnotes**

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## External Drivers inside FATA and their Linkages

*Dr Syed Manzar Abbas Zaidi\**

### Abstract

*Over the years, the number of foreigner fighters in Pakistan has dwindled due to drone strikes and military operations. Many of them who went to Swat were pushed back along with Fazlullah's militants to Afghan provinces of Kunar and Nuristan, where they are reported to be present. The majority of foreigner fighters in the region are still Uzbeks. It is not that there are no other foreigners present, but their presence has always been much smaller, and they have never been able to form or maintain viable organizations, or be present in such large numbers as Uzbeks managed to do. The problems associated with difficult intelligence generation in North Waziristan means that many smaller entities (other nationalities) go undetected. There is also a tendency on the part of Pakistani Counter Terrorism law enforcement agencies to bunch together many nationalities (Uyghurs, Tajiks, Chechens and even Turkish) into the Uzbek category, creating confusion about the nationality issue of these fighters. However, what is categorically confirmed by almost all of the sources is that Uzbeks are overwhelmingly the main fighting force representing the foreign fighters, while the number of Arabs has radically decreased, and they do not carry the same clout in the tribal agencies as they used to do. This Chapter engages primarily with this phenomenon, the Uzbek militant presence in Pakistan.*

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## **Introduction**

The word 'maqami' (local) Taliban came into use well before 9/11, as well as the Punjabi and foreign militant mobilisation, which was also an early phenomenon. This was due to two separate streams of militants, one local and one foreign; the name 'maqami' was used for the local variant.<sup>1</sup> The lodgement of foreign militants and their settlement are divided into two temporal phases, which do not fit into neatly defined time periods but overlap to a great extent. The first phase was when these militants immigrated after the US-led invasion of Afghanistan to Pakistan in South and North Waziristan in the Federally Administered Tribal Areas (FATA), mainly South Waziristan. The other main catchment area was Swat. They remained in Swat till 2007 to 2008, when they were forced to relocate to Kunar and Nuristan in Afghanistan as they were pushed back by the Pakistani military forces in the wake of the military operation 'Rah-e-Rast' in Swat.

The Uzbek militants predominantly remained in South Waziristan till 2009, when military operations forced them to relocate mainly to North Waziristan, also settling in certain areas in Bannu. To-date, they are present in these areas, albeit in steadily decreasing numbers due to ongoing operations. It is generally agreed that since it is now extremely difficult to travel to militant areas in FATA due to a virtual blockade by the Pakistani army, the reinforcement of foreign militants by new recruits is now much less as compared to their attrition rates in military operations.<sup>2</sup> In a policy perspective, unless there is a paradigm shift this implies that the foreign militants in Pakistan are under steady pressure due to operations by the state and American drone strikes, and are on the defensive.

In the foreign militant scenario linkage, the Uzbeks take predominance. It is widely believed that the dynamics of the



two Waziristans would change if the Uzbeks are taken out, because they represent the most dedicated al-Qaeda ally in Waziristan. The only common thing that migrating Uzbeks had with Waziristani people was their religion. Both of them are Muslims but most of the Islamic Movement of Uzbekistan (IMU) fighters had good, secular education, rather than just being Madrassa students. They were graduates from the universities and some had military backgrounds etc. They speak in Uzbek which belongs to Turkic group of languages, while Waziristani people speak in Pashto. Uzbeks are racially closer to Chinese or Mongolian typology of races, while Waziristanis are either darker or resemble Caucasians. Apart from the Uzbeks there are other foreign militant groups such as networks of isolated. Chechens, Libyan Islamic Fighting Group (LIFG) and Chinese Uyghur militants from the East Turkestan Islamic Movement (ETIM). Members of ETIM were largely believed to be dormant in the area.<sup>3</sup> Uyghurs and Uzbeks resemble each other more, and their languages Uzbek and Uyghur are similar as well. However, Uyghurs have also been largely insignificant in scheme of things as they have been present in much lesser numbers. On the other hand, there were reportedly more than 100 Uzbek families in the tribal areas by the end 2001, and the numbers have been steadily increasing. Even though militant men are the potent force, children and widowed women accounted for a large number of the Uzbeks.<sup>4</sup> Among them there were several hundred IMU members.

The overall picture was further confused because some Pakistani officials erroneously assumed that Islamic fighters from other countries - such as Chechnya – also were from Uzbekistan.<sup>5</sup> Again, Chechens have not been present in significant numbers either, and the threat from them was always overestimated. Besides, Chechens have assumed the role of foot soldiers as opposed to the Uzbeks, who have

become leaders due to their predominant numbers in these areas.

The Islamic Movement of Uzbekistan (IMU) is the spearhead of Uzbek presence in the region. The IMU was founded in 1996 in the Ferghana valley in Uzbekistan, with the goal to overthrow the regime of President Islam Karimov and replace his rule with Islamic law in the country. The Karimov regime cracked down with an iron hand, forcing the IMU cadres to flee and seek refuge outside Uzbekistan in the mid-1990s. By August 1998, when the Taliban were in control of more than 90% of Afghanistan, the IMU had established military camps in that country's Northern provinces. Like the Taliban, IMU suffered losses in Afghanistan in December 2001, primarily when its leader Juma Namangani was reportedly killed. Tahir Yuldashev replaced him, and under his leadership, the Uzbeks found sanctuaries in Pakistan's tribal areas after the collapse of the Taliban regime. Fleeing Afghanistan after the fall of the Taliban regime, in early 2002, Uzbeks and militants from several other countries started taking refuge in the Pakistani border regions. Yuldashev has since then claimed to have been killed. However, he indisputably became a cult figure amongst the local fighters in the area due to his zeal. This went a long way in entrenching Uzbek presence in the area, with a list of established deputies waiting in line to succeed commanders killed in action.

Another factor that helped Uzbeks become a major power in this area was that they were always in enough numbers to form their own organizations, rather than following the lead of the majority, as in case of many other groups of foreigners, who were in substantially smaller numbers. It now stands proven by police records that the major foreign militant groups who surfaced time and time again in attacks in Pakistan are Uzbek. It is a recurring theme in Pakistan to-date that when

the state engages terrorists, the reported presence of Uzbeks in fiercely combated operations tends to often crop up.<sup>6</sup>

The other predominant group which was present in much smaller numbers, but carried a lot of ideological clout were Arabs. They also had a lot of money as opposed to all the other groups, and hosting Arabs became a lucrative pastime for locals in the two Waziristans. The Arabs were mainly found in Sheen Warsak, Kaloosha, Ghwakaha, Kari Kot areas. Their largest area of concentration was at the Mandotta cave complex (South Waziristan), which was a training camp run by Al-Qaeda with Arab trainers, which was later destroyed by the Army. Arabs were also hosted by the local Taliban commander Faqir Muhammad in Bajaur, since he was on very friendly terms with them. Later they were seen mostly in Mir Ali and Miran Shah, and as of spring 2012 their presence was reported to be confined mainly to North Waziristan and the Frontier Regions (FR) Janikhel and Bakkakhel.<sup>7</sup> However, Arabs lost their significance as the dominant foreign group in Pakistan because of being present in smaller numbers. They tried to passively influence militancy in Pakistan by financing other organizations, rather than by active fighting. In contrast to the low key Arab presence, it seems that the more overtly violent Uzbeks got their way, at least, in terms of living amongst local populace more openly. This 'leading from the front' mindset also enamoured them to the locals, for whom personal bravery carries a high premium value.

Uzbeks needs an elaboration as the biggest group of foreigners in Pakistan now. Their presence is estimated to be almost 90% of foreign militant presence swelling the ranks of al-Qaeda and Taliban. Led by Tahir Yuldashev, these IMU militants encountered few problems in finding support and shelter amongst the Ahmadzai Wazir tribesmen in North and South Waziristan in wake of their retreat from Afghanistan after the

US-led Operation Anaconda in early 2002. Yuldashev soon became a star speaker at mosques in the Sheen Warsak region near Wana, the administrative headquarters of South Waziristan. Once well-entrenched, Yuldashev founded an organization that he dubbed 'Mohajireen-o-Ansar', which means refugees and friends (or supporters) in Arabic, to pursue his agenda, which essentially converged with that of Al-Qaeda.

A Punjabi fugitive called Qari Mudassar used to act as spokesman for the group. Yuldashev also set up a private jail in order to punish enemies and dissidents. Yuldashev's revered status took a hit when his vigilantes began targeting Pakistan army and government officials beginning in late 2006. These anti-army strikes turned the Uzbeks from murky, unknown entities to villains in the eyes of the Pakistani populace, especially when the Uzbeks became involved in terrorism against civilians. The pro-government Ahmadzai Wazir Taliban commander Mullah Nazir disapproved of targeting the Pakistani army and civilians, which led to bloody fights between Mullah Nazir's men and the Uzbeks in March 2007. This eventually forced the IMU zealots to take refuge in South Waziristan, then dominated by late Pakistani Taliban commander Baitullah Mehsud, and also in smaller pockets of North Waziristan to some extent.

Despite the pressures that the new geo-strategic situation puts on the IMU's area of influence, most intelligence and local sources agree that this organization has indeed morphed into a lethal non-Arab Al-Qaeda entity. From the late 1990s, when Uzbeks opened their first training camp near Mazar-e-Sharif in Northern Afghanistan to their escape to South Waziristan from the US-led Operation Anaconda, most of the Uzbeks are probably now making their last stand in a region (North Waziristan Agency) that is under sharp U.S. and Pakistani focus because of the presence of the al-Qaeda-driven militant

outfits there. There are reasons for this domination of Uzbeks. Firstly, the locals were scared to mobilize opposition to the Uzbeks due to their reputations as fierce fighters with long memories and very strong military backgrounds. Many of them used to be soldiers of the Soviet Army during the invasion of Afghanistan in the 1980s, and some of them had military trainings given by the CIA during the 1990s; hence they are experts in guerrilla warfare. The IMU fighters had little to lose and it was difficult for them to escape somewhere else. They couldn't go back to Uzbekistan, and after 2009, re-infiltration back to Afghanistan also started getting more difficult. Thus, they made the Waziristan their home.

The lack of adequate and actionable intelligence makes military operations that much more difficult to conduct in the area, and thus contributed to their growth due to little hindrance caused. The execution and beheading of "spies" also reached alarming levels, particularly in North and South Waziristan since 2008 as a result of targeted killings. This also suggested that military operations in the tribal areas had forced the militant groups to adopt greater internal security measures. During the Taliban heydays, thousands of Punjabis also moved to South Waziristan over the years, and successfully established themselves in the restive border region. Most of these migrants came from Raheem Yar Khan, Lahore, Multan, Sadiqabad, Bahawalpur and other parts of Punjab, with estimates of around 2,000 people from southern and northern Punjab province moving to South Waziristan since March 2005. These migrants paid much higher rents to the locals for their houses and shops, and started different business, mostly food and pharmacy-related. These well-trained Punjabi militants soon started flexing some muscles by confronting Uzbeks in these areas, in which task they were helped by the so-called 'good' Taliban commanders like Maulvi Nazir; the Uzbeks had at that stage become unpopular with the locals due to their high

handedness. A conservative estimate at that time (2005) put the numbers of foreign militants, especially Uzbeks at roughly around 2,500 to 5,000 in South and North Waziristan. The Punjabis thus provided a counterweight to these foreign militants, since they provided a mercenary force, which stood to gain territorial rights in a deeply clan-oriented area by ousting the 'meddlesome' Uzbeks.

The Punjabi militants also reportedly established separate training centers in FATA, especially in North Waziristan. These Punjabi militants had a distinct identity, distinct from their Pashtun counterparts, and were also comparatively more educated, better equipped and more technologically savvy than their Pashtun counterparts. This was a result of their upbringing in Punjab Province with its urban linkages, where internet access and communications equipment are more readily available. They were, thus, the confluence of the urban and the 'other' Punjab. They are also reportedly more unscrupulous than their Pashtun brothers, with the tendency to be bought out by the highest bidders. Many police officers in Punjab have cited their criminal tendencies at the start of their careers. The Punjabis relocated to FATA after their organisations were banned to raise funds through drug smuggling, and acquired weapons from the indigenous weapons markets of Darra Adam Khel. Banned organisations resurfaced under new names or as charities, and several splinter groups also relocated to FATA. These 'Punjabi Taliban' were also one of the main factors pushing Uzbeks out of South Waziristan.

### **The IMU and its Relocation from South Waziristan**

The rout from South Waziristan forced the Uzbeks to relocate in bulk to North Waziristan. Very few remained back, and it is generally agreed that there could only be smaller cells of these Uzbek presence in South Waziristan now, especially

after the military operations.<sup>8</sup> Most are now in North Waziristan. By a rough estimate in 2009, more than 4,000 Uzbek militants had re-located to different localities in North Waziristan, enjoying close association with militants of the Mehsud Tribe. Most are now subsumed within the main factions of Tehreek-e-Taliban Pakistan (TTP).<sup>9</sup> The Uzbeks were first targeted by Pakistani security forces in March 2007, when militants started attacking and killing Pakistani soldiers and paramilitary troops. Since then Tahir Yuldashev's men have been accused of numerous suicide attacks and of killing hundreds of tribal elders in Pakistan over the years. His militants carried out attacks on Pakistani forces in the tribal belt, and are believed to have taken part in the 'Lal Masjid' (Red Mosque) siege in 2007, in which dozens of people were killed. The military says that Uzbek militants are a formidable enemy. Pakistani security forces believe that some of the major bomb attacks in Islamabad are the work of Central Asian militants. At first, the Uzbek militants were presumed to be concerned only with the Islamic Movement of Uzbekistan. However, a message by Yuldashev through a DVD, calling for attacks on Pakistani security personnel, made it clear that his movement was not just about Uzbekistan but was working on al-Qaeda's overall goal.<sup>10</sup>

Many Uzbeks have by now learnt Pashto and passable Urdu and have been frequently travelling between Islamabad and Uzbekistan in the disguise of mainly cloth traders or merchants. Interestingly, these militants had been using various airports in Pakistan for their departure and arrival, arriving in Pakistan like any other foreigner and casually catching a taxi from Islamabad to Mir Ali (their main abode outside settled areas). Personnel of the Federal Intelligence Agency (FIA) of Pakistan were unable to segregate the Uzbek militants from the routine traffic of foreigners coming into Pakistan.<sup>11</sup> This problem of militant traffic has been recognized at inter-

governmental levels as well. Uzbekistan has asked Pakistan in the past to extradite a number of suspected al-Qaeda fighters of Uzbek origin, who have been captured during the operations in Wana. These Uzbeks captured in Pakistan are said to have joined the al-Qaeda network based in neighboring Afghanistan in 1990s. Their movements were not restricted to the tribal belt, as they also travelled to the Balochistan province. There has also been evidence of Uzbek militants' involvement in the unrest of Balochistan, with many Uzbeks living in Islamabad's suburbs, having connections with the top leaders of Baloch militant groups. Many such Uzbeks have been arrested in the proximity of these urban areas, ostensibly blending in with the population by pretending to be of Afghani origin, which represent a sizable population in these areas.<sup>12</sup> In July 2008, the authorities presented a report to then Prime Minister Yousuf Raza Gilani, providing the latest figures on foreign fighters present in the tribal areas of Pakistan. Roughly their numbers were more than 8,000, and 4,800 of them were believed to be Uzbek. The same facts and figures were also presented at a special cabinet meeting later.

A few years ago Pakistan was the safest route for foreign fighters to enter Afghanistan, but this is not so easy any more due to much stricter enforcement. Most of them used to come as tourists and traders directly from Dushanbe, Baku, Istanbul, Dubai, Sharjah, Delhi and Frankfurt to Kabul by different airlines. Many Afghans in Kabul, Karachi, Dubai and Delhi are working for them as travel agents. It was apparently quite easy to make a new Afghan passport for them in Kabul.<sup>13</sup> The number of foreign fighters, thus, began to exponentially increase, with a huge increase in 2007. The main incitement for those young militants from the Middle East, Central Asia and Europe was the increase in the number of US troops in Afghanistan. Most of them came from the IMU.



These Uzbeks are now mostly subsumed into other entities, besides IMU. Pakistani military offensives over the past years in Swat and South Waziristan have brought different groups closer together under the duress of a common enemy. For example Qari Zafar, the Punjabi Taliban leader reportedly killed in a February 2010 U.S. missile strike, merged his organization Badar Mansoor into the TTP just before the Pakistani Army's offensive in South Waziristan. Reportedly, this merger was in addition to three thousand Punjabi fighters assisted by Uzbeks already in the area before the Army moved in. Many Uzbeks are also part of the TTP Shura, the umbrella council of forty top militant commanders, supervising TTP activities in Pakistan.

These Uzbeks have been instrumental in planning attacks on the Pakistani state. Such attacks, to which a distinct Uzbek and Arab element is now being tied in, included the March 8, 2010, suicide attack on the Special Investigation Agency in Lahore, killing and wounding over one hundred people. Both the TTP and al Qaeda's al-Jihad Group in Punjab claimed responsibility. "If the government does not halt military operation in the tribal area and drone attacks continue, the TTP will continue suicide bombings on government installations", TTP spokesman Azam Tariq warned. Four days later, coordinated suicide bombings directed at Lahore killed at least fifty-seven and injured over one hundred soldiers and civilians. Punjabi militants belonging to Lashkar-e-Jhangvi carried out the attack, but the TTP leadership in Waziristan claimed credit for the strikes. Subsequently, the police uncovered 4.5 tons of explosives and sophisticated arms in Lahore's residential areas and arrested over fifty locals with links to militants in southern Punjab. Amongst those arrested, four were Uzbek. These incidents amply demonstrated the inroads of these foreign militants into Pakistan's urban centers, whence investigations showed that planning and arrangements for the attacks had

originated in Lahore at the behest of Uzbek coordinators from North Waziristan.

### **The Links to Swat and the Tehreek-e-Nizam-e-Shariat-e-Muhammadi (TNSM)**

It is not generally comprehended that Swat acted as one of the three main deployment areas besides the two Waziristans for foreigners before 2009, especially Uzbeks. The Tehreek-e-Nizam-e-Shariat-e-Muhammadi (TNSM) would provide the cadres, while Uzbeks would effectively take over the leadership of the TNSM in Swat as representatives of the Taliban, and the TNSM would morph into the TTP. The TNSM was formed by Maulana Sufi Muhammad, a firebrand cleric ostensibly for creating peace and harmony in the society. Sufi Mohammad started out as an activist and then became one of the prominent leaders of Jamaat-e-Islami (JI) in the 1980s, being the principal of the JI madrassa in Tamergarah in the north-western part of Khyber Pakhtunkhwa (KPK). He split up with them eventually due to his uncompromising extremist ideals and wrangling over control of a madrassa, and in 1988 he formed the TNSM.<sup>14</sup>

At the very outset the TNSM embraced the radical forms of Sharia wholeheartedly, and with the emergence of Taliban in Afghanistan identified closely with them. The movement soon revealed its radical colors when it initiated an armed uprising in wake of Pakistan Supreme Court's February 12, 1994 verdict, which nullified the Provincially Administered Tribal Area (PATA) regulations. These regulations had governed certain areas (including Swat and Malakand) since the 1970s. Ostensibly, the governance vacuum created by the cancellation of these regulations encouraged TNSM activists to agitate for the establishment of a Sharia form of government in the Malakand areas adjoining Swat. This was a

relatively scaled down precursor of things to come; at that time, the state was able to suppress the uprising by a combination of counter-insurgency operations and negotiations, though the Sharia system was introduced in the Malakand area twice in response to TNSM's group pressure. However, the TNSM continued to thrive; this was amply demonstrated when Sufi Muhammad crossed over into Afghanistan, reportedly with 10,000 fighters to aid the beleaguered Taliban after 9/11. His force was routed and disbanded however, Sufi was arrested on his way back to Pakistan. These TNSM cadres would later form the backbone of the Taliban in Swat and Bajaur; TNSM was the precursor of the Taliban militancy that would follow, with the Taliban effectively hijacking the TNSM movement, primarily with the help of Uzbeks. Two of the most prominent leaders of Pakistani Taliban, Maulana Fazlullah in Swat and Faqir Muhammad in Bajaur, had originally been TNSM adherents. Many of their fighters are also drawn from the ranks of TNSM, particularly in Bajaur, though they are aided by many foreigners and militants from other organizations.

Uzbeks would take over the role of the Shura or advisory body of Fazlullah, and would never show their faces but would always cover them. The locals clearly differentiate these masked men from the local populace, saying they had strange dialects and were usually taller than the average Swatis.<sup>15</sup> They obviously yielded much greater influence on Fazlullah than did the locals. On various occasions, local civilians would recall men with guttural accents speaking in foreign dialects, which had no resemblance to their own group of languages. These men usually kept to themselves, rarely mingling with the more indigenous Swati Taliban.<sup>16</sup>

Somewhere along the way, the TNSM thought they were strong enough to set up Sharia in Swat as a mirror of

Afghanistan. They switched sides with TTP and foreigners, largely Uzbeks, moved in huge numbers to Swat. Many of the locals relate this moving in of foreigners which started sometime in 2007, the same year when the atrocities really started in earnest. Peochar came into focus at this time, as the area where most of these activities occurred, and became the hub of foreign militant activities. This area would later experience bitter combat between the state forces and what were ostensibly hard core militants instructed by Uzbeks during the military operations 'Rah-e-Rast' in Swat.<sup>17</sup> This would morph the TNSM in Swat into the Taliban, effectively subsuming the more militant cadres into what was perceived by them as a more effective organization. The TNSM was overtaken by Taliban, and they would start moving a lot of militant cadres into Swat, and many foreigners would also start moving in.<sup>18</sup> The locals differentiate taller, fairer militants from indigenous ones; it was very difficult to say where they were from, since they were usually veiled, and seemed like foreigners. This is also corroborated by testimony from other people.<sup>19</sup> A prevailing hypothesis about the insurgency in Swat is that the movement started with influx of fighters alien to the area into Swat, and then the local people joined in.

The Mullah's zeal paled in comparison with some of his followers, who reportedly joined him from Mir Ali in North Waziristan, Darra Adam Khel, Bajaur and other tribal areas to fight the security forces. Many fighters also started moving in from Afghanistan. Some sources claimed that he had lost control over some of his more over zealous fighters. The ruthless beheadings of captured security personnel was ascribed to these fighters, which reportedly had a large foreign element within them. This was widely reported at the time. It was also reported at the time that militants from South Waziristan as well as foreign militants belonging to IMU

had arrived in Swat to support Fazlullah's attempt to Talibanize Swat and establish his fiefdom in the region.

At the same time, Uzbeks were imparting training to the TNSM in Pechar how to plant explosive and perpetrate suicide bombings.<sup>20</sup> TTP was simultaneously flexing its muscle in FATA, and the more traditional TNSM elements would not be able to control the permeation of foreign elements into TNSM. Gradually, foreigners would start appearing in Swat, and acts of terrorism and mass atrocities like slitting of throats and beheadings would escalate. Thus, global militant organizations would take over, which would have within them elements of Al-Qaeda as well. These elements would spark off the Swat insurgency in earnest and Fazlullah would decide to go the way of global and anti-state militancy.

The situation took an ominous turn, when the Fazlullah-led militants joined the TTP, formed by top Pakistani militant Baitullah Mehsud in December 2007. This was a bid to provide an umbrella to all insurgent movements, operating in several tribal agencies and settled areas of KP. With this, the movement fell into the hands of tribal-area-based Taliban, and Maulana Fazlullah lost his authority to make decisions independently. The Swat-based Taliban were previously insisting only on the promulgation of Sharia, but they started making increasingly strident demands from the government. The first peace deal of the Swat chapter of Taliban, after being subsumed in TTP, was negotiated on May 31, 2008, which immediately fell to pieces, with both sides blaming each other for the failure of the negotiation process. Fazlullah seems to have hardened his stance from then onwards, with directions apparently emanating from a more centralized Taliban command and control. "Baitullah Mehsud has the last word on the agreement, and until his permission we cannot resume

talks aimed at the enforcement of the accord”, spokesman for the Swat Taliban Muslim Khan told the TNS News service.<sup>21</sup>

In essence, Swat’s problem became linked to FATA, since the success of any peace deal was re-conditioned to the situation in the tribal agencies. According to the Swati Taliban, in case of any action in the tribal areas, the pact would automatically stand terminated. Operations would later start in earnest, and the area would return to a semblance of its previous normalcy, even though some targeted killings would continue, and still continue sporadically to this day. The shooting of Malala Yousafzai, a child peace activist, is testimony to the continued presence of militants in Swat, even though they are indisputably under tremendous pressure from the Pakistani establishment.

### **The Settling in North Waziristan**

South Waziristan is no longer an exclusive refuge of foreign fighters. They have almost entirely been displaced from these areas to North Waziristan. Thus, whenever news of a major leader of Uzbeks being killed comes out in the media, almost invariably the area where the leader is killed is reported to be in North Waziristan.<sup>22</sup> This indicates that the command and control structure of such foreign fighters has shifted to North Waziristan Agency. Uzbeks are not the only foreign fighters in Pakistan ofcourse; the foreign fighters’ wing of the Haqqani militant network has suffered huge human losses in North Waziristan in the wake of the ongoing US-drone campaign, which perished 100-plus al-Qaeda-linked militants in October and November 2011 alone, most of whom belonged to Uzbekistan, Turkey, Germany, England, China, Afghanistan, etc.<sup>23</sup> North Waziristan hosts a blend of insurgents, especially the Haqqani network which is headquartered in Miran Shah. The foreign militants who had been fighting alongside the

Haqqani network in Waziristan and killed by American predator strikes between October 1 and November 30, 2011, belonged to Islamic Jihad Union, IMU, Islamic Army of Great Britain, Ittehad-e-Jihad Islami, German Taliban Mujahedeen, Eastern Turkistan Islamic Movement, Taifatul Mansura or the Victorious Sect, and several others.<sup>24</sup> North Waziristan remains an open source information black hole. This may be due to the fact that the state retains a stalemate and peace agreement with Gul Bahadur and warlords of North Waziristan, does not have the same penetration into this area since this is frowned upon under the terms of the peace agreements. One of the biggest nightmares for policy-makers has always been that Gul Bahadur would turn against the state.

However, news of foreign militant activity in North Waziristan as well as figures of Uzbek fighters killed in drone strikes or by military operations tend to keep cropping up. According to the figures available on various al-Qaeda-linked Jihadi media outlets, over three dozen Turkish fighters belonging to Taifat ul-Mansura (The Victorious Sect) and linked to the Haqqani militant network were killed in numerous US drone strikes in North Waziristan in the months of October and November 2011. However, according to Gazavat Media, a jihadi propaganda website which caters to Turkish jihadis, the Turkish fighters were killed in a “low-intensity chemical weapon attack”. Taifat ul-Mansura is a transnational Turkish Jihadi group, which operates along the Pak-Afghan border and is based in North Waziristan. Its fighters operate in Eastern Afghanistan alongside the Afghan Taliban and its powerful sub-group, the Haqqani network. Many of these foreign fighters are reportedly helped to get into Pakistan by two American born Pakistanis in Afghanistan, known as Azzam ‘Amriki’ and Amir Butt.

There are other groups as well; the Victorious Sect, for instance, was established in 2009 by the Islamic Jihad Union

(IJU), a splinter faction of the IMU, to accommodate the increasing influx of European foreign fighters in the region. Furqoon, the official website of the IMU, recently released a list of its commanders and fighters who have been killed in Pakistan and Afghanistan in recent months, especially in drone attacks. The deceased commanders and fighters were from Afghanistan, Tajikistan, Kyrgyzstan, Uzbekistan, Germany, Russia and Pakistan. The website also carried short bios, and in some cases photographs, of its members who have been killed in their ongoing 'jihad' against the 'forces of the infidel'.<sup>25</sup>

The IMU and the IJU are two predominately Uzbek militant groups with a presence in North Waziristan. After the fallout with Mullah Nazir however, they went under the protection of Baitullah Mehsud. Both the IMU and IJU relocated to Mir Ali, North Waziristan by mid-2009 due to pressure from military operations, although the IJU had reportedly been operating there since 2006. Both groups have close ties to al-Qaeda, the TTP, and the Haqqani Network. Both groups have been linked to terror plots in Europe. The planning and training for the execution of these plots are believed to have originated in Mir Ali. Both groups are considered as enemies of the Pakistani security establishment.

A sermon delivered by an Uzbek cleric, Abu Dher al-Barmi, which was videotaped at a mosque in North Waziristan and distributed by Ummat Studios on November 14, 2011, exhorted all the foreign militants currently fighting in Pakistan, especially Uzbeks, to continue to shelter the Islamic fighters who are waging a 'holy war' against the 'forces of the infidel'. Abu Dher said in his sermon (which was recorded on September 30, 2011) that "the Mujahedeen of Islam emigrated to the land of (North) Waziristan after the fall of the Islamic Emirate of Afghanistan and sheltered with the Pakistani people, but are now being punished by both the US and Pakistan for doing so."



A week before the release of the videotaped sermon, the IMU had announced the death of Abu Bakr al-Almani, a German jihadi, who was presumably killed in a US drone attack in North Waziristan. The announcement was made by another German who called himself Abdul Matin al-Almani. Abu Bakr's death was disclosed at the end of a martyrdom statement titled "Thoughts of a Mujahid." The statement was released on jihadi forums on November 5, and translated by the SITE Intelligence Group. A good number of German fighters belonging to the German Taliban Mujahedeen are believed to be present in North Waziristan, and have reportedly set up a 'German colony', where fighters live with their families. Two German brothers, known as Munir Chouka and Yasin Chouka, serve as key members of the 'white mujahedeen'. This German presence may, in turn, be responsible for indoctrination of a number of Europeans into the Pakistan based IMU in Waziristan. One of the latest seems to be a Norwegian with the nom de guerre of Abu Bilal, who has recently featured in an IMU video.

### **Operation Zarb-e-Azb and Militants in North Waziristan**

The ongoing military operation 'Zarb-e-Azb' which began on 15<sup>th</sup> June, 2014, ostensibly is aimed at removing the local and foreign militant's presence in North Waziristan<sup>26</sup>. This long-due operation was started because the militants had accumulated in parts of the tribal belt into North Waziristan, and the area was said to be a hub of foreign militants. It is pertinent to note that whenever an announcement of any major Uzbek militant's death was made, the location was reported to be North Waziristan.

This continuous pattern of the U.S. drone strikes in North Waziristan, media reports and intelligence reports conformed that the command and control structure of the foreign and local militant had shifted to North Waziristan. It is

not just the Uzbeks; other foreign militants have suffered noteworthy life losses in this particular area as a result of US drone attacks. There are reports that the Haqqani network's foreign militant wings' members and more than 100 members of al-Qaeda and its affiliates were killed in October- November 2011, drone attacks. These assassinated militants belonged to various countries including Uzbekistan, China, Germany, Afghanistan, Turkey and England.<sup>27</sup> This information was also released on IMU's official website, Furqoon. This website listed commanders and others militants assassinated in 2011. These killed members belonged to Uzbekistan, Pakistan, Russia, Afghanistan, Germany, Kyrgyzstan and Tajikistan. Furqoon also provided details about these members, short profiles and a few rare photographs, extolling them as conducting Jihad against 'forces of the infidel'<sup>28</sup>

## **Conclusion**

The main areas of foreign militant lodgment besides North Waziristan, are regions in the Bannu area. The only area where foreigners are found in anything approaching large numbers and structured organizations are in North Waziristan, and to some extent in Bannu in FR Janikhel and Bakkakhel. These are categorically the only areas where foreign militant fighters can now be found en-masse outside North Waziristan.<sup>29</sup> FR Janikhel and Bakkakhel are both contiguous to North Waziristan. There are numerous ways linking North Waziristan with these two areas. Even though the Army has set up numerous camps along these routes to stop this infiltration, it has not been possible for the Army to plug all the routes, because of the terrain. Thus, there is still relatively free movement along these routes of these foreigners.

Since there was an official truce between Hafiz Gul Bahadur of North Waziristan and the Pakistani government till

recently (before the North Waziristan operation), North Waziristan is still a relatively safe area for these foreigners to take sanctuary. From here they are also able to cross many paths available to reach Janikhel and Bakkakhel. Here they have the same associations with the locals that they have in NWA; including intermarriages. Indeed, one of the biggest integration tools these foreign fighters use is that they inter-marry amongst the locals, who became kith and kin. Such family ties are taken very seriously, and defended even at the cost of lives in the tribal Pathan society. Bannu is also reportedly one of the main areas of catchment for foreigners, especially the trickling in of Mullah Omar's Afghan Taliban.<sup>30</sup> These people are totally dormant in the area, do not seem to make any trouble for establishment, and keep a very low profile. They seem to socialize amongst themselves. Some do menial jobs, but seem to remain aloof about their backgrounds. Thus, they do not crop up on the radar, since they have assumed such low profiles.

The main areas of foreign lodgment in Bannu are FR Janikhel and FR Bakkakhel. These inhospitable rugged areas have always been areas which have been favored areas of abode for Arab and other militants, who have trans-located to these areas; whenever pressure on them increased in the wake of military operation. Whenever the operations intensified, especially after 2009, the foreigner population of this area would immediately start swelling up. Incidentally, these are the only areas which are still frequented by the diminishing number of Arabs, who are seen in Pakistan and, perhaps, these areas represent the last bastion of sanctuary to all races and forms of foreign fighters living in Pakistan today. It needs to be remembered that Saiful Assad, the 'killer of 300 people', the main deputy of Yuldashev, was killed in this very area by the authorities.

Many foreigners have perished in Pakistan due to drone strikes or military operations, and their numbers have dwindled a lot. Many of them, who went to Swat, were pushed back along with Fazlullah's militants to Kunar and Nuristan, where they are still reportedly present. Thus, the numbers have decreased significantly due to either being killed or translocation from Swat (in case of Swat fighters) to Afghanistan. Thus, when it is now said that there are a lot of foreign fighters in Pakistan, it is certainly not as true now as say, it was in 2007. It is also difficult to ascertain exactly who and how many foreign fighters are in North Waziristan. This is primarily due to the fact that it was till very recently still a no-go area, with any attempts at in-depth penetration being viewed as violation of peace treaties by Gul Bahadur. The state cannot afford to open up too many fronts, so Gul Bahadur was primarily left alone; that is set to change in the short to medium term. It's well known that he hosts a lot of foreign militants. The same applies to areas of Bannu, like Janikhel and Bakkakhel, which have tribal affiliations with North Waziristanis, and tend to act as spill-over areas from North Waziristan, notwithstanding the fact that administratively these areas are parts of Bannu. The fact that Bannu also acts as sanctuary to the Afghani Taliban, who are quiescent and don't commit any terrorist acts there, also belies the fact that they are using these areas as just sanctuaries, lying low. This is not what is happening in North Waziristan, where militants actively engage in terrorist activities.

The majority of foreigners are still Uzbeks. This is amply displayed by ongoing reporting by media in Pakistan regarding Uzbeks as being synonymous with the term 'foreign fighters'. It is not that there are no other foreigners present, but their presence has always been much smaller, and they have never been able to form or maintain viable organizations, or be present in such large numbers as Uzbeks managed to do. The problems associated with difficult intelligence generation in

North Waziristan means that many smaller entities (other nationalities) go undetected. There is also a tendency on part of Pakistani counter terrorism law enforcement agencies to bunch together many nationalities (Uyghurs, Tajiks, Chechens and even Turkish) into the Uzbek category, creating confusion about the nationality issue of these fighters.<sup>31</sup> However, what is categorically confirmed by almost all of the sources is that Uzbeks are overwhelmingly the main fighting force, representing the foreign fighters, while the number of Arabs has radically decreased, and they do not carry the same clout in the tribal agencies as they used to do. With the culmination of Operation Zarb-i-Azb, the soil of FATA would steer clear of all foreign elements.

## Endnotes

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<sup>1</sup>Detailed interviews with (late) Safwat Ghayur, Inspector General Frontier Constabulary, an acclaimed Police officer who was entrusted with counter insurgency operations against almost the entire panoply of the anti-state militants in Pakistan. He was leading the Passawan and Kala Dhaka Operations against the Taliban, when he was assassinated by them in a suicide attack in Peshawar on 4 August 2010. TTP claimed responsibility for the attack. Interview held in March 2010.

<sup>2</sup> Ibid.

<sup>3</sup> Individual and focus group interviews with KPK Police officers. The focus groups consisted of a mixture of KPKCID and district Police officers; four such group interviews were held over a period of three months between December 2011- February 2012.

<sup>4</sup> Supra Note 1.

<sup>5</sup> Ibid.

<sup>6</sup> See for instance "6 Uzbek militants killed in North Waziristan Drone Strike; Official". Published July 29, 2012, Express Tribune, online edition, accessed 5 November 2012, <http://tribune.com.pk/story/414619/6-uzbek-militants-killed-in-north-waziristan-drone-strike/>. Occurrences like this are regularly reported in Pakistani media

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<sup>7</sup> Supra Note 3.

<sup>8</sup> This has sometimes been reported in the media as well; see for instance "Uzbek Group Says Drone Killed Leader" by Declan Walsh and Ismail Khan, New York Times, Asia Pacific section, August 4, 2012. [http://www.nytimes.com/2012/08/05/world/asia/us-drone-strike-kills-uzbek-militant-leader.html?\\_r=0](http://www.nytimes.com/2012/08/05/world/asia/us-drone-strike-kills-uzbek-militant-leader.html?_r=0). Accessed November 2, 2012.

<sup>9</sup> Supra Note 3.

<sup>10</sup> Ibid.

<sup>11</sup> Ibid.

<sup>12</sup> Ibid.

<sup>13</sup> Ibid.

<sup>14</sup> Interview with Afzal Lala, a veteran political leader from Swat. He was one of the few maliks (leaders) who stood up defiantly against the Taliban; resultantly, he and his son were ambushed were by them. See link: <http://tribune.com.pk/story/109171/mohammad-afzal-khan-lala-the-man-who-stood-up-against-militancy/>. Accessed 3 November, 2012.

<sup>15</sup> Interviews with Professor Fazal Hussain and lecturer Muhammad Imad, Matta, Swat. This was a common finding amongst different focus groups of about seventeen people in Matta, which was one of the epicenters of the Taliban insurgency in Swat. Focus groups held on September 2010.

<sup>16</sup> Ibid.

<sup>17</sup> Supra Note 1.

<sup>18</sup> "Fazlullah has become a spiritual figure now. A multitude of foreign elements, including Arabs, Uzbeks and Chechens moved out from Mirali, Darra Adam Khel and Bajaur, and reached there. They are in full control of the region and are directly involved in carrying out actions against our security forces," was reportedly disclosed by a senior security to the media. The News, November 4, 2007.

<sup>19</sup> Interviews with Zarbakht Khan, a Police officer who faced direct reprisal from the Taliban in Swat when he refused to cede to their demands to surrender his Police Post. His police station was later besieged by the Tali- ban.

<sup>20</sup> Ibid.

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<sup>21</sup> Special Report, News on Sunday, 6 July, 2008, <http://jang.com.pk/thenews/jul2008-weekly/nos-06-07-2008/spr.htm>.

<sup>22</sup> See for instance Supra Note 6.

<sup>23</sup> Supra Note 3.

<sup>24</sup> Estimates by KPKPolice officers. However, there is little other data regarding specifics of these entities.

<sup>25</sup> A translation of a portion of the IMU statement (along with the names and images of the IMU operatives) has been provided by the Search for International Terrorist Entities (SITE) Intelligence Group, an independent group that tracks the online activity of terrorist organizations.

<sup>26</sup> ISPR Press Release, No PR124/2014-ISPR, June 15, 2014, [https://www.ispr.gov.pk/front/main.asp?o=t-press\\_release&id=2573](https://www.ispr.gov.pk/front/main.asp?o=t-press_release&id=2573)

<sup>27</sup> Individual and focus group interviews with KPKPolice officers. The focus groups consisted of a mixture of KPKCID and district Police officers; four such group interviews were held over a period of three months between December 2011- February 2012.

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<sup>29</sup> Supra Note 3.

<sup>30</sup> Ibid.

<sup>31</sup> Ibid.





# Military Operations by the Pakistan Army in FATA: The War Within

Major General (Retired) Ziauddin Najam\*

## Abstract

*FATA is a war ravaged region of Pakistan. This war is ironically more of internal nature rather than an external one. Most of the militants, barring foreigners, against whom we are now fighting a war, were once trained as Mujahidin against Soviet forces with the active support of Western allies. The current war is a story of awful compromises, lack of clear policy directions and ambiguous strategy. The chapter reviews various agreements between Taliban fighters and Pakistan Gov't and military operations. The study pleads that with rapid evolving internal and external security situation, the luxury of time is not available to us. It is vital that our leadership takes hard decisions to restore the sovereignty of the state of Pakistan and steer it out of colossal security challenges that our motherland is confronted with.*

**Keywords:** *military-operations, terrorism, extremism, security, development*

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## Introduction

*“Where justice is denied, where poverty is enforced, where ignorance prevails, and where any one class is made to feel that society is an organized conspiracy to oppress, rob and degrade them, neither persons nor property will be safe.”*

Frederick Douglass

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Ever since its creation, barring some brief periods of stability in between, Pakistan has experienced a turbulent history. However, this is perhaps the most tumultuous time we are witnessing today. The nation is in the grip of the worst form of violence and terrorism. Despite heavy casualties sustained by the personnel of the law enforcement agencies and huge economic losses, apparently our ability to wrest this malice is dwindling. With the passage of time, instead of containing, it is becoming more lethal and frightening. The menace, which started from the mountainous tribal belt, has gripped our major urban centres. Illiteracy, religious intolerance, political mistrust and instability, repeated military interventions, fractional economic policies, myopic political vision, ethnic, regional and lingual prejudices all are further fuelling to the fire of terrorism.

The psychological dimensions impacting society are highly damaging and long-lasting. On the other hand, our urban centres, which hitherto were relatively unaffected, are experiencing repeated incidents of organized crime and violence, while law-enforcement seems to be totally ineffective. All this is causing social disharmony, as we see a rapid disintegration of our social order. Unabated incidents of terror and crime have created an atmosphere of suspicion, fear and panic all around. People, whose culture has traditionally been interwoven and rooted in *biradri* and clans, are increasingly becoming self-centred and indifferent to these daily occurrences.

Terrorism over millennia has always been employed as a tool to advance a political or economic agenda; whether in the shape of 'Spanish Inquisition', 'Slave trade', 'Fascism' or 'Communism', but what we are witnessing today has no parallel in the annals of history. Once defined as "an organized system

of intimidation or the practice of using violence to obtain political demands”, it has become a complex phenomenon, where different interrelated terrorist groups, imbued with warped ideology, are employing a well-defined strategy to achieve global objectives. The endless streams of suicide bombers, mass murders, burglaries, arson, kidnapping, hijacking and torture are reflective of the bent of mind these terrorists have. The Pakistan Army has been combating these terrorist groups now for more than a decade with little success. The militants, who could be numbered in a few hundred in 2002, are now reported to be several thousand.

The same militants, about whom the USA and Pakistan had claimed to have disintegrated, demoralized, with their command and communication centres destroyed, and that they were on the run; are threatening the very writ of the government to the extent that today, the government has been forced to negotiate a ceasefire deal. This not only tantamounts to conceding defeat and legitimizing their existence, but may further embolden them to extend their reach.<sup>1</sup> The critical questions are: how and why did we go wrong? Are the nation’s entire resources too scarce to meet this threat? Are these militants so powerful that they can force a government to accept their demands through coercion? And, if all of this is true, where ultimately will all this lead to? It is time to take stock of the causes and reflect on the distorted strategy that we followed.

The basic principles of counter-insurgency are still applicable today as were in yester years. Insurgents thrive amongst the people. As Mao once said: *“The guerrilla must move amongst the people as a fish swims in the sea.”* Therefore, the foremost task should have been to isolate insurgents from the people that they took refuge with. Also, both the political leaders and military commanders in the field must at all time remain

conscious of the fact that ultimately the war is being waged against our own people and not against an alien enemy. The military's role in modern stability operations, though seemingly new, fits into the established tradition of military's ethics and discipline. The military must see these stability operations through contemporary ethical lenses.

A study of the ethical implications of conducting stability operations today bridges a historiographic gap in the understanding of morality in warfare. Scholars have often alluded to the prevalence of the 'just war' tradition in military thought. The moral reasons for going to war have strong relevance to stability operations, particularly when armed hostilities exist between insurgents and the government, unarmed civilians, and occupying forces. The laws of war do not necessarily compel the army to provide security, re-build infrastructure, improve public services, and see to the establishment of security. However, this is precisely what will ultimately give us victory. The violent phase of military operations invariably ends with bitter feelings among the local populace.

Post-operation rehabilitation, therefore, is as important as the violent phase. The conduct of the army, both during and after the operations, must resemble that of a national army, which is striving to provide security to the locals against misguided elements of society. Today, most modern armies have developed scientific methods of employing strategy of winning the hearts and minds and to employ this technique with dexterity to great success for the achievement of the ultimate politico-military objectives.

But, let us first take a look at the causes of this militancy. While there are numerous theories put forward by various scholars on the causes of global militancy, the fact

remains that these have little relevance to what is happening in our country and why it is spreading fast despite the best efforts of the government. As a famous Chinese saying goes, “the fish rots from the head”, the fact remains that the putrid and petrifying political and legal system, which we inherited from our colonial masters, has failed to deliver justice and aspire the common man. It has given us religious intolerance, social imbalances, political denials, ethnic disparities and economic dispossessions and deprivations. Such are the reasons which have disillusioned the common man of Pakistan.

People in this part of the world have practiced and regulated their lives under the judicial system of *jirga* or *panchayat*. The British, after occupation, found this system so effective that they never felt the need of extending the reach of their judicial system to villages in areas, which now constitute Pakistan. The ‘Westminster-style’ parliamentary democracy, which we practice, has not been able to satisfy the needs of the common man. This system, perhaps, is better suited to countries with large educated middle class, which through their intellectual discourse and effective system of checks and balances, shapes an environment conducive to the practice of such democracy.

Unfortunately, in Pakistan’s chequered history, we have experienced that each successive democratic government spawned greater dissatisfaction amongst the masses and was soon replaced by a military take-over. In fact, every take-over was enthusiastically celebrated in the streets and villages by the common man. The reason for their celebration was simply the hope that the establishment of military courts would now provide them quick and cheap justice.

Before independence, most areas of the sub-continent were in the grip of *pirs* (spiritual leaders) and feudal lords, who

held complete sway over the masses. On the creation of Pakistan, these feudal lords seized power and took over the reins of the country, courtesy this system of democracy. Over a period of time, they were further joined by an entrepreneur class, which again benefited from the warped judicial system and governance. Under this prevalent system, the Chief Executive becomes a hostage in the hands of this feudal and entrepreneur class of legislators, who select and appoint police and government officials of their choice in their areas. While the Chief Executive is exposed to public scrutiny, these king-makers behind the scenes perpetuate their rule in their respective areas.

Over time, this ruling clique has strengthened its grip, seized power and showed exit to the founding ideologues of the nation. In the absence of committed and strong leaders, large ignorant masses have accepted this faith, while the founding leaders left the country disenchanted. It was this system of governance and wide difference of class, which dismayed our Bengali brothers, who not only were the pioneers of the All-India Muslim League, but also the movers of the Pakistan Resolution, and in majority as well. However, very soon they parted ways with us and this, perhaps, is the reason that the most movement leaders like Choudhry Rehmat Ali, Nawab Mohsin-ul-Mulk, Nawab Waqar-ul-Mulk, and a host of others left the country disillusioned and are buried abroad. It is due to this political system that Iskander Mirza became the first president of Pakistan in 1956. He was the great grandson of Mir Jafar.<sup>1</sup> Allama Iqbal described Mir Jafar's treachery in the following words:-

*Jaffar az Bengal, Sadiq az Deccan; nang-e-deen, nang-e-millat, nang-e-watan* (Jafar of Bengal and Sadiq of Deccan are a disgrace to the faith, a disgrace to the nation, a disgrace to the country).

The people of Pakistan have continued to live with the same political system in the hope that it may improve with the passage of time. It is, however, the system of delivering justice, which they are primarily disillusioned with. It is this void which has been effectively exploited by forces like those of Mangal Bagh, the Taliban and Al-Qaeda. The people of Swat and FATA have lived with this *jirga* system, due to which, quick and cheap justice had been their mainstay. They look towards *Shariah* (Islamic laws), as the best alternative to their traditional judicial system and this is precisely what Al-Qaeda and the Taliban promise to offer. People of these areas also sided with the military in the hope that after flushing out the militants, they would be given the system of *Shariah*, as they were promised. But, they soon discovered that it was a hoax.

We failed to understand the complete dimensions of this crisis and focused merely on military operations. We failed to comprehend that this primarily is an ideological war and ideological wars are best defeated by a superior ideology. Fortunately, we already have an inspiring ideology but we have failed to construct a counter-narrative, which not only would have defeated the militants, but also shut the source of recruitment for the militants.

A cursory look at the entire Pakistani campaign against this 'War on Terror' is reflective of the fact that right from the outset, we launched this operation without any clear vision or political objective. That is why, we have always been reactive, riding the waves of tide, instead of wresting it. Every now and then, the militants have surprised us with their audacity and the choice of objective of their attacks. Whether it was the formation of the Tehreek-i-Taliban (TTP), the Afghan Taliban and Al-Qaeda taking refuge in our tribal areas, after fleeing from the onslaught of the U.S. invasion, Al-Qaeda's organizing all militant groups under its patronage or different Mujahedeen

groups, joining hands with Al-Qaeda and Taliban, each major turn of events took us by complete surprise. At the same time, a glance at the political dimension of this campaign indicates a lack of direction and forward thinking. The various peace deals and their ultimate results only point to the absence of a clear policy and vision. The various peace deals and their results are enumerated as under:-

- a. **The Shakai Peace Agreement.** In April 2004, the Shakai agreement was reached between Nek Muhammad Wazir and the government.<sup>2</sup> As part of the peace deal, the government agreed to release Taliban prisoners, pay compensation to tribesmen for property damage as a result of the military operations, and provide money to the militants, so that they could repay their debt. The deal provided Nek Muhammad a stature that he previously did not have. It also weakened the importance of the area's tribal elders as well as the centuries-old tribal system that had always been the method for resolving disputes. Soon after the signing of the agreement, Nek Muhammad refused to surrender foreign militants to the government, and his faction began to assassinate tribal elders, who had helped negotiate the agreement. The government then revoked Nek Muhammad's amnesty deal, and launched another military operation against his faction in June 2004.
- b. **Srarogha Peace Agreement.** In February 2005, the Government reached a peace agreement with Baitullah Mehsud<sup>3</sup> and hoped to contain further Taliban expansion. The deal only stipulated the conditions that they would cease attacking Pakistani targets and refuse to give shelter to foreign militants. Similar to the case of Nek Muhammad, the military's deal with Baitullah conveyed the message to all tribal leaders in South Waziristan that he was now the area's strongman, along with providing him a new level of stature.



- c. **The Swat Agreement.** In May 2008, the KPK coalition government of Awami National Party and Pakistan People's Party extended the offer of peace talks to Mullah Sufi Mohammad and Mullah Fazlullah<sup>4</sup> led Taliban in Swat, hoping to bring an end to violence and restore peace in the valley.<sup>5</sup> Within days of inking the peace deal, the Taliban refused to surrender their arms, as stipulated in the agreement. Emboldened by the new found status, the Taliban launched the worst havoc the valley that had ever been witnessed; as schools were destroyed, police stations and Army convoys attacked, and civilians kidnapped and beheaded. The violence only stopped, when the KPK government agreed to implement the 'Shari'a'-based 'Nizam-e-Adl' regulation in Swat on February 15, 2009.<sup>6</sup> The new agreement, also failed in a month, and Swat suffered another bout of violence. The Fazlullah-led Taliban overran Swat, Buner and Shangla districts,<sup>7</sup> forcing the Army to launch operation 'Rah-e-Haq'.
- d. **Other Peace Deals/Understandings.** Apart from the three major peace agreements in Shakai, Srarogha and Swat, Government entered into many unwritten peace deals with various militant groups<sup>8</sup> in the tribal areas. These include:
- (1) Agreement with the North Waziristan-based commander Hafiz Gul Bahadar.
  - (2) Peace deal with militant commander Faqir Muhammad in Bajaur Agency.
  - (3) Agreement with Lashkar-i-Islam in Khyber Agency in June 2008.

### **Analysis/Findings**

Reviewing the past peace agreements, one can convincingly draw a few conclusions:-

- (1) All of the agreements were signed in haste and from a position of weakness, thus, providing elevated stature to the militants and further emboldening them.
- (2) None of the agreements lasted for more than a few months, ending with greater violence spreading to other cities, which were previously unaffected.
- (3) Each agreement enabled the militant to enjoy vital breathing space to re-group, consolidate their gains and launch fresh initiatives.
- (4) Every agreement demonstrated to the locals that ultimately they have to live under the reign of militants, thus, solidifying the militants' status and authority over the areas.
- (5) The agreements also encouraged smaller groups to boost the pace of violence and force the government to accept their terms. A case in point is the stepped-up aggression by Baloch insurgents like Balochistan Liberation Army and Balochistan Republican Army.
- (6) Such agreements have also derided the image of Pakistan Army in the eyes of their compatriots, who have always seen the Army as the ultimate panacea to their woes.

The Government is once again considering negotiating a ceasefire agreement with the TTP. If past history is any guide, these negotiations are not going to bring any change, except that the Taliban on the one hand would be claiming victory against another super power in Afghanistan, while on the other, they would claim humbling Pakistan Army. With this emerging environment, only the most optimistic can hope for any positive outcome from these negotiations. In any case, from the point of view of Al-Qaeda and the Taliban, when the fruit of their

struggle is so near, why would they allow the TTP to blight their gains?

The regional environment is changing very fast. This year is most likely going to be a defining year. USA has so far not been able to secure Bilateral Security Agreement from Karzai and is now considering the 'Zero Option', although this appears a remote possibility. However, this cannot be completely ruled out, as in a similar situation in Iraq, the same President Obama, once failing to secure the 'Status of Forces Agreement' from Prime Minister Nouri Al-Malki in 2010, threatened to pull out all American troops, while Malki thinking it to be a negotiation ploy to leverage signing of agreement, refused. This eventually led to the complete pull-out of American troops from Iraq, resulting in a greater chaos and disorder. A similar scenario in Afghanistan will have very serious consequences for both Afghanistan and Pakistan, because besides creating a huge power vacuum, it would also cause an economic collapse of Afghanistan, whose almost 90 percent GDP, especially the maintenance of Afghan National Army, relies on foreign funding.

After decades-long, icy relations with Iran, the United States now seems to be warming up to Iran. The rapid developments have stunned everyone around the world. While there are still many hurdles to complete normalization of relations, it remains a significant development. The importance of this breakthrough must be contextualized in light of U.S. policy shift to the 'Asia Pivot', where most likely a 'New Great Game' is brewing. At the same time, the USA has traded-off Indian sway in Afghanistan at the cost of supporting U.S. interests in Asia Pacific. The formation of a wider alliance between the USA, India and Iran cannot be ruled out. Pakistan so far appears to be contended, relying on the only leverage over USA of providing safe exit through the 'Southern Route'.

We might be in for another surprise, if the USA manages to strike a deal with Iran.

A scan of regional security environment reveals that Pakistan has a breathing space of at the best a year or two, to sort out the internal mess, before heightened external coercion begins to tell. In the changing environment, we need to craft a comprehensive politico-military strategy to secure our national interests. The military is fully capable and can launch a full-scale operation against the militants in FATA. However, our weakness resides in our urban centres. Over a period of time, due to weak law enforcement and intelligence, militants have cunningly established numerous sleeper cells in all major cities. These can create havoc to draw forces once the operation is launched. The foremost requirement before launching a military operation in FATA is to stabilize our major communication centres, especially Karachi, which has the potential to devastate our economy.

### **Recommendations**

Keeping in view the prevailing regional environment, the following recommendations are being put across; which may serve as broad contours for formulating a comprehensive politico-military strategy:-

- a. Full-scale, across-the-board military operation be launched against all militant groups. However, before undertaking any operation, ground should be sufficiently prepared, including harnessing support of entire nation. This will not only prevent undue criticism against the Army but will also serve as a force multiplier.
- b. The Government has already initiated a process of dialogue with the TTP. It is most likely that it will not make any headway. However, this may convince most political parties

- as well as people at large of the obstinacy of the militants, legitimizing the military operation and garnering support.
- c. Political leaders must come forward and prepare the nation for all kind of situations, besides whipping up sentiments in support of the Army.
  - d. A strong counter-narrative should be developed with the assistance of well reputed religious scholars. These should be widely telecast and distributed in affected areas in the form of books, pamphlets and CDs.
  - e. The Army needs to develop a special cell for employing operative 'WHAMS' strategy.
  - f. Before initiating a military operation, major urban centres should be firmly brought under control of law. Our police force at present is neither adequate nor trained or adequately equipped to undertake full responsibility. They need massive funds; time for training and freedom of action. Radical measures are needed to bring police to the level where they can be entrusted with such a task. In this regard, the following may be considered:-
    - (1) At present, the internal threat is more ominous than on external one. We must also be rest assured that nuclear deterrence is factual, commanding and reliable; we can consequently re-appropriate resources from defence to police.
    - (2) A harsh reality is that Pakistan's police to population ratio is 0.58 to 1,000 persons, which is grossly inadequate.<sup>9</sup> Internationally, the acceptable ratio is 2.5 to 1,000 persons. Even in India this ratio is 1 to 1000 people, while countries like USA, Germany, and France have more than three. That's why a plethora of security agencies dot Pakistan's landscape to fill in the vacuum, complicating business of policing, adding more power centers, leading to greater confusion. A radical solution for a compressed time frame could be to transfer all

Rangers wings currently employed in Karachi and Hyderabad. This may have a saluting effect on the police force, as Rangers are not only disciplined, trained but also well-conversant with the challenges of security situation in these cities. Fresh recruitment will not only be time consuming but young recruits, when groomed under old corrupt hands, will most likely end up being the same.

- (3) With such high and dense population and unregulated vehicular traffic, it is beyond human capacity to check all vehicles for the cargo they are carrying, especially heavily laden trucks entering or leaving cities. Today's technology provides better solution to meet these challenges. For effective surveillance, police should be equipped with scanners, surveillance cameras, RPVs and other high-tech equipment.
- (4) Police must be depoliticized forthwith and their commanders be given security of tenure and full authority.
- (5) Last but not least, people's grievances stemming from extreme discrimination and denial of justice must be addressed on priority. Martin Luther King once said: *"Law and order exist for the purpose of establishing justice and when they fail in this purpose they become the dangerously structured dams that block the flow of social progress."* People are highly frustrated, because of continued denial and expensive justice and fall prey to any force offering them even a bleak hope of quick and cheap justice.

## **Conclusion**

Pakistan is facing a tenuous security situation. Violent events are shaking Pakistani society. Armed militants, who were previously confined to the tribal belt, have spread their

despicable activities to major urban and population centres. The recent string of terrorist activities in Karachi, Peshawar and Balochistan are reflective of the resurgence of terrorist cells in these areas. On the external front, Pakistan is fast drifting towards international isolation. The international communities, especially the major Western powers, have developed the perception that Pakistan is a country that not only tolerates, but abets terrorism. It allows safe havens to terrorists, and that it has become the most dangerous country in the world. With the rapidly evolving internal and external situation, the luxury of time is not available. It is vital that our leadership takes hard decisions to restore the sovereignty and steer the country out of these monumental challenges before time runs out

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<sup>1</sup> The paper was written before the initiation of operation 'Zarb-e-Azb', but most of analyses in this paper are still valid.

<sup>2</sup> [http://en.wikipedia.org/wiki/Mir\\_Jafar](http://en.wikipedia.org/wiki/Mir_Jafar)

<sup>3</sup> Amir Mir, "War and Peace in Waziristan," Asia Times Online, May 4, 2005.

<sup>4</sup> DaudKhattak, "Reviewing Pakistan's Peace Deals with the Taliban", <http://www.ctc.usma.edu/posts/reviewing-pakistans-peace-deals-with-the-taliban>.

<sup>5</sup> In this case, however, although Fazlullah was forced out of Pakistan's settled areas, he now is reportedly attacking Pakistan repeatedly from Afghanistan's Kunar Province.

<sup>6</sup> DaudKhattak, "Text of Govt's Agreement with Taliban," Daily Times, May 22, 2008.

<sup>7</sup> DaudKhattak, "Govt, TNSM Agree on Nizam-e-Adl in Malakand," Daily Times, February 16, 2009.

<sup>8</sup> "Taliban Take Over Mingora," Daily Times, May 5, 2009.

<sup>9</sup> DaudKhattak, "MangalBagh to Abide by Bara Peace Agreement," Daily Times, July 12, 2008.

<sup>10</sup> [http://en.wikipedia.org/wiki/List\\_of\\_countries\\_by\\_number\\_of\\_police\\_officers](http://en.wikipedia.org/wiki/List_of_countries_by_number_of_police_officers)





## Management of Pakistan-Afghanistan Border

*Muhammad Khurshid Khan, Fouzia Amin & Rafaqat Islam\**

### Abstract

*Pakistan shares over 2,590 km-long border with Afghanistan, which unlike the Pakistan-India border, is porous and subject to exploitation by non-state actors (NSAs) and other elements from across the border, some of whom are also involved in illicit trade. With regard to illegal movement from across Pakistan-Afghanistan border, currently, Pakistan is confronted with concerns on two accounts: one; despite its best efforts, it has not succeeded in persuading successive Afghan governments to extend their cooperation to contain illegal movement from their side of the border, two; Pakistan's law-enforcement agencies are pre-occupied with the issue of terrorism. Therefore, they cannot give enough attention to border management duties. Tripartite efforts and initiatives also failed due to trust deficit. Above all, successive Afghan regimes have not recognized the existing 'Durand Line' as an international border. There is a perception that the Afghan side has nothing to lose from the ongoing illegal practices from across the border. But, if a profitable large-scale trade is to be promoted at the regional level; stable borders, stable Pakistan and stable Afghanistan is a must. Currently, there is no readily available recipe to address the concerns related to the management of the border. To deal with the issue amicably, both sides will have to respect each other's territorial sovereignty and also cooperate in their larger*

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*national interests. Additionally, Pakistan's law-enforcement agencies, especially the Frontier Corps (FC), Customs and the Federal Investigation Agency (FIA) being the primary organs to manage the border, need to change their culture of institutionalized corruption. If we are to save the country and protect the society from the ills like drugs and the gun culture, the system has to be put right straight away.*

**Keywords:** *border-management, porous-border, illicit-trade, drug-trafficking, gun-runnig*

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## **Introduction**

Pakistan shares a porous border with Afghanistan, stretching 2,590.4 kilometres along the southern and eastern edge of Afghanistan.<sup>1</sup> The border was demarcated in 1893, in result of an agreement signed between the Afghan Emir Abdur Rahman Khan and the British Government of India. However, since 1947, when British India got divided and Pakistan became an independent state, subsequent Afghan regimes have refused to recognise the 'Durand Line', as a recognized boundary between the two countries.<sup>2</sup> Nonetheless, despite Afghan claims and counter-claims, the Durand Line has been accepted by the international community as a legitimate border, as it was done in the case of other border agreements concluded by the British Indian Gov't and the Gov'ts of Trarist Russia as well as Soveit Union.

The mismanaged and uncontrolled border has been at the heart of many critical problems that the two countries continue to face. Although since the creation of Pakistan both sides have remained uncomfortable with their border management mechanism, it is primarily Pakistan that suffers badly on a number of accounts. Southern Afghanistan, parts of Pakistan's Federally Administrated Tribal Areas (FATA) and

Balochistan province are strategically located positions that provide both the countries opportunities to serve as energy corridors.

Presently, this important region is besieged with terrorism and other criminal activities. Some of the most challenging activities that remain an aching point between the two countries to secure their borders include illegal trade in weapons, human smuggling, drug-trafficking, cross-border infiltration by militants and frequent back and front movement of refugees.<sup>3</sup> In the absence of an effective law-enforcement mechanism, there is restlessness in the region. Thus, both Pakistan and Afghanistan are the losers on account of safe and legal transit of energy, goods and people. Richard Boucher, the former U.S. Assistant Secretary of State for South and Central Asia, said in 2007, "One of our goals is to stabilize Afghanistan and to link South and Central Asia so that energy can flow to the south."<sup>4</sup>

The tribal system that worked as late as till 2001 played a marginal role in managing the illegal trade and does not deserve appreciation. However, since 2001, with the collapse of the tribal system, the non-state actors (NSAs) have filled the vacuum, thus multiplying the issues related to illegal trade. The Political Administration, through the Political Agents (PA) of FATA, even if it is serious and sincere, is handicapped in dealing with the menace of unlawful trade activities as they do not have a chain of command to exercise their authority, especially in the absence of the tribal system.

The FC, raised over a century ago maintained approximately 85,000 troops as of 2009. They are deployed in Balochistan and Kyhber Pakhtunkhwa (KPK) (about 30,000 & 55,000 troops, respectively).<sup>5</sup> Originally, its role was to maintain law and order locally and also stop illegal movement of trade

and persons across the border. Even if it employed on the border management role alone, it remains an unreliable force to contain illegal trade from across the border because of their institutionalized culture of corruption, as an inbuilt character which did not develop overnight. Nonetheless, everyone employed in FC cannot be blamed, because in the past the individuals serving in this organization at various tiers have performed a tremendous job in promoting and protecting the national cause.

On the other side of the border, successive Afghan governments have never shown seriousness in management of the border. Since 1979, with the invasion of the former Soviet Union in Afghanistan, the situation changed for the worse as the Government of Pakistan, in collaboration with other external forces duly funded and supported by the U.S., was supporting the so-called Mujahedeen who promoted unchecked 'gun culture' in the region under the garb of fighting war of liberation of Afghanistan. Since then, the illegal trade from this region continued to flourish without any pause. With each passing day, the tycoons are getting stronger, and stronger thus, causing serious challenges, especially for Pakistan, because it is believed that other side of the border has nothing to lose. Despite sharing multiple strands of culture, history, religion, and civilization, Pakistan and Afghanistan have never succeeded in establishing bilateral relations, except for a brief period led by Taliban.<sup>6</sup>

Against the above backdrop, this brief chapter attempts to highlight the challenges of the management of Pak-Afghan border and the possible solutions to deal with the upcoming concerns. The chapter would unfold as follow: Pak- Afghan Relations: An Overview, Management of Pak-Afghan Border: A Complex Phenomenon, Border Management Issue: An Objective Analysis, the Possible Options to address the Concerns and

finally Conclusion. Since the other scholars are covering various dimensions of Pak-Afghan issues, therefore, our priority would remain fixed on the management of Pakistan-Afghanistan border only.

### **Pakistan-Afghanistan Relations: An Overview**

According to the realist school of thought, the main tenets of the realism theory have been identified as *statism*, *survival*, and *self-help*, thus; the states would continue to work towards achieving more and more security.<sup>7</sup> From theoretical perspective, the subject under debate can be discussed by applying the theory of Realism, which exerts influence directly or indirectly on the subject. The main premise of the realists' is that every nation state's goal is to gain power to protect itself from other nations' attacks. The realist school rejects multilateralism and international cooperation.<sup>8</sup>

Since 1947, Pakistan and Afghanistan have, by and large, not enjoyed good relations. To begin with, Afghanistan did not recognize Pakistan.<sup>9</sup> While Durand Line continued to be recognized as the international border between Afghanistan and the undivided India during the British colonial era, with the departure of British from the Subcontinent, the Afghan leadership started challenging the legal status of the boundary on the basis of territorial claims<sup>10</sup> that presents a classical example of offensive realism.

A Pakistani PhD scholar, Lutfur Rehman, has challenged the Afghan claims through his well researched work and established the fact that a large chunk of Chitral was handed over to Afghanistan by the British against the wishes of the local people. He says, "The policy of a remarkable friendly concession deprived Chitral of its centuries-old all-weather route

connecting the area with the rest of the country via Bajour, Dir and Malakand.”<sup>11</sup>

On September 30, 1947, the Afghan representative made a statement before the UN General Assembly regarding the admission of Pakistan to the United Nations: “The Afghanistan delegation does not wish to oppose the membership of Pakistan in this great Organization, but it is with deep regret that we are unable at this time to vote for Pakistan.”<sup>12</sup> Instead, Afghanistan continued to enjoy friendly relations with India. At the time of partition, Indian leadership was able to influence Afghanistan and attempted to interfere in Pakistan by promoting the narrative for a separate Frontier state.<sup>13</sup>

Just like the earlier regimes, the Karzai regime also refused to recognize the Durand Line as an international border. After the incident of the border clashes between the two sides during May 2013, President Karzai while addressing a press conference in Kabul said: “Pakistani military installations across the Durand Line in the Afghan territory was a futile attempt to push Kabul to discuss the border issue with Islamabad, something President Karzai said, his government will never be ready for it.”<sup>14</sup>

It is believed that Afghanistan as a state has never been politically stable. There have been states within the state, but the one who controlled Kabul has been the legitimate ruler of the country. The tradition continues unabated, because even today Kabul’s control does not exist beyond the city. In order to draw attention of their public away from domestic problems, the successive regimes in Kabul continued to apply ‘Diversionary Theory of War’, thereby, avoiding contentious domestic issues by provoking conflict with Pakistan over territorial claims. The Afghan foreign policy towards Pakistan

continues to maintain an offensive posture and very frequently its forces deployed along the border resort to indiscriminate firing inside Pakistani territory.

Contrary to the Afghan position of maximizing its security, Pakistan maintains the strategy of 'Defensive Realism' vis-a-vis Afghanistan. Before the Soviet invasion of Afghanistan, Pakistan continued to be threatened by Afghanistan with due support coming from Soviet Union. In order to counter Afghan claim on its territory, Pakistan did not respond offensively. It adopted democratic means to validate its claim on the territory by conducting referendum in KPK. As a result of that referendum, even if the Durand Line was an unfinished agenda between Afghanistan and Britain, this chapter was closed for ever; but Afghanistan still maintains its unjust claim.

An in-depth analysis of Pakistan-Afghanistan history reveals that at every stage, whenever it got an opportunity, Afghanistan struck against Pakistani interest, employing all possible power-maximizing tools as explained by Mearsheimer, including alliance with countries like the former Soviet Union and India, proxy war and blackmailing. Afghanistan sheltered Baloch nationalists in the 1970s. A former Afghan President, Daud Shah, tried to revive Afghanistan's claim over their contested areas and launched an offensive against Pakistan at Bajaur, as part of his ambitious programme but, eventually, gave it up because of obvious Afghan vulnerabilities. The proxy war still goes on against Pakistani interests using Afghan soil.<sup>15</sup>

Pakistan has always been reacting to the threats emanating from the Afghan border. Initially, the military presence of the former Soviet Union on Afghan soil presented an existential threat to Pakistan. Thus, Pakistan was left with minimal options to protect its national security interests and, therefore, decided to extend refuge and training to the

Mujahedeen in the 1980s and then, later on, supported the Afghani Taliban. In the aftermath of Soviet withdrawal from its neighbourhood, Pakistan's policy has been dictated by mainly two policy goals: eliminating/mitigating Indian influence in Afghanistan and resolving the Durand Line issue, by establishing a friendly government that guarantees its above-mentioned goals. The establishment of a friendly regime in Afghanistan is essential to reduce Indian influence and the consequent risk of a two-front war, should a conflict erupt.<sup>16</sup>

Afghanistan is in a state of transition and a revolutionary state just like Democratic France and Soviet Union in the early 19<sup>th</sup> and 20<sup>th</sup> centuries respectively, which presented challenges to the international order. Being a revolutionary state, one might safely assume that if Taliban get an opportunity to take over Kabul, especially in case a compromised solution is missing, that might challenge the neighbouring states to bring changes, because Taliban condemn the existing order as unjust and assume the duty of bringing justice to humanity, especially if they decide to ally themselves with the al-Qaeda ideology. Pakistan is likely to present an easy target. In such a situation, the management of border would become even more complex due to the non-cooperative behaviour of the establishment in Kabul.

Finally, while the Afghan government may like to remain closely netted with India, bypassing Pakistan, it cannot ignore the importance of Pakistan. As pointed out above, President Daud Shah tried to revive Afghanistan's claim over Pakistan's areas, but eventually realized that the landlocked Afghanistan was dependent on Pakistan for its import/export trade.<sup>17</sup> Thus, history, geography, sociology, politics and economics have made the security and peace of Afghanistan and Pakistan interdependent. Despite Afghanistan's efforts to have alternative options to maintain its economic lifeline



through Iran in collaboration with India, it will still remain mostly dependent on Pakistan and linkage is increasing with every new day. Their bilateral relations are fundamental to their ability to successfully meet the ongoing challenges that the two countries are confronted with. However, despite a realization that both need to work together, their bilateral relations are fraught with suspicion and mistrust and they are less likely to cooperate with each other on the effective management of Pak-Afghan border.<sup>18</sup>

## **Management of Pakistan-Afghanistan Border: A Complex Issue**

### **a. Geographical Constraints**

Topography remains one of the fundamental factors that dictate how the border may be managed. The geography along side the Pakistan-Afghanistan border is a challenge that has a negative impact on managing the border. The 2,430-kilometre-long frontier passes through varying terrain, with sandy deserts in the south and rugged mountains in the east. The border area is too large and hostile to police properly. The frequent unchecked movement across the border since the Soviet invasion in 1979 has made the people habitual of going across at will.<sup>19</sup> There is yet another factor that multiplies the problem. Since the population on both sides of the border is ethnically homogeneous (Pashtuns and Balochs), they fully cooperate with one another and move across the border without much regard for the boundary.<sup>20</sup> Additionally, it is believed that they would not hesitate to support each other with arms, if a situation so arises by undermining the legal power of the LEAs.

According to the official stance, there are two established border crossings, namely, Torkham and Chamman that

handle the bulk of legal traffic duly manned by Customs officials, the officials of the Federal Investigation Agency (FIA) and the Levies. According to a report published by Institute for Study of War (ISW) , “There are 20 frequented border crossing routes manned by Customs, Khassadars and Levies. There are also 111 unfrequented, illegal and unknown and unmanned crossings in the north and 229 such crossings in the south.”<sup>21</sup> In addition, there are hundreds of foot and goat tracks frequently used by smugglers, locals and nomadic people. Thus, topography makes an identifiable border almost impossible to manage. Bajoria opines, “Due to largely porous border and because the people from similar ethnic groups straddling both its sides, the borderlands already have become a land bridge for the criminal (drugs) and criminalized (transit trade) economies of the region.”<sup>22</sup> Political and military groups operating across the border are strengthened both militarily as well as economically by criminal networks like drugs and arms traffickers. Thus, there is a strong network of like-minded criminal gangs, who remain well protected on both sides of the border.

#### **b. Drugs Trafficking: A Real Challenge**

Narco-terrorism is one of the most attractive illegal activities that strike at the social and political foundations of a country. Afghanistan remains the predominant global supplier of opium. According to Ahrari, “Narco-trade flowing from Afghanistan interfaces with actors in Pakistan, Iran, Turkey, and Central Asia, which serve as transit routes to the global market.”<sup>23</sup> He goes on to say, “Terrorist groups and trans-national drug and crime syndicates are involved in protection, price control, and distribution of opium to regional and global markets.”<sup>24</sup>

According to a report published by the United Nations Office on Drugs and Crime (UNODC), "At current levels, world consumes about 340 tons of heroin per annum. Per year, the total flow of heroin in the global market is about 430-450 tons. Myanmar and the Lao People's Democratic Republic yield some 50 tons of opium, while the rest, some 380 tons of heroin and morphine, is produced exclusively from Afghan opium."<sup>25</sup> Out of 380 tons of heroin, around 375 ton is trafficked worldwide via routes flowing into and through the countries neighbouring Afghanistan.<sup>26</sup>

According to the Afghanistan Opium Survey, 2008, published by the UN Office on Drugs and Crime, "Afghanistan remains the world's largest cultivator and supplier of opium (93 per cent of the global opiates market."<sup>27</sup> Neill views that the warlords on both sides of the border are responsible for the US \$80 million revenue that supports Taliban. There are about 1,500 traffickers, involved in black market economy. He explains: "The opium produced in Afghanistan transits the region, 55 per cent via Iran, 30 per cent via Pakistan and the remaining 15 percent via Central Asia."<sup>28</sup> "The core problem is that half of Afghanistan's GDP is linked with narcotics trade, involving around 2.5 million people."<sup>29</sup>

Unfortunately, Pakistan is caught on two accounts. It continues to provide transit route to the global narcotic traffickers. The drugs traffickers of both sides of the border have been successful in promoting their unlawful business. Fully equipped and very well trained, carriers make use of Pakistani soil, while transporting drugs from Afghanistan to other parts of the world. In the process, they create serious social and security problems for Pakistan. Resultantly, as of today, approximately over six million people in Pakistan are using drugs. Above all, "the concern is that about 25

percent of the youth population is involved in some form of drug abuse in Pakistan.”<sup>30</sup>

We fully agree with the views of two U.S. scholars, namely, Paul Leventhal and Brahma Chellaney, who are of the view that: “The U.S. has given free hand to narcotics cartels in Afghanistan with a view to earning their support against hard core Taliban.”<sup>31</sup> While reinforcing their views, Michel Chossudovsky says, “Occupation forces in Afghanistan support narcotics trade and earn billions of dollars for organized crimes through their intelligence agencies.”<sup>32</sup> Neil views, “Taliban would not have economically flourished, if they had not created a criminal market economy supported by a possible illegitimate network ignited by a growing narcotic trade.”<sup>33</sup> This network cannot be easily broken, because it has a global dimension. However, if Afghanistan and Pakistan jointly put an effort, its impact can be considerably reduced.

### **c. Afghan Refugees: A Mega Concern**

According to Frederic Grare and William Maley, “There are always two competing ethical perspectives at play, when dealing with conflict-induced refugee situations.” The first relates to humanitarian issues, while the second has political and military dimensions. The refugee crisis is an essential part of the larger political issue, in which the host country may share part of the responsibility. The Afghan refugee problem in Pakistan is no exception.<sup>34</sup>

Pakistan has been sharing the burden of Afghan refugees since late 1970s, and has been host to the largest refugee population in the world.<sup>35</sup> It has been a sensitive issue, which has political, human rights and humanitarian dimensions. While Pakistan is not signatory to the 1951

Refugee Convention or the 1967 Protocol, but still it is bound by customary international law to provide assistance to the Afghan refugees. The United Nations High Commission for Refugees (UNHCR) remains the key actor in the rehabilitation and repatriation of refugees the worldover.<sup>36</sup>

The deadline for repatriation of Afghan refugees was to expire on June 30, 2013, which has been further extended at the request of the UNHCR. The new deadline for repatriation is yet to be decided, as Pakistan is now working on drafting a policy framework on the issue. While the total inflow/outflow of the refugees is beyond the scope of this study, it may be stated that, currently, according to a UNHCR report, about 1.9 million registered refugees were still present in Pakistan in January 2011, in addition to 0.6 million unregistered refugees.<sup>37</sup> The refugees are not ready to return yet.

As a result of the poorly managed border, maintaining the refugee camps as well as control on their movement remains a concern. Only 37 percent of the registered refugees live in 80 camps located closer to border in KPK and Balochistan, while 63 percent live in rural and urban areas. Pakistan, being a party to “the International Covenant on Civil and Political Rights, which provides for general rights of freedom of movement and choice of residence”,<sup>38</sup> could not stop the registered refugees from moving across the country, which presents the real worry for Pakistan in the economic, security as well as social perspectives. Nonetheless, they could have been controlled through properly applying other domestic laws (the Foreigners Act), but the authorities willingly or unwillingly bypassed the law and accommodated them. One of the concerns is that there are ‘economic migrants’ residing in

mega cities like Karachi, who are not only benefitting from the refugee status but also intimately involved in illegal activities as well.<sup>39</sup>

It is impossible to control the movement of refugees and other unlawful activities along each route. But, even along the well recognized historical routes as outlined above, there is no system of check and balance and no record is maintained, as to who goes out and who comes in. The relevant departments, including the FIA, seem either incompetent or unwilling to perform, because of the culture of corruption. As a result, under the cover of their refugee status, many of them carry out many illegal activities, including drugs, weapons and human trafficking, which has long-term implications for Pakistani society. Against this backdrop, Pakistan needs to evolve new strategies for dealing with refugees in the future.<sup>40</sup>

#### **d. Illegal Trade of Goods and Daily Utilities**

If stability in the border region is to be attained, that would be realized through economic integration and growth. Unfortunately, the illegal transit of goods through Afghanistan is the principal source of conflict and mistrust. Smuggling of daily utilities from Pakistan to Afghanistan also causes shortages at times that lead to a serious crisis within Pakistan. Smuggling of flour to Afghanistan during 2009 is a case in point. With the lack of imposition of Customs Duties, criminal gangs flourish. This illegal practice that has been going on for several decades also plays an important role in corrupting Pakistani institutions like the Customs, the FIA, Frontier Constabulary (FC) and police.

Additionally, the smuggling of goods from Afghanistan may help individuals, but it causes loss to the government and

also adversely impacts the local industry. Although it is not possible to present the estimated loss of revenue to Pakistan due to this smuggling, it is believed that it must be worth billions of dollars per annum.

#### **e. Visa Regime**

The visa system is yet another issue that encourages illegal crossing. Every day, over 50, 000 people illegally move across the border.<sup>41</sup> According to Akhlaque, over 90 percent of the movement is from the Afghan side to Pakistan.<sup>42</sup> Many a time, the two sides have taken tit-for-tat decisions and stopped illegal crossing from well recognized routes. This practice caused serious humanitarian crisis, as hundreds of people from both the sides remained stranded at the border. As a routine matter, the local people do not carry any legal document, while crossing the border, as they frequently go and come back several times a day. Such restrictions hit the local people hard.<sup>43</sup>

Ground reality indicates that such arrangements have caused more problem than helping the two sides in managing the border. The Afghan side has even demanded that the border should be declared a visa-free zone. The real problem arises because people living across the borders have common ethnic background as well as share immovable property across the border. In their perspective, visa is not there problem, because areas across the border belong to them. The Government of Pakistan has occasionally tried to impose restrictions and announced stopping people crossing the border without legal documents, but failed to implement its decisions, because the Afghan side would not cooperate, despite repeated requests by Pakistan.<sup>44</sup>

**f. Unprovoked Firing**

Unprovoked firing from across the border has been a regular feature. Pakistan has occasionally registered its concerns with Kabul as well as with the Commanders of ISAF. Mu Xuequan opines that, "Because of the poorly managed border, especially on the Afghan side, the militants, who had fled during military operations in the tribal regions, are now operating from Afghanistan border regions and routinely launch attacks on Pakistani posts and villages."<sup>45</sup> He adds: "As a result of such unprovoked firing, over 100 Pakistani security personnel and civilians have already been killed."<sup>46</sup>

In order to exercise better control along the border, Pakistan has suggested establishment of check posts, but the other side seems unwilling to cooperate and to initiate such steps. Afghan officials have already criticized the Pakistani military for constructing military check posts in Goshta District of Nangarhar Province.<sup>47</sup> The Afghan Foreign Ministry is of the view that, "fight against the insurgents should be on its source and not on the Durand Line." The Afghan Interior Ministry has already warned Pakistan that, "Pakistan will face military reaction, if it tries to re-build military installations in border areas."<sup>48</sup>

**Border Management Issue: An Objective Analysis**

While the border management mechanism has remained below the desired standards throughout history, over the last one decade, following the U.S./ISAF intervention in Afghanistan, the situation has changed for the worse, because of differing priorities, which weaken the collective ability of the three countries to repress the illegal movement along the border region. Despite its reservations against Pakistan's



approach towards dealing with Taliban and al-Qaeda, the U.S. has pursued several initiatives for the collective benefit of the three stakeholders.<sup>49</sup> Besides economic aid, the U.S. exchanges intelligence data with both Afghan and Pakistan governments. That helped convene the innovative 'Joint Peace Jirga' that took place in Kabul from August 9 to 12, 2007. In addition, the U.S. also helped establish a Joint Intelligence Operations Centre in Kabul, which evaluates data about terrorist activities along the border.<sup>50</sup> Despite these efforts, the border region remains a major source of tension in their trilateral relationship, as none of these instruments appears to have proved very effective.

Certain initiatives were also taken at the bilateral levels. The first-ever dialogue between members of the Senate Standing Committee on Defence and Defence Production of Pakistan and the Defence, Internal Security and Local Administration Committee of Meshrano Jirga of Afghan Parliament was held in September 2013 in Kabul which, in addition to other issues, discussed, "cross-border terrorism, narcotics smuggling; border management, challenges of 2014 NATO's withdrawal and Afghanistan peace process and institutionalising Pak-Afghan Defence Parliamentary Dialogue."<sup>51</sup> In order to institutionalise the dialogues between the defence committees of the two countries, a 'Memorandum of Understanding (MoU) was also signed at the meeting'.<sup>52</sup> This seems more of a bureaucratic move than a practical approach to the problem. Despite paperwork, things have not gone beyond rhetoric and the situation on ground remains unchanged.

We firmly believe that Pakistan has been demonstrating resilience and will to improve the border management system at the policy level and has frequently approached the Afghan government with valid suggestions. Neill has reinforced our viewpoint. He is of the view that while Pakistan has

demonstrated a nascent ability in dealing with cross-border security issues by establishing numerous border posts and in the process captured and neutralized significant numbers of militants and also interdicted a large amount of narcotics, but, on the other side, the Afghan National Army and its police remain incapable of cross-border reciprocity.<sup>53</sup>

The Afghan government has been reluctant to talk about the border management issue. In December 2006, out of frustration, “Pakistan even made an announcement that it had decided to go ahead and partially mine and fence its border”, says Akhlaque. She goes on to say, “The then Foreign Secretary Riaz Muhammad Khan had held a press conference and announced that because of extraordinary security environment that Pakistan has faced, we need to take extraordinary measures.”<sup>54</sup> This was a well calculated move made by the Foreign Office, because Pakistan was under tremendous pressure to do more. As expected, it met with stiff resistance from Afghanistan and the international community. Though Pakistan had to withhold its plan, the appropriate message had been conveyed, shaking up the international community to do its job rather than asking Pakistan to do more.

The above arguments aside, Pakistan too has not performed well to manage Pakistani side of the border. While the LEAs, including administrative staff responsible for management of Pak-Afghan border, cannot remain oblivious of their responsibilities, the failure to effectively manage the border is also linked with other important factors. One of the authors, having an experience of serving in North Waziristan and Kurram Agency as Commander FC for three long years during the last decade, has observed the border management issue from a very close angle and from different perspective. The issues like drugs and weapons and ammunition trafficking, smuggling of goods of daily utilities like flour, rice, live-stocks,

fruit and electronic equipments from across Pak-Afghan border are a well coordinated activity, involving both the unlawful cartels and well to do political and administrative figures, essentially from KPK and Balochistan.

In KPK, there is a clearly demarcated responsibility to check the illegal activities of the traffickers' mafia. For this purpose, the province is divided in three areas, FATA, Frontier Regions (FRs) and settled areas. Though presently, since the Army is already deployed in FATA, FC remains mostly under the command of the Army for the purpose of fighting war on terror. However, when the situation would get normal like prior to 9/11, the FC, with the help of Khasadars/Levies would remain responsible to maintain law and order in the seven agencies. Thus, it would also be required to check illegal move of drugs, arms, and other goods from across the border. In FRs, Frontier Constabulary is responsible for maintenance of law and order and police remains the primary source for the security of settled areas of KPK.

The purpose to explain the above arrangement aims at identifying the weak links in the security arrangements, which have direct implications for the management of Pak-Afghan border. Unfortunately, as indicated above, many of the top-level officials and political figures remain involved in illegal business with the support of police as well as the Frontier Constabulary and help the carriers in transporting the goods across the border applying various means, including manual, animals, cabs, single/double cabin vehicles and heavy trucks. While heavy trucks would follow the defined routes, the remaining means could get across from undefended routes. Their counterparts from across the border are also fully equipped and coordinate their activities with the tycoons, operating on this side of the border.

The FC mostly remains handicapped, while dealing with the illegal business tycoons, because the activities are not checked at the base level, where it is possible for the administration to effectively control them. We would like to quote one serious crisis of 2009 when the entire Pakistan in general and the province of KPK in particular was suffering from shortage of flour, which was smuggled to Afghanistan with the help of big shots. The FC was strictly asked to stop every bag of flour at the border, which was not possible because every inch of the ground could not be monitored. In response to the authorities' insistence, when they were asked to monitor and exercise effective control at the entry points of FATA, from where things move out, there was no serious effort made at the top level. Thus, the selected people earned worth billions of rupees and illegal activities continued that caused serious social impact.

Other agencies, including police, remain accountable to monitor illegal activities at the border. But, unfortunately, they lack sincerity, will and the capacity to exercise control over the movement of illicit trade. The performance of individual officers and men of the FC notwithstanding, it would suffice to say that it too as an organization has been lacking sincerity and honesty in containing illicit trade because of the culture of corruption.

There has always been a chain from the border post to top level, involved in promoting unlawful activities across the border. It has been observed that the mode of corruption has been modernized and the people deployed along the well defined routes do not get cash; rather, the amount is directly transferred to their bank accounts, which are then shared among stakeholders. Since such culprits also involve officers at various tiers, they go unpunished. Though there have been many instances, we would quote one in which a senior officer deployed along border foolishly complained that he had lost

over one million rupee. When he was asked to explain where from that money had come, he had no answer. When the headquarters was requested to order a court of inquiry, the matter was swept under carpet because the officer was well linked with the headquarters, so he went unpunished. However, with the improvement of training standards and better pay packages, one might hope that the FC would give up its past culture and perform well in managing the border.

### **Key Findings**

1. While problems related to Pak-Afghan border (the Durand Line) might still take years to be solved, which is linked with long-term stability in Afghanistan, it does not mean that management of the border should also linger on for decades. It is important that both sides respect the territorial integrity of each other and the border line drawn by British between the two countries should be valued. If a tussle on the issue of the Durand Line goes on unabated, nothing could be put right that would lead to collective loss of the two sides.
2. If cross-border security is to be maintained, it cannot be done solely on military terms, since this is clearly an ineffective means, because the border is lengthy and porous border. Bridging the trust deficit between Afghanistan and Pakistan is important to make the border management mechanism more effective.
3. A decision in principle for a Joint Commission on border management taken in February 2014 is a good sign, but mere declaration would not serve the purpose. Both sides will have to show resolve and will to evolve and implement a road map.
4. If stricter controls on the illegal movement across the border are exercised, the likely prospect of a free-for-all fight for control in the aftermath of the 2014 troop draw-

down in Afghanistan would be curtailed. The formation of an effective Joint Commission is, therefore, in common interest of the two countries.<sup>55</sup>

5. If Afghanistan continues to maintain indifferent attitude towards cross-border security issue, Pakistan might once again initiate the process of selectively mining and fencing its border with Afghanistan. The signal should be loud and clear, forcing the stakeholders to take care of the sensitivities of Pakistan's national security.
6. Both Pakistan and Afghanistan must explore joint initiatives to bring economic development to the border region; particularly, focusing on infrastructure and education. But, the two sides lack capabilities to create such an atmosphere. Therefore, in the larger global interest, international community may generate economic activities in the region, including trade routes through Pakistan's tribal areas, as an essential part of the regional development strategy for Afghanistan. They should also identify and fund several high value development projects in the tribal belt and must involve local population, as part of the development projects, so that they are taken out of the cartels involved in illegal business.
7. The creation of secure and legal trade zones and the closure of illicit transit points are important, which will help both the countries in generating revenues worth billions of dollars. Such arrangements would also take away the initiatives from FC, Frontier Constabulary, police and criminal groups and their promoters, involved in illegal practices.
8. As pointed out above, it is beyond the capability of both the sides to control border by establishing military posts covering every inch of the border. But, we believe that all important locations must be manned physically, so as to reduce the number of illegal border crossing incidents. To

have an effective control, both sides need to cooperate fully. Following the establishment of a military post at Gursal, similar arrangements may also be made at the selected places in close coordination with Afghan authorities.

9. While 100 percent movement of the illegal activities across the border may not be possible because of terrain limitations, but, approximately, over 70 percent improvement can be ensured, if we seriously take steps to institutionalize border management, by making documented travel and legal entries. In the absence of collaboration from other side of the border, it may be a very taxing job.
10. To strengthen such institutions, the government should appoint the most competent and honest persons in the departments that have to deal with border crossing activities. Sufficient incentives must be made part of the government policy and be implemented in letter and spirit. Simultaneously, those who are found involved in illegal practices must be taken to task.
11. The government policy must also cater for the enhancement of capabilities of those involved in dealing with drugs and other mafias, because, even the good intents would fail, if they are not well equipped, as against those of the criminal gangs.
12. Pakistan, in close collaboration with the UNHCR, must identify such individuals and groups and, if there are any foreigners among them, deport them immediately. Afghan refugees enjoy special status that must not be allowed to be abused.
13. An effective border management is also linked with repatriation of Afghan refugees. Pakistan should, therefore, chalk out a clearly stated policy on refugees' repatriation in coordination with Afghanistan and the UNHCR. Pakistan

should make its stand clear so that refugees are not left in the dark about their future plans. Repatriating refugees in an atmosphere of cordiality could become a major bridge for Pakistan to build a lasting relationship with its neighbour.

14. If the international border is to be managed effectively, domestic stability and the restoration of law and order in FATA are very important. Unfortunately, over the last 35 years, FATA has remained in a perpetual state of conflict. Thus, tremendous efforts would be needed to change the mind-set of the people by re-shaping the environment.
15. The plan must include administrative reforms, tapping of the rich resources of FATA and spending that money on social and infrastructure development, strict accountability, re-structuring of the LEAs, and education reforms.
16. Additionally, as a follow up action, the people of FATA be offered peace by giving them greater political role, which can be allowed through referendum to decide upon the future of the Frontier Crime Regulation, and the status of the Political Agents as against the Nazim system. In phase-II, the leadership of FATA may be involved to work out the modality of mainstreaming FATA either as a separate province or a part of KPK.

## **Conclusion**

A constructive engagement at all three levels; bilateral, regional and multilateral; is important to meet the challenging border issue. Through dialogue, efforts should be made to explore measures to curb all illegal activity and to ensure no sanctuaries of militants and terrorists are allowed on either side. It is believed that a well managed border is cost-effective. That would help both sides gain, as a more stable border would yield political, security and economic dividends.



Distrust and suspicions developed over a long period cannot be wished away. But, to maintain long-term sustainable peace in the region, Pakistan and Afghanistan will have to eliminate or at least minimize their mutual mistrust through real, on-ground actions and policies that would lay the foundation for a strong post-December 2014 bilateral relations. The time between now and December 2014 is a window of opportunity for both the states to re-write their policies for long-term friendly relations in the interest of both.

To summarize, as an urgent step, both countries should spot the areas of direct concern, where immediate action is required and has minimum disagreement, which requires the lowest cost and policy adjustment. In phase two, the two sides may work towards more difficult issues and debate them at length. Besides other steps, both must ensure the denial of their territories to insurgents against each other. Additionally, both must not permit the use of their territory by any other state for interference in each other's internal affairs. Pakistan and Afghanistan, being in a perennial neighbourhood relationship, have no choice but to resolve their difference on border management amicably. They should put a deliberate effort to make their relations friendly and mutually supportive. It is in the interest of both the nations.

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## **Elevating the Socio-economic Profile of FATA: The Way Forward**

*Dr Nazir Hussain & Ms Ifrah Waqar\**

### **Abstract**

*Federally Administered Tribal Areas (FATA) have been one of the most neglected and affected areas of Pakistan. Militancy and religious extremism have had a deep impact on the psyche of the people of this region. This chapter focuses on the existing socio-economic profile of the people of FATA. The objective the study is to suggest ways and means for elevating the socio-economic status of not only the FATA region but also the country as a whole. The chapter discusses the role and functions of different government departments and their performance in the region; like the FATA Secretariat and its departments, the role of FATA Development Authority, FATA Disaster Management Authority and the role of the Ministry of States and Frontier Region (SAFRON). It also sheds light on how a better lifestyle of the residents of the region will have positive effects as far as the security and development is concerned.*

**Keywords:** *Socio-economic, governance, infrastructure, economic-profile, development*

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### **Introduction**

Bordering the war-torn Afghanistan, the Federally Administered Tribal Areas (FATA) have in the recent decades been affected by militancy and extremism. Before that, it was a

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neglected area during the tenures of most Pakistani governments since the country's inception. This chapter focuses on the current socio-economic situation in FATA, and attempts to recommend ways for improving the conditions in the region. It discusses the importance of development in FATA, and highlights the role of FATA Secretariat and its departments, the role of the Ministry of States and Frontier Region (SAFRON), the FATA Development Authority and the FATA Disaster Management Authority. It also discusses the possible positive effects of encouraging small businesses, provision of scholarships and government jobs to the people of the area, and other steps that can be taken by the Federal and provincial governments for improving the socio-economic profile of FATA.

### **Importance of Development in the War-torn Region**

FATA has been the most war-torn and isolated area in Pakistan since late 1979, when the former Soviet Union invaded and occupied Afghanistan. The seven agencies of FATA; Bajaur, Mohmand, Khyber, Orakzai, Kurram, South Waziristan and North Waziristan; have been mostly ignored in the realm of socio-economic development. FATA, being located at a highly strategic point, is said to be one of "the most sensitive areas in Pakistan and indeed in South Asia."<sup>1</sup>

This area has attracted unwanted attention from the rest of the world. The region has always been in the limelight, whether it was during the 19<sup>th</sup> century, when FATA served as a buffer zone between the British government of India and the Czarist Empire, or during the 1980s, when the Soviet Union invaded Afghanistan, or after the incident of 9/11, in the beginning of the 21<sup>st</sup> century. While analysing the challenges faced by FATA and the reasons for those challenges, underdevelopment of this area has always been one of the most pertinent issues. Ironically, despite being located at the cross-



roads of history, the area has remained marginalized and detached from the rest of Pakistan in terms of socio-economic development, thus, not garnering much attention in the domestic and international policy framework.

The people of FATA have been impoverished for a long time now. There has been very little development in the region, and whatever little development has been done, the local population has not been able to gain maximum benefits from it, due to turbulence and instability in the region. According to the FATA Development Programme, during the fiscal year 2013-2014, Rs.1,658 million<sup>2</sup> were reserved for the region, but the people were not able to reap the benefits or see any major progress in the elevation of the socio-economic profile of FATA.

The major obstacles in the way of socio-economic development were mainly related to meagre funds, flight of capital and bad law and order situation. The lack of funds mixed with the high construction costs have resulted in delaying or shutting down of developmental projects. Due to lack of development activities, the people of this region have been vulnerable to the external and internal anti-social elements and exploited by them from time to time.

In the face of these challenges, it is significant that the Government of Pakistan should win the hearts and minds of the people of FATA. The locals have suffered more than the rest of the citizens of Pakistan in recent times and it is only fair that the government takes concrete steps to help them stand up on their feet by providing them with opportunities and benefits, as the rest of its citizens.

### **Elevating the Socio-economic Profile**

In the light of the changing regional geo-strategic changes, elevating the socio-economic profile of the people of

FATA is the need of the hour. Important steps need to be taken to overcome this gigantic challenge of bridging the gap between the residents of FATA and the rest of Pakistan. There is a strong feeling of deprivation among the locals and this sense of being left out from the mainstream has only increased over time.

As the foreign troops are leaving Afghanistan and there is a military draw-down seen in that country, immediate steps need to be taken. As was seen after the end of the Afghan war in the late 1980s, the government totally abandoned this area and paid no heed to solve people's problems there. As a result, a vacuum was created, which was subsequently filled by non-state actors and foreign elements. So, in order to avoid the mistakes of the past, in which non-state actors, foreign enemies and adversaries played their roles by employing the creative chaos theories, shock doctrine applications, mind control tools and disinformation techniques to carry forward their own agendas in the region; now a proper policy planning is required. Moreover, if the state of Pakistan continues to show lethargy towards FATA and does not take any concrete steps for its socio-economic development, there is a possibility that it would have to face grave consequences.

### **Existing Infrastructure**

There is a dire need to improve the infrastructure in FATA. The infrastructure in the area is either in a deplorable condition or has been totally destroyed due to the ongoing disturbance and war in the area. The lack of care towards maintaining the old infrastructure and forming a new one has been from little to none. This state of apathy shown by the government towards the region has further heightened the feeling of alienation among the local population. In order to elevate the socio-economic profile of the local people, it is essential that special attention and concrete steps be taken to

improve the infrastructure in FATA. At present, administration and development work in FATA is carried out through the following mechanism, which also needs improvements and up-gradation:-

### **Role of FATA Secretariat**

In order to set up a smooth and running set-up in FATA and for the sake of taking quick decisions related to its administrative system, a FATA Secretariat was set up in 2006. Before the formation of the FATA Civil Secretariat, all development planning decisions for FATA were taken by the planning and development department of the Khyber Pakhtunkhwa Province. Government departments were responsible for implementing those decisions. Its purpose was to take over the decision-making functions with an additional chief secretary, four secretaries and a number of directors.<sup>3</sup> Civil Secretariat of FATA's line departments now carry out the implementation of various projects. A coordination role for interaction between the Civil Secretariat FATA, the provincial and the Federal governments is carried out by the Khyber Pakhtunkhwa Governor's Secretariat. FATA Secretariat consists of seven departments viz; coordination and administration department, law and order department, finance department, the planning and development department, directorate of projects, social sector department and production department.<sup>4</sup>

### **Coordination and Administration Department**

Coordination and Administration Department is headed by a secretary. The secretary holds two portfolios; administration and coordination. This department works as a coordinating body between various government departments, the secretariat and agencies. It also deals with the affairs and

administration of FATA, official postings, promotions and maintenance, security of head quarters and rest houses, etc.

The functions of the coordination department are to hold correspondence with the Federal government, the Ministry for States and Frontier Regions (SAFRON) division and the provincial government. It is concerned with the preparation of reports on FATA for the Federal and the provincial government as well as for the governor. It deals with business relating to the Senate and National Assembly, the Senators and members of National Assembly's questions and answer session. It also coordinates the meetings of SAFRON's standing committees. Furthermore, arranging sports activities in the region, nomination of candidates from FATA for admission in the educational institutions on reserved seats, dealing with matters related to the FATA Development Authority and FATA Rural Support Programme all come under its domain.

The Administration Department of the FATA secretariat deals with matters relating to disaster relief, management, maintenance and security of the headquarters of the FATA Secretariat and residential colonies, insuring government property, providing welfare, and sale of assets, which are not in current use of the department. It also deals with the training, recruitment and transfer of employees. It handles court cases, deals and monitors anti-corruption laws and maintaining of service records.

### **Finance Department**

Finance Department of FATA Secretariat was previously a part of the Finance Department of Khyber Pakhtunkhwa, when it was managing the responsibilities of FATA related to financial and budgetary matters. It was transferred to the Governor's Secretariat in 2002. In 2006, the finance department

was again re-structured and was finally made a part of FATA Secretariat the same year. A secretary heads the department, who deals with the monetary matters of government in the tribal areas. The functions of finance department include dealing with the current and developmental budget of FATA, to assemble and organize appropriation accounts that are submitted to the Federal government, and to prepare compliance reports on departmental/provincial accounts committee.

The functions of the finance department are related to the finance of FATA Secretariat. It deals with budget statements of current expenditure, supplementary and excess budget, along with the schedule of authorised expenditure. The Finance Department is responsible for scheduling of authorised spending and to re-appropriate funds. It deals with accounts, auditing and sanctioning of all the expenditure that requires the consent of Finance Department. It maintains bank accounts and oversees policies related to investment of funds. It also handles the salaries, allowances and all sorts of financial benefits that are reserved for the employees.

It has the power to release funds, including financial assistance, and it coordinates with other local bodies like the SAFRON, Auditor General of Pakistan Revenue, and Finance Division. It is responsible for the planning of finances and it also controls expenditure. It holds the responsibility of nominating the Drawing and Disbursement Officers (DDOs) for FATA Secretariat and also determines the rent of hired offices and accommodation. It also recovers government taxes and deposits them in the treasury, and also handles the sales or transfer of federal government assets.

## **Law and Order Department**

After the re-structuring of FATA Secretariat in 2006, the law and order department was established in the former Governor's Secretariat. A secretary, who is responsible for the affairs of law and order in FATA, heads it for ensuring peace. The department has the duty of establishing the writ of government and ensuring protection and safety of tribesmen of FATA. Its duties also include addressing the problems of local population of FATA and to frame rules for Khassadars (who are part of the law-enforcement machinery) and to secure a poppy-free area. It is obligated to administer justice with the help of courts. It ensures that essential commodities are made available to the people. It is responsible for dealing with natural disasters and also provides infrastructure to legal advisors (LEAs) and ensures training for them. The department operates these activities in coordination with the political agents/district coordination officers, intelligence agencies, army, paramilitary forces, *jirga* (council of elders) and local consultation.

The functions of law and order department include preparing intelligence reports, ensuring communications security, and signing treaties and agreements with FATA tribes. It maintains liaison with armed forces and FATA Secretariat. It issues no-objection certificates for foreign visitors, who are interested in visiting FATA and declares policies regarding arms, fire-arms and explosives in the region. It also deals with changes in the boundaries for administrative units and resolves political disputes in FATA, along with the application of laws and matters relating to the Durand Line. It deals with matters relating to Maliki, Mawajib, and Lungi allowances, Frontier Corps, Khassadars, levies, narcotics control and Frontier Regions Councils.

## **Planning and Development Department**

A secretary who oversees the matters of planning, monitoring, implementation and evaluation of all types of development activities heads the Planning and Development department (P&DD), which was created in the former Governor's Secretariat of FATA in 2006 after its restructuring process. The department has a very important role in uplifting development in FATA. The major responsibilities of P&DD are to help in formulating development policies for FATA and to divide them for short, medium and long term goals. Taking the line directorates on-board, the P&DD accomplishes this task. The P&DD also performs appraisal of different dimensions like financial, economic, social and environmental, which leads to the approval of schemes. P&DD also undertakes continuous and periodic reviews for the purpose of monitoring the progress of the projects. The department also negotiates with foreign donors regarding financial assistance.

The functions of the department relate to policy formulation, approval of development projects, processing of schemes and proposals submitted by the line departments of FATA Secretariat and all the secretarial activities of the Departmental Sub-Committee. It prepares the Annual Development Program for FATA and provides recommendations for re-allocations according to the sector/scheme. It assesses the programming and processing for foreign financial and technical assistance through the relevant Federal Ministry.

The Planning and Development Department reviews the implementation of development projects, identifies loopholes and takes needed action. It has the responsibility of identifying the areas in need of development and takes steps for preparing projects for those areas. Economic and technical appraisal is also done by the P&DD. It prepares presentations for various

forums regarding the development of FATA, deals with the projects related to army, allocates funds amongst different agencies/FRs and fulfils the public demands related to development projects.

### **Role of Ministry of States and Frontier Regions (SAFRON)**

In order to deal with the issues and activities of FATA and frontier regions, a ministry of State and Frontier Regions (SAFRON) was established. It is headed by a federal minister. The main organization which comes under SAFRON is the chief commissionerate for Afghan refugees. It also directs parliamentarians and FATA secretariat officers to look into the development projects of FATA.

Recently, SAFRON has been delegated with the duties of looking after the temporarily displaced persons (TDPs) of North Waziristan Agency as a result of the recent military operation 'Zarb-e-Azb'. The ministry is to coordinate with Army, local government, allocate funds and cash disbursement, health, education, relief assistance with the relevant officials.<sup>5</sup>

### **FATA Development Authority**

FATA development authority was established as a specialized development organization in 2006. The purpose was to broach more innovative, fast-track and participatory approach to replace the conventional strait-jacket development systems.<sup>6</sup> It is structured with a lean bureaucratic set-up on commercial and corporate lines. FATA development authority's goals are to plan and implement sustainable developmental projects, as enshrined in its regulations in the assigned sectors. The aim is to harness abundant human resource and exploit and add value to equally abundant natural resources of the area, so as to create economic and employment opportunities in FATA.<sup>7</sup>



## **FATA Disaster Management Authority**

FATA Disaster Management Authority (FDMA) is an organisation of the Federal Government. It deals with natural or man-made disasters in the region of FATA. FDMA's mandate is to engage in activities concerning all four stages of disaster management spectrum, which include mitigation, preparedness, response and recovery.<sup>8</sup>

FATA Secretariat, FATA Development Authority and FATA FDMA have all been established with an aim to provide relief and help to govern the area of FATA in a better and more productive way. Moreover, there is also a need to reform these institutions and take innovative measures so that the policy-making process is rapid and long-lasting.

## **Improving Infrastructure in FATA**

FATA has always been one of the most neglected parts of Pakistan in terms of infrastructural development. It would not be wrong to say that before 9/11, the government did not pay heed to improve the local infrastructure or emphasize on the re-building of schools, hospitals and health facilities in the region. However, since 2006, through various development programmes, especially under the FATA Sustainable Development Plan (SDP) 2007-2015, several development activities have been initiated by the government.

## **Sustainable Development Plan**

In 2006, a FATA Sustainable Development Vision was approved, after being presented to the Governor of the then North West Frontier Province (NWFP). The purpose was to help integrate the areas of FATA with the rest of Pakistan, by securing economic, ecological and social well-being, by promoting an equitable, peaceful and just society so that the

people can live with honour, dignity and harmony. Under the Civil Secretariat, FATA's sustainable development plan 2005-2015, the following objectives of the SDP were identified:-<sup>9</sup>

- a. Address the basic needs that underlie prevailing social and economic disparities.
- b. Explore and diversify available opportunities to make a positive contribution to economic development of the area.
- c. Manage and maintain ecological and subsistence-support systems to increase livelihood and security of ordinary people.
- d. Improve institutional and financial capacities to allow a scaling up of economic activities already being undertaken locally.
- e. Monitor and evaluate multi-sectoral progress to support, assess and strengthen sustainable development.

The sustainable development plan comes under the civil secretariat. The SDP is said to be inspired from international initiatives such as Agenda 21 (Rio de Janeiro, 1992), the World Summit for sustainable development (Johannesburg, 1996), the United Nations Millennium Declaration and the Millennium Development Goals (2000).<sup>10</sup>

### **Road Infrastructure**

Roads and bridges are a vital part of any country or region's development and progress. They connect different cities, villages and towns with each other, by providing an easy market access to the common people. A road network, which is also rapid, helps the economic activity in the country to grow.

According to figures from the Works and Services Department, total coverage in Pakistan extends to 3,390

kilometres of blacktop and another 2,000 kilometres of single roads in the year 2006.<sup>11</sup> The roads and bridges infrastructure is also relatively higher in FATA, because of its location as compared to the rest of Pakistan. However, it is of supreme importance that special attention to developing the road and bridges infrastructure is given. The proposed SDP budget for roads and bridges is given in the table below:-

| Roads and bridges (FATA SDP Budget, 2007–15) |                         |          |                   |                                                                                                  |  |
|----------------------------------------------|-------------------------|----------|-------------------|--------------------------------------------------------------------------------------------------|--|
| Activity                                     | Budget (million rupees) |          | Major expenditure |                                                                                                  |  |
| Years 1–5                                    | Years 6–9               |          | Total             |                                                                                                  |  |
| Rehabilitation of existing roads             | 4,000.00                | 1,000.00 | 5,000.00          | Materials, salaries. consultancy and design fee, repair works, maintenance and management costs. |  |
| Improvement of roads                         | 5,500.00                | 1,375.00 | 6,875.00          | Materials, salaries. Consultancy and design fee. Repair works, maintenance. Management costs     |  |
| New roads                                    | 14,000.00               | 3,500.00 | 17,500.00         | Materials, salaries. Consultancy and design fee. Management costs.                               |  |
| Bridges                                      | 3,700.00                | 925.00   | 4,625.00          | Materials, salaries. Consultancy and design fee. Repair works. Management costs.                 |  |
| Equipment purchase and maintenance           | 500.00                  | 125.00   | 625.00            | Equipment, vehicles, materials, laboratories                                                     |  |
| Institutional strengthening                  | 125.00                  | 30.00    | 155.00            | Staff, salaries, offices, computers. Database development Training.                              |  |
| <b>Total</b>                                 | <b>27,825.00</b>        |          | <b>6,955.00</b>   | <b>34,780.00</b>                                                                                 |  |

**Source:** Civil Secretariat FATA Peshawar, FATA Sustainable Development 2007-2015, p.78.

### State of Educational Infrastructure

The school infrastructure in the region was already in a pitiful state. The schools that were already established were in poor condition and lacked proper funding and physical facilities. Uptill 2001, Rs.1.5 billion were allocated as the yearly expenditure as far as the educational sector of FATA was concerned. The government of Pakistan has allocated Rs.3.67

billion (US \$37.2m) in its 2014-2015 FATA education budget, an increase from last year's budget of Rs.3.64 billion (US \$37m).<sup>12</sup>

Observers say this increase would be of little help, it would not bring any marked improvement in the educational infrastructure.<sup>13</sup> Literacy rate in FATA is also the lowest as compared to the rest of Pakistan. The literacy rate among girls stands at 10.5 per cent, compared to 36.66 per cent for boys.<sup>14</sup> The earthquake of 2005 also put a severe damper on the local infrastructure as well as the education system, when 1,700 students and 900 teachers were killed. The floods of 2010 also damaged the existing infrastructure. Moreover, the existing infrastructure of the schools took the worst hit as a result of the ongoing militancy and terrorism in the region. According to Lieutenant General (Retired) Abdul Qadir Baloch, the Minister for States and Frontier Regions (SAFRON), over 1,029 educational institutions are currently non-functional in FATA. Over 947 educational institutions were completely closed due to the worsening law and order situation, while 82 schools have been damaged in FATA.<sup>15</sup> He added that 944 schools were destroyed in military operations, while 31 in sectarian violence, 16 in floods and eight schools were damaged in local disputes.<sup>16</sup>

The only two degree colleges located in FATA are in the areas of Dera Adam Khail and Frontier Region Peshawar, which have already been destroyed because of militancy in the region. Moreover, the cost of re-building the local school infrastructure is very high. About Rs.550 millions are required for re-building elementary schools, Rs.650 millions for primary schools and Rs.500 millions for colleges.<sup>17</sup>

### **State of Medical Infrastructure**

Hospitals in FATA have been in a deplorable condition. They lack funding, staff and other resources. Any patient with a

serious illness in FATA would have to travel to Peshawar or other parts of Pakistan to get medical aid and attention. According to FATA's basic health programme, only one doctor is available to 7,670 people, and one hospital bed is available for 2, 179 people.<sup>18</sup> The infant mortality rate stands at 87 deaths per 1000 births and maternal mortality rate lies at 600 deaths 100,000 births.<sup>19</sup>

There are no private hospitals in FATA, although services are offered by private medical practitioners.<sup>20</sup> These private medical practitioners, who work in FATA, are usually qualified from Afghanistan and former Soviet Republics, having degrees which are not recognised by the state of Pakistan. The SDP in their roadmap has projected the health budget of the FATA region from 2007-2015 in the table below:-

| <b>Health (FATA SDP Budget, 2007–15)</b> |                                |                          |          |                                                                                                                                                                 |
|------------------------------------------|--------------------------------|--------------------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Activity</b>                          | <b>Budget (million rupees)</b> | <b>Major expenditure</b> |          |                                                                                                                                                                 |
| Years 1–5                                | Years 6–9                      | Total                    |          |                                                                                                                                                                 |
| Information, education and communication | 300.00                         | 200.00                   | 500.00   | Community organisation, health management committees. Advocacy. Development and publishing of materials. Supportive research. Use of print and electronic media |
| Health system strengthening              | 3,500.00                       | 2,500.00                 | 6,000.00 | Staff recruitment for hospitals. Training and short courses. Strengthening health facilities. Building new facilities. Logistical support to health directorate |

|                                      |          |          |           |                                                                                                                        |
|--------------------------------------|----------|----------|-----------|------------------------------------------------------------------------------------------------------------------------|
| Health management information system | 500.00   | 200.00   | 700.00    | Training. Private providers database. Publishing. Establishment of HMIS cells                                          |
| Human resource development           | 4,000.00 | 2,500.00 | 6,500.00  | Establishment of public health schools, FATA Institute of Medical Sciences. Capacity building of health facility staff |
| Total                                | 8,300.00 | 5,400.00 | 13,700.00 |                                                                                                                        |

**Source:** Civil Secretariat FATA Peshawar, FATA Sustainable Development 2007-2015, p.44.

### The Way Forward

FATA has been in the midst of terror attacks, military operations, and drone strikes for more than a decade. The people of FATA have been engulfed in social problems, unemployment and poverty. Amid all these existing problems, the mix of militancy and terrorism has severely affected the social fabric of FATA. The sociological issues in the area have increased. People have been psychologically affected from this turmoil and there have been very little to no health facilities and rehabilitation centres to accommodate them.

The Federal Ministry of Health's mental health programme states that the majority of children, who were displaced from the areas of FATA and PATA because of the military operations, are aged between three months and 11 years. It has been estimated that one in six persons from FATA has shown signs of psychological illness. The most reported complaints they made were all psychological in nature, ranging from phobias to post-traumatic stress, disorder to insomnia to acute stress disorder. 97,000 psychiatric cases were recorded at the Sarhad Hospital for Psychiatric Diseases(SHPD) from the war-torn areas of FATA. Out of approximately 90,000 patients

examined at a local hospital of FATA in 2011, about 50,000 had been exposed to militant-related violence or to the military operation.<sup>21</sup>

Therefore, immediate steps are required both by the provincial and federal governments to initiate concrete measures to improve the socio-economic profile of FATA. The aftermath of operation *Zarab-e-Azb*, and the start of rehabilitation and development activities in North Waziristan, must be a priority; but, this is also a golden opportunity to conceive a wholesome long-term socio-economic programme for the entire FATA. Based on the progress of existing SDP 2007-15, and looking into the existing requirements and future needs, a well thought out and coordinated action plan can be chalked out in consultation with the locals to elevate the socio-economic profile of FATA. Some of the measure for future progress and development of FATA are suggested below.

### **Focus on Human Resource Development**

Human resource development lies at the heart of the economic, social and environmental development.<sup>22</sup> If the government can focus and achieve beneficial results, then, this organized and more technically sound workforce can play an integral role in the development of the country. Not only that, it can be a magnificent step in the lives of local people themselves, as they can improve their lifestyles, communities and society. An institutional capacity can be built at the national level by enhancing the individual capacity through socio-economic policies.

The solution on how to move forward in the quest of elevating the socio-economic profile of FATA is by focusing on human resource development. The real issue of the FATA region has been the absence of human development, mainly because

of resource constraints, lack of economic activities and socio-cultural barriers. A superior and more useful technical workforce can be developed by focusing on the human resource development.

FATA has a lot of potential as far as the human resource is concerned. If the state becomes successful in tapping this potential, it would be a huge step forward in helping the people of this area stand on their own feet and not depend on external factors. By developing important skills and knowledge, they can become useful citizens of Pakistan.

### **Introducing the Child Support Programme**

The Child Support Program (CSP) is a scheme whose procedure very effectively envisions elimination of poverty and lack of education at the same time. It operates on Conditional Cash Transfer (CCT), by which a household is given a specific amount of cash on a monthly basis. The cash transferred to the beneficiaries of the programme is made on the condition that the household sends their children aged from five to sixteen to primary schools. For receiving the payments, the children going to schools also need to have passed the final examination and need to have an attendance of 80 per cent of classes. A child is considered absent when no valid reason is given for the absence.

The CSP has been launched in some areas of Pakistan and it has proved to be quite successful in increasing student enrolment in schools. FATA has witnessed times of violence and turbulence in the past years and for increasing the education base in FATA and for dealing with poverty in the area, CSP can prove to be effective. Many schools have been destroyed by the militants during the conflict. Extremists who are against the education of girls have made it more difficult for parents to get



their children educated. The incentive as offered by CSP can contribute to more children going to schools from poor households.

One of the advantages of CCT is that it is a cost-effective mechanism and in the long-term, it will have a positive impact on economy and education. Education and skills have the power to make an individual useful for the country and its economy. It has the potential of converting the population of a country into its valuable assets rather than liabilities.

### **Mainstreaming FATA**

For the development of any country it is necessary that all of its areas and cities are properly taken care of and are fully integrated into the state. Similarly, it is the need of the hour to fully integrate FATA into the state of Pakistan. That would not only provide the people of FATA with an affinity and the sense of belonging to the rest of Pakistan, but would also motivate them to participate in the development of the country with full zeal.

### **More Active Role of Federal and Provincial Governments in FATA**

In the past 60 years of Pakistan's history, the Federal and provincial governments have had a passive role, where the affairs of FATA were concerned. Instead of taking an active involvement in the region, the government almost always stood on the back-foot which, in turn, formed a vacuum in the region, which was then utilized by anti-state elements for their own agendas. A more active role is also required by the provincial government of Khyber Pakhtunkhwa, as the province of KPK surrounds FATA from three sides. The peace and stability of the Khyber Pakhtunkhwa province is directly linked to FATA. If FATA is secure and stable, so would be the KPK.

There is a burning need to help identify the local people of FATA with the rest of Pakistan and help integrate the areas of FATA into the state of Pakistan. The people of FATA should feel as much citizens of Pakistan as any-one from the rest of Pakistan feels and the state needs to provide them with the same facilities. Only a proactive approach by the Federal and provincial governments can help solve the plethora of problems currently faced by the residents of the FATA region.

### **Availability of Scholarships**

In order to help provide better opportunities to the residents of FATA and by taking steps which would ultimately help them improve their own lifestyles, there should be introduction of scholarships to the students of FATA. These scholarships should be introduced on a large scale, as they would serve as an incentive to get education and would help them to improve their local communities. Moreover, Higher Education Commission (HEC) also needs to enhance the quota of students from FATA for their induction in universities and other educational institutes.

These steps would help increase the literacy rate of the area which, in turn, would help in reducing militancy in the region. It would also facilitate in reducing anti-state elements. Furthermore, it would enhance the feeling of affiliation of the local people with the state of Pakistan, as they would feel as much a part of Pakistan as a citizen from the rest of Pakistan does.

### **Government Jobs for People of FATA**

There should be an increase in the quota allotted to the people of FATA for government jobs. It would help integrate FATA in a more effective way and they would not stray towards the anti-state elements to gain employment. The living standard

of the local people would improve and economic activity in the region would increase. The people who will be employed, can be utilized by the state in a better and more productive way. These steps would help achieve better results in the development of Pakistan. It would also help integrate the people and society of FATA with the rest of Pakistan.

### **Establishment of Tax-free Industrial Zones**

The fastest way to provide relief and to elevate the socio-economic profile of the people of FATA is in the form of establishment of a tax-free industrial zone in the border areas. Incentives should be provided to businesses from all over the country to invest in the region. The local people should also be supported by the government to take part in commercial activity. Private sector should be encouraged to take part in economic activity. It would be a major step towards rehabilitating, developing and elevating the living conditions of the local people, as it would provide the locals with employment opportunities, closer to their homes and the role of state in the region would strengthen. It will help the counter-insurgency operation.

Currently, the industrial activity is rather limited and insignificant. According to the Directorate of Industries, 1,082 industrial units are currently operating in the private sector.<sup>23</sup> These units include textile weaving, stone processing and manufacturing of fire-arms. The government needs to establish a tax-free zone and facilitate these small units. By developing and promoting a tax-free industrial zone, not only the national but international investors would also be tempted to invest. The local infrastructure would also take a turn for the better and would improve.

### **Promotion of Small Businesses**

A major economic change in the region can be witnessed, if the government promotes small businesses in the region. Cottage industries, need to be set up. Interest-free loans can be provided by the government as incentives. The local women of the area can benefit in particular from cottage industries, as they excel in the art of cloth-weaving, cloth-dying, stitching, etc. This would have a direct impact on the life of a common woman and in elevation her socio-economic profile.

### **Improving the Lifestyle**

The residents of FATA should be provided with the basic facilities, as in the case of the rest of Pakistan. Their energy demands should be met and a proper structure of electricity distribution should be established. It should encompass a proper billing system, through which regular bills can be sent to the users.

It is of utmost importance that an infrastructural reform is introduced. The facilities of clean water and gas should be provided to every household. The availability of safe water supply in the region is less than 42 percent. Only 41.5 percent of the local population has access to clean drinking water. Steps to provide clean water also need to be taken. The agriculture productivity is very little, as the local population mostly relies on annual rainfall and under-ground water for agriculture. Only 43.5 percent of the cultivated land is irrigated by the water facilities available.<sup>24</sup> Clean water is vital for a civilization to survive. New water projects, including dams, need to be built there for a prolonged and sustainable development.

In the FATA Annual Development Program of 2013-2014, 813 million rupees were allocated for small dams/power project.<sup>25</sup> Other sectors, which the government can invest in

and can improve, include fishery, mining and forestry. These sectors have a lot of potential. If the government can unlock this potential, it can truly bring a change in the socio-economic profile of the region and change the future of the people and this region forever.

## Conclusion

All of these steps are important for elevating the socio-economic profile of the people of FATA. It needs to be realized by the Federal government that an unstable FATA will only contribute to a more instability in Pakistan. Proper planning for rehabilitating the area and development of infrastructure, schools and hospitals is important. An elevated and improved socio-economic profile of FATA will not only bring a positive effect on the country's economy and development in the region, but would also mean less vulnerability of the tribal people to extremism and militancy, which will be beneficial to the state of Pakistan.

In order to provide relief and services to the people of FATA, there is a dire need for the government to allocate maximum resources to the development and elevation of the socio-economic profile of FATA. The re-building and maintenance of already existing schools and hospitals should be an utmost priority, so that the area can become a vehicle for peace, progress and stability not only for Pakistan and Afghanistan but also for the entire region. Only a prosperous and progressive FATA and socially, economically and politically emancipated people can ensure the elimination of extremism, militancy and terrorism from the region.

## Endnotes

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<sup>1</sup>Akbar S. Ahmed and Nasirullah Khan Babar, *Social and Economic Change in the Tribal Areas, 1972-76*, (Karachi: OUP, 1978), 1.

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<sup>3</sup> Federally Administered Tribal Areas, Administrative System, available at [www.fata.gov.pk](http://www.fata.gov.pk)

<sup>4</sup> FATA Secretariat Department Details available at [www.fata.gov.pk](http://www.fata.gov.pk)

<sup>5</sup> Ministry of States and Frontier Regions (SAFRON), Fact sheet about displaced persons (07.07.2014), available at [www.safron.gov.pk/gop](http://www.safron.gov.pk/gop)

<sup>6</sup> FATA Development Authority <http://fatada.gov.pk/about-us/>

<sup>7</sup> Ibid.

<sup>8</sup> FATA Disaster Management Authority <http://fdma.gov.pk/>

<sup>9</sup> Civil Secretariat FATA Peshawar, FATA Sustainable Development 2007-2015, 27.

<sup>10</sup> Ibid., 26.

<sup>11</sup> Ibid., 76.

<sup>12</sup> Imdad Hussain, 'FATA education to receive extra funding' *Central Asia Online*, June 30, 2014.

<sup>13</sup> Asad Zia, 'Increase in educational expenditure fails to boost female literacy in FATA', *Express Tribune*, October 8, 2013.

<sup>14</sup> 'Fata sees modest increase in literacy', *Dawn*, April 1, 2014.

<sup>15</sup> 'NA question hour: Over 32% schools in FATA destroyed', *Express Tribune*, December 7, 2013.

<sup>16</sup> Ibid.

<sup>17</sup> Ibid.

<sup>18</sup> FATA Basic Health Program, Health in FATA, <http://www.fatabhp.com/fata-Insight/health-in-fata.asp>

<sup>19</sup> Ibid.

<sup>20</sup> Ibid.

<sup>21</sup> FATA Research Centre, 'Social and Psychological Consequences of Violence in FATA', September 17, 2013.

<sup>22</sup> United Nations DESA, United Nations Office for ECOSOC Support and Coordination Human Resources Development, available at <http://www.un.org/en/development/desa/oesc/humanresources.shtml>

<sup>23</sup> Civil Secretariat FATA Peshawar, FATA Sustainable Development 2007-2015, 84.

<sup>24</sup> Civil Secretariat FATA Peshawar, FATA Sustainable Development 2007-2015, 72.

<sup>25</sup> FATA Development Authority, FATA Annual Development Program 2013-2014, iii.

# **Roundtable on ‘Evolving Dynamics of FATA: Linkages with International Security Challenges’ – Held at NDU on 10<sup>th</sup> Sep 2014**

## **Executive Summary**

### **Introduction**

A roundtable, titled as ‘Evolving Dynamics of FATA: Linkages with Internal Security Challenges’, was held at ISSRA, NDU, Islamabad on 10 September 2014. It was aimed at generating a debate about the issues of FATA, with a view to formulating policy recommendations, which could be shared with a larger audience in a national level seminar ‘Re-appraisal of Internal Security Challenges to Pakistan’, scheduled on 23-24 Sep 2014 at NDU.

A large number of distinguished guests, including senators, MNAs, MPAs and members of FATA Committee participated in this roundtable. Composition of FATA Committee is placed at Appendix-I and the Recommendations of the Committee are placed at Appendix-II.

The roundtable covered following four thematic sessions:-

- a. **Theme – 1**: Politico-Constitutional Status of FATA vis-à-vis Recommendations of FATA Committee

#### **Speakers:**

- (1) Mr. Rahimullah Yousafzai
- (2) Amb Ayaz Wazir

- b. **Theme – 2:** FATA after Zarb-e-Azb: The External & Internal Security Challenges

**Speakers:**

- (1) Dr Nazir Hussain, Quaid-i-Azam University, Islamabad
- (2) Prof Muhammad Ibrahim (MNA)

- c. **Theme – 3:** The Challenge of Rehabilitation of TDPs and Its Impact on Internal Security

**Speakers**

- (1) Amb Rustam Shah Mohmand
- (2) Mr. Shahab Ud Din Khan (MNA from FATA)

- d. **Theme – 4:** Empowerment of People and Socio-Economic Developmental Challenges in FATA

**Speakers**

- (1) Syed Ghazi Gulab Jamal (MNA from FATA)
- (2) Senator Farhatullah Babar

### **Views of the Speakers and Participants**

There was a great deal of divergence in the views of speakers/participants about various issues of FATA and their solution. Owing to non-attribution policy followed at NDU, speakers enjoyed complete liberty to express their views without any reservations, therefore, a healthy debate took place. The key assertions of the speakers and participants are described as follows:-

a. **Constitutional Status of FATA**

There was almost a consensus among all speakers that the existing constitutional status of FATA is a colonial



legacy, which can no longer continue. There was, however, a marked difference of opinions about the future status of FATA. The options discussed in this regard were as under:-

(1) **Making FATA a Separate Province**

Majority of the speakers did not support this option, due to peculiar geographical characteristics of FATA, where most of the agencies of FATA lack connectivity and are more dependent on KPK than on each other.

(2) **Merger of FATA with KPK**

This option was supported by most of the speakers, but they suggested an incremental approach, where a wider consultation with the people of FATA should take place, to prepare the atmosphere for such a merger.

(3) **Maintaining Status-Quo**

There was unanimity of views that maintaining Status-quo is not an option any more.

(4) **Interim Constitutional Arrangement**

FATA is, at present, under the direct control of the President, administered through Governor KPK. Since Pakistan has a parliamentary form of Gov't, where President is only the constitutional head of the state, whereas, the executive power lies in the office of Prime Minister of Pakistan, and Ministry of States and Frontier Regions (SAFRON) also wields a considerable influence on the affairs of FATA, it was, therefore, suggested by some of the speakers that either an Interim FATA Council should be constituted under Governor KPK and all power should be transferred to this council or the power should be transferred to Parliament,

where Senators and MNAs from FATA should have a major role in policy-making/decision-making processes.

**b. Role of Maliks versus Local Gov'ts**

There was a great deal of divergence of views about the institution of 'Maliks' and introduction of Elected Local Bodies. Some of the speakers were of the opinion that the institution of 'Malik' suits the socio – cultural norms of the regions, where tribalism has strong roots and 'Maliks' used to serve as a bridge between the Gov't and people to run the affairs. However, a few speakers opined that it would result into retrogression instead of progression, to stick to the colonial legacy. Hence, we should part with colonial practices and move on gradually to more participatory form of governance.

**c. Jirga System**

Jirga system, though a primitive form of judicial dispensation and arbitration, is still accepted by a large segment of society in FATA. The only alternative, which was offered in place of this system, was 'Taliban-style of Shariah' laws. Most of the speakers were of the opinion that the constitutional and legal structures of the state of Pakistan have to be extended to tribal areas. But, in the interim period arrangements should be made to utilize the institution of Jirga in a more democratic and transparent manner.

**d. Role of Armed Forces in FATA**

Majority of the speakers appreciated the sacrifices rendered by Armed Forces of Pakistan in rooting out the menace of terrorism from this region. However, some

of the speakers expressed their reservations about initiation of ‘War on Terror’ and forging of an alliance with NATO forces. They also opined that civil-military relations were far from being ideal in the crucial times. The final responsibility for governance and security of the state lies on the shoulders of civilian Gov’t and, therefore, it should play a proactive rather than reactive role.

The Armed Forces have to stay for a considerable period of time due to following reasons:-

- (1) Consolidation of the areas cleared of terrorist outfits.
- (2) To help TDPs settle in the areas.
- (3) To facilitate the civil administration for shouldering the future responsibilities

**e. Enhancing the Capacity of Civilian Administration and LEAs**

It was pointed out by almost all the speakers that civilian administration has over the years lost its capacity to function effectively. They look up to the Army for support even for day-to-day functioning. Pakistan Army has played a significant role in the training of FC personnel, Police, levies and Khasadars, but still they have to go a long way to be capable of maintaining law and order in FATA, once Army pulls out. It is particularly important, as the spectrum of threat from terrorists is still looming large on the horizons of FATA, in the wake of NATO’s draw-down from Afghanistan.

**f. Rehabilitation of TDPs**

The issues of TDPs were discussed at length. It was emphasized that Gov't of Pakistan, in consultation with Pakistan Army, should come up with a comprehensive plan, not only for sufficient supplies in the camps of TDPs but also for their rehabilitation, settlement and reconstruction of their houses.

**g. Development of Infrastructure**

Most of the speakers asserted that a substantial budgetary allocation is required, with a phased-programme, for the development of critical infrastructures in FATA. Massive public and private funding would be required for construction of roads, bridges, hospitals, educational intuitions and Gov't offices.

**h. Exploration of Minerals**

It was also emphasized by the speakers that Govt should take concrete steps for exploration of minerals available in the region and major portion of income generated from minerals should be spent on development and welfare of the people of FATA.

**i. Afghanistan Situation**

Majority of the speakers expressed their apprehensions about unfolding security situation of Afghanistan after NATO's draw-down. They suggested that Gov't of Pakistan should involve the Gov't of Afghanistan, in a

sustained dialogue, to arrest spill over effects of violence across the borders.

### **Analysis and Recommendations by NDU**

On closer scrutiny of the recommendations, divergence observed in the views of the representatives and the likely gaps between the desirable and do-able in the obtaining environment, pursuit of a well considered and pragmatic approach is necessary. The recommendations can be grouped in political and constitutional, administrative structure and system, laws and regulations, security status and a few desirables to be attained and maintained.

The primary issue relates to the constitutional status and desirable changes to mainstream FATA. Cognizant of the ongoing debate in the country about the need for restructuring for efficacious administration, the absorption of FATA through a two staged process into KPK emerges as the best option. Stage one relates to transfer of powers from the President to Parliament, through requisite constitutional amendments and, at stage two, the process of absorption of FATA into KPK through the provincial assembly and the Parliament in a time delayed (to bring about required administrative changes) and time bound process.

The divergent views on the system of administration i.e. continuation of Malik and Jirga system versus the local bodies reflects upon the ground realities and desire for progression and change. It is proposed that the subject should be taken up by KPK government to incorporate FATA in KPK local system and laws for local governments being evolved for the province.

Security being the primary concern, at this stage, it is imperative that a unified police force structure for the FATA, as a part of KPK be worked out. With FC responsible for border

security and police as the main stay, the Frontier Constabulary under the province and Kashadars should be knitted in the police forces as separate entities for the time being. Pakistan Army has and can continue to help train and improve the efficacy of these entities. In the long run, on normalization of security situation in FATA, suitable changes for moving towards a unified police force can be studied.

On completion of operation Zarb-e-Azb and attainment of conditions for return of Displaced People, their return and rehabilitation is of primary concern, which can be best optimized through a joint effort by civil and military institutions.

Recommendations concerning peace in FATA, infrastructure development, property and inheritance laws etc will acquire uniformity with KPK and as prevalent in the country.

**Appendix-I**

**List of Members of Joint Committee of Political Parties on FATA**

**(FATA Committee) Updated May 2014**

- ***Awami National Party (ANP)***
  1. Latif Afridi
  2. Bushra Gohar
  3. Arbab Tahir
  4. Nawabzada Mohsin Ali Khan
- ***Jamaat-e-Islami (JI)***
  5. Professor Mohammad Ibrahim, *Provincial Ameer, JI*
  6. Sahibzada Haroon Rashid, *Ameer, JI, FATA*
  7. Zarnoor Afridi, *Naib Ameer, JI, FATA*
- ***Jamiat Ulema-e-Islam Fazl (JUI-F)***
  8. Maulana Atta-ur-Rehman, *Vice President Khyber Pakhtunkhwa*
  9. Mohammad Jalal ud din, *Advocate, Former Ambassador*
  10. Abdul Jalil Jan, *Information Secretary Khyber Pakhtunkhwa*
  11. Mufti Abdul Shakoor, *Deputy General Secretary Khyber Pakhtunkhwa*
  12. Abdul Rashid, *General Secretary Bajaur Agency, FATA*
- ***Muttahida Quami Movement (MQM)***
  13. Syed Asif Hasnain, *MNA*
  14. Mohammad Rehan Hashmi, *MNA*
- ***National Party (NP)***
  15. Dr. Abdul Malik Baloch, *Chief Minister Balochistan*
  16. Senator Mir Hasil Khan Bizenju, *President*

17. Mukhtar Bacha, *Provincial President Khyber Pakhtunkhwa*
18. Jan Muhammad Buledi, Central Information Secretary, NP
- **Pakistan Muslim League (PML)**
  19. Ajmal Khan Wazir, Central Senior Vice President
- **Pakistan Muslim League-Nawaz (PML-N)**
  20. Rehmat Salam Khattak, General Secretary KPK
  21. Arsallah Khan Hoti
  22. Ghalib Khan, MNA
- **Pakistan People's Party (PPP)**
  23. Senator Farhatullah Babar
  24. Kiramat Ullah Chagharmati
  25. Rahim Dad Khan
  26. Syed Akhunzada Chattan
  27. Mirza M. Jihadi
- **Pakistan Tehreek-e-Insaf (PTI)**
  28. Barrister Salman Afridi, Central Secretary Legal Affairs and Member CEC
  29. Qaiser Jamal Afridi, MNA Frontier Regions, NA-47
  30. Ayesha Gulalai Wazir, MNA
- **Qaumi Watan Party (QWP)**
  31. Anisa Zeb Tahirkheli, General Secretary
  32. Hashim Babar, Central Information Secretary
  33. Sikandar Hayat Sherpao, MPA, President Khyber Pakhtunkhwa
  34. Asad Afridi, President, FATA



**Appendix-II****RECOMMENDATIONS OF FATA COMMITTEE**

The FATA Committee unanimously approved 11 recommendations for reforms in December 2013 and called upon the Government of Pakistan for their urgent implementation. The recommendations of the committee were:

1. **Peace in FATA** should be guaranteed.
2. **Article 247** of the constitution should be amended to guarantee fundamental rights for all tribal citizens and shift legislative power from the President of Pakistan to the Parliament.
3. **Local bodies** elections should be held in FATA.
4. A comprehensive package should be developed for FATA and infrastructure **development** initiated, with special focus on health, education and employment.
5. The **future status** of FATA should be decided by its people.
6. Pakistan Electronic Media Regulatory Authority (**PEMRA**)'s **jurisdiction** should be extended and media should be provided greater access to FATA to provide tribal citizens with opportunities for media interaction and participation.
7. The **Jirga system** should be made more democratic and independent.
8. Actions in **Aid of Civil Power Regulation** should be abolished.

9. **Executive and judicial powers** should be separated in FATA.
10. Citizens should not be deprived of **property; inheritance law** should be extended.
11. **Civil armed forces** (khasadar and levies) should be strengthened and professionalized.

The FATA Committee reviewed the Citizens' Declaration for FATA Reforms too (also known as the FATA Declaration), which was unanimously approved by the FATA Grand Assembly (Tribal Jirga). As a result of these and other consultations, the members of the FATA Committee, including leadership of each party, finally approved the above recommendations for FATA.

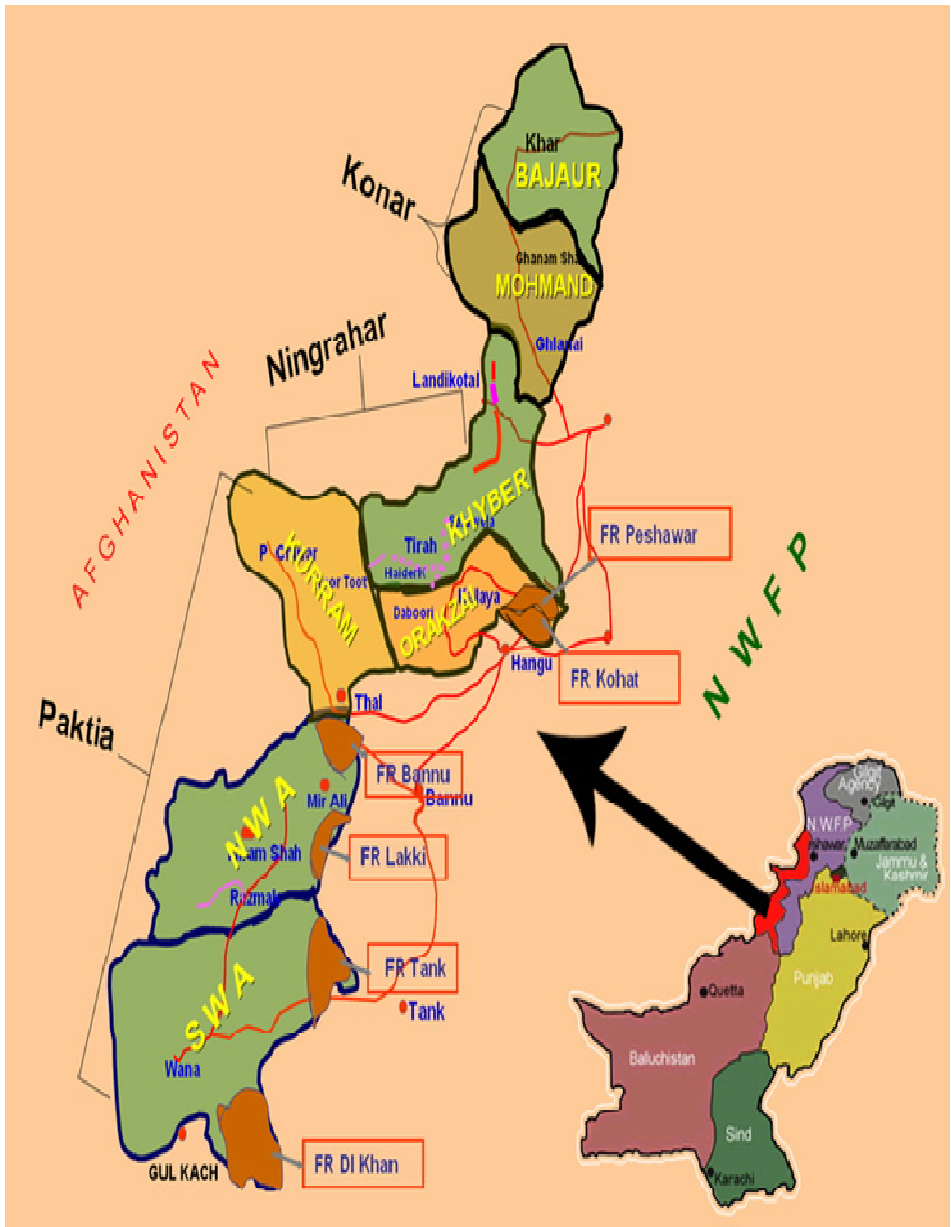


Fig 1. Political Map of FATA also indicating the adjacent provinces in Afghanistan.  
 Source: <http://thepathans.blogspot.com/2011/03/federally-administered-tribal.html>