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**Extending Stability to Pakistani Tribal Areas**

**(Khalid Aziz)**

**Introduction**

Session 6 this morning discusses how stability can be extended to the Pakistani tribal areas. This meeting is being held under auspicious circumstances. Democracy has returned to Pakistan. The single most important message emanating from the February 18<sup>th</sup> election comes from my Province of NWFP, which in clear and in unequivocal terms has rejected the religious parties and their policies of the last five years. By implication they have not only distanced themselves from radical violence and but have also voted for peace.

One of the important policy measure needed for ending violence is to bring stability to the tribal areas of Pakistan by winning the hearts and minds of those who are involved in violent activities. It is argued that the path to peace lies in ending the isolation of Fata and integrating the region into the main stream of Pakistan. Isolation is the cause of many of the present difficulties.

In the last five years FATA and NWFP have suffered due to lack of progress in development. Except for providing Gen. Musharraf political ballast for negotiating with the US by indicating the possible negative prospects inherent in the Pakistani situation, the MMA did very little else.

This has a lesson for the future of Fata reform. Although, the people love their religion, yet they would not wish it to get in the way of leading meaningful lives related to livelihood and empowerment. Therefore, it may be noted that reform in Fata will succeed or fail on the basis of economics and empowerment and little else.

The Pushtuns have had many negative moments in history but the one unleashed since 9/11 will probably rank as one of the most disastrous for them. It has pushed this group of people into the deadly embrace of the suicide bomber. Why is that so?

I disagree with those who say that the main reason for the violence in Fata, NWFP and now the Punjab is due to the US presence in Afghanistan. At best it is a sore made to bleed to win sympathy in an argument by use of emotion. It is not the whole truth!

If the radicals were angry at the US, then the killings and suicide bombings should have occurred only in Afghanistan, where the foreign forces are present. If President Bush is the "enemy" of the al-Qaeda and Taliban, then one fails to understand how you can get even with the US by slaughtering fifty members of a Pushtun jirga in Kohat or for that matter the demolition of a government office in Lahore, in which dozens of lives were lost recently?

Why are Pakistanis dying at the hands of the Islamist radicals? It is thus necessary to understand the first cause before a cure can be found. A possible explanation may be based on poor economic opportunities for the people which drives some towards Nihilism and Messianism. That at best is a partial explanation.

To my mind the motive behind this radical movement in Fata, NWFP and Afghanistan is clear. It is a bid to usurp political power based on religious rhetoric. If this is accepted then what is a rational way out? This paper explores the possibilities and indicates a path.

**Feb 18<sup>th</sup> elections and the integration of Fata**

The result of the recent Pakistani elections provides renewed hope that perhaps we may succeed in finding an answer to our security problems. The first sign of this is the commitment of all the major parties to work jointly in finding solution to problems of security. For example the secular Pukhtun ethnic Awami National Party (ANP) which defeated the religious right in NWFP is convinced that Fata needs reforms because without it there cannot be peace in the province. Secondly, there can be no peace in Pakistan, if Afghanistan remains disturbed.

Many experts are of the opinion that the tribal areas which is an archaic geographical ambiguity created by the British at the height of Imperialism for protecting the India from Russia, is no longer valid. The international realities have changed. It may be questioned that if international pressures that were

responsible for retaining the tribal areas with an under developed and disempowered people are an anachronism, then why is this region of about 4 million people kept in thralldom? By keeping they bottled in a repressive social atmosphere with no hope of growth or development is akin to condemning them to social death – hence the enduring violence and resistance in Fata and parts of NWFP.

It is therefore essential that reforms should take place which would move Fata into the national mainstream and give its people hope of a good life. This will be achieved by integrating the region into the NWFP. It cannot be done through isolating the tribal areas.

### **Under the Shadow of the “Great Game”**

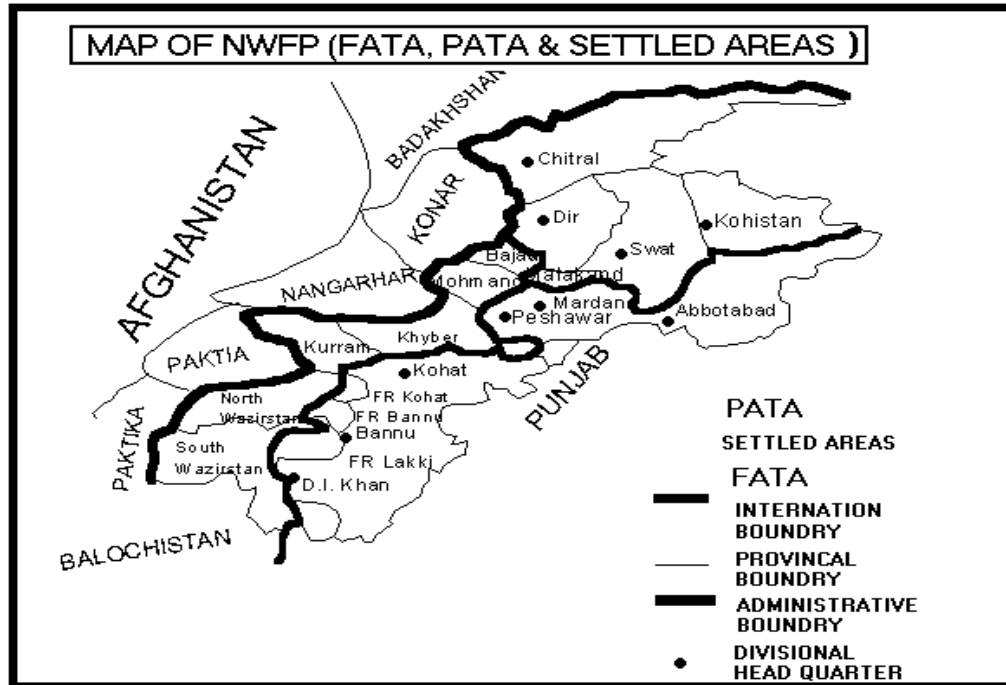
Before presenting the substantive arguments for reform in Fata and its course, I wish to highlight a weakness within the design of the Pakistani state. There may be other things wrong with us. But the principle cause of our difficulties, I feel lies in the existence of large physical spaces in which about more than 40 million people of Fata, NWFP and Northern areas live. They are stripped of identity and their land is considered as a geo-strategic space with names that resemble formulas from a chemistry text book – Fata, NWFP, and NA – rather than places where people live!

They are classified as such because they have often been used for foreign policy adventures in Afghanistan. It is argued that if there were democracy and full empowerment these places would have been merged into the national main stream a long time ago and would also have obtained human rather than acronymic identities. It would also make it difficult for the Pakistani elite to manipulate the people who have identities and push them into external adventures like the Mujahideen War by which the Russians were expelled from Afghanistan.

The map below shows large swathes of areas in Fata and NWFP which because of the failure of the government to bring about their integration by giving them an identity, has led to weak administrative control and lack of cohesion. These areas include the whole of Fata, the Malakand division and a lawless belt expanding into the district. These are the areas where the radicals are supreme.

They provide a safe haven to any religious bigot or irredentist adventurer who wants to raise the flag of revolt. These areas also invite foreign non-state entities like the al-Qaeda and now the Kashmiri Mujahideen. These areas are the head quarter of forces bent upon destroying the Pakistan as we know it. These isolated areas are the factories which spawn the likes of Baitullah Mahsud of South Waziristan and Sufi Mohammad of Malakand. That is the sum of the challenge facing us in Fata, NWFP and Afghanistan.

Map of Fata, Pata & NWFP Districts



The tragedy is that this administrative anomaly is protected under Art 246-247 of the Constitution. In tribal areas special laws different from the rest of the country are applicable. Human Rights are not implemented like the rest of the country. An observer will be justified in thinking that Pakistan stops at the left bank of the Indus! Or at best there are different varieties of the same state. This makes national integration impossible.

On another level, it is the strategic use of these areas by the Pakistani elite, which integrates itself into international agendas and extracts high rents which replace national savings. This may be the explanation why less than 2% of the Pakistani population pay taxes and creates a law saving rate of 16-18% of the GDP. At the same time the pawns in this new version of the Great Game – the people who are unlucky to be born in these places – have a marginal and a disempowered existence!

During the past five years Pakistan received more than \$ 10 billion from the US for her contribution to the War on Terror. The sanctions imposed on her after she tested its nuclear weapon in 1998 were also lifted. She also had her loans re-structured and received fresh funds for many new programmes. It is estimated that these measures contributed at least 3% annually to the GDP of Pakistan. The main beneficiaries of this bounty were not FATA and NWFP.

The other serious question is - how can investment in people or the infrastructure take place continuously and in a predictable manner when a sizable chunk of investment comes from tax payers of other nations? In order to draw such funds recourse is made to agendas, which aim to keep the US engaged. It is not the right way of managing the country. The cost of such a policy is the marginalization of the people of Fata and NWFP. No wonder they are up in arms!

For this reason one can conclude that Pakistan is likely to remain an unstable state with a weak administration and a disempowered people who are constantly at war with themselves, unless we recognize the problems and correct them. Reforms in FATA will be the most important measure that can bring peace to the region. The objective of the reform will be its integration. It will be resisted and challenged but then no serious reform is ever smooth.

**Factors disturbing peace in FATA**

Fata is now the center of international terrorist activities. It provides safe haven to different international terrorist groups like the al-Qaeda or the IMU. It also provides training camps and refuge to the Kashmiri Mujahideen after their gradual disbandment following the Islamabad Declaration of peace

between Pakistan and India in 2004. This corpus of warriors is a serious threat to the Pakistani state, the region and world peace. Along with Fata and Pata reforms steps need to be taken for the integration of the Mujahideen back into society.

Analysts have noted the heavy presence of the Kashmiri Mujahideen in the recent fighting in Waziristan, Kohat and Swat. The latter two districts are in NWFP which is adjacent to Fata. Secondly, the Kashmiri Mujahideen factions are now integrated closely into the Afghan Taliban movement. Thus the spring offensive by the Taliban in Afghanistan will contain a larger number of these fighters. Their presence will be followed by US claims that Pakistan is not doing enough. We must be honest and state that, "We are sorry we have lost control over them."

It is argued that the recent suicide attacks in Peshawar, Islamabad and the Punjab is more the handiwork of the Kashmiri Mujahideen. It will not be surprising if it turns out that Benazir Bhutto was murdered by a faction of the Kashmiri Mujahideen. The purpose of highlighting this change in threat perception is to signify that violence will escalate inside Pakistan and Afghanistan; Fata will suffer the most. The issue of Kashmir Mujahideen is discussed fully latter. But hey is a more serious threat to Pakistan than any of the other groups

Pakistan has followed different versions of a military strategy in dealing with the problem of warriors in Fata since 9/11. The major policy intervention in Fata since Dec 2001 was the movement of the military to Kurram and Waziristan agencies for mopping up the Taliban and the al-Qaeda fleeing the attack on Tora Bora. Pakistan opted for a selective policy in apprehending the fleeing Taliban and al-Qaeda soldiers.

This policy was the result of doubts in the mind of the Pakistani military planners about the long term commitment of the US in this region. Pakistan had seen the US abandon the region and its people, when the last USSR troops left Afghanistan in 1988. After 9/11, Pakistani policy makers decided they would do enough to show that Pakistan was aligned with the general US interest by arresting some of the foreign fighters but would allow the Afghan Taliban to flee. It was an insurance policy by the Pakistani military to hedge its bets and retain capacity to influence future events in Afghanistan, if the US once again abandoned the region as in the past!

The move of about 80,000 troops into FATA in 2002 had a negative impact on the system of administration in the tribal agencies. Tribal areas of Pakistan are managed under an anachronistic system of indirect tribal management through a political officer reporting to the Governor in Peshawar. A narrow elite composed of tribal elders receives patronage and in return ensure good behavior of their respective tribes towards the government and its policies.

Despite tough military operations since 2004, the resolve and the strength of the radicals has grown rather than diminished. Fighting in tribal areas has resulted in two dangerous results. Firstly there is an increase in the support for the radicals by the tribes which have been generated by collateral damage. Secondly, the rapid loss of administrative and physical control due to military operations. For instance, when the military begins an operation the normal working of the political system of controlling tribes in an agency is damaged. This disjunction prevents mobilization of support for the government and thus plays into the hands of the radicals. Military operations make political administration dysfunctional.

One lesson that has emerged clearly from Fata during the handling of the insurgency is that the greater the frequency of military operations in dealing with the situation, the larger is the back lash against government and longer is the support for the anti-state fighters.

### **Lessons from Mogul history**

It is now evident that the use of military force in Fata normally leads to a loss of control. What is the explanation for this phenomenon? To obtain an answer to this question a close examination of Mogul operations against the tribes will pay dividends. In the 16<sup>th</sup> and 17<sup>th</sup> centuries the Moguls were a large power in comparative terms in that period of history. They wanted to stabilize the tribal region after the rebellion of the tribes caused by the Roshana Movement, which began in 1586. This was a religious movement away from the mainstream of Islam.

Mogul garrisons in Peshawar and Attock failed to control the tribes. In 1587 Akbar, the great Mogul emperor came himself to the frontier to restore order. He sent a strong force under his able Hindu commander Birbal to quieten the Swatis and Bajauris. This force was destroyed by the Yusufzais – 8,000 Moguls lost their lives.

In 1620, another strong Mogul army was destroyed while attempting to fight against the Roshana in Afridi Tirah. Repeated Mogul operations failed to subdue the tribes. In the spring of 1672, the Mogul governor brought a large army from Kabul to open the Khyber Pass, which was blocked by the Afridis. This force was destroyed by Aimal Khan and his men near Ali Masjid, where more than 10,000 Mogul soldiers were killed and 20,000 enslaved.

The tribes declared Jihad from Attock to Kandahar and there was a huge revolt in which the confederacy of the Khattaks under Khushal Khan and the Afridis under Aimal Khan defeated a number of Mogul armies sent against them.

At this point emperor Aurangzeb himself came to the frontier. He stayed near Hasan Abdal for more than a year and a half fighting the tribes. By the end of 1675 Aurangzeb succeeded in establishing control. How did he do it? Not through fighting because the Moguls lost every time they sent a large force. He succeeded due to clever diplomacy.

Many clans were bought over by subsidies. Rival claimants to tribal leadership were encouraged which divided the tribes and broke their unity. Jealousy was sown which pitched brother against brother and father against son. Bribery was often employed to make leaders fight. By the time Aurangzeb departed the larger tribal confederacy against the Moguls had disintegrated! The tribesmen never again got to a position of strength as they did before the advent of Emperor Aurangzeb.

Surely there is a lesson here that can help in dealing with the current situation. The strength of the radical fighters can be successfully reduced by the political handling of tribes. Furthermore, control over the tribes will increase manifold if the tribes are given political rights through their enfranchisement through the introduction of Political Parties Act and the step wise empowerment of a larger group of people through local government reform. In this connection a preliminary policy reform framework will need to be designed.

### **System of tribal administration**

The principles of Fata's governance are contained in a primitive law – the Frontier Crimes Regulation, 1903. The law's main purpose is to ensure the status quo and to retain the hegemony of the elite Maliks or tribal elders under the political agent. Many have classified this law and its longevity as the result of a clever British manipulation of the concept of jirga and its conversion into a myth – as if the tribes always had this system of management throughout history! Nothing could be further from the truth. It was built by the British, to prolong their control over the Fata in the Great Game against Russia. That episode has ended but Pakistan since independence continues to retain instruments of control of that era.

The regressive tribal system may have had its advantages for controlling the tribes. But it scores very low in terms of human rights, development and integration of the tribesmen into Pakistan. The tragedy is that the Constitution of Pakistan supports the continuation of this repressive and primitive state of affairs through Art 246-247. In 60 years there has not been a single empowering enactment in favor of the tribesmen except the adult franchise privilege provided to them in 1997 elections!

As a result the tribesmen who number about 4 million have been fixed into an outmoded and primitive social construction, created during the imperial past. They remain a hostage of the buffer state era when they were supposed to act as the "prickly hedge," against a Russian advance towards India. That was the reason that the British left the area and its people under developed. A developed infrastructure would favor an occupier!

It stands to reason that men would be required to defend the land in case of invasion. If the human capital was developed there was little possibility for an educated person to remain in such a land.

Was this the reason for retaining Fata in an under developed state? After sixty years of independence the table below shows the abject social indicators of this unfortunate region. It is a region full of people who operate on the fringes and challenge the social system. Is it then surprising that al-Qaeda and the Uzbeks have found a home in Waziristan? The marvel is why it did not happen sooner?

**Table of comparative social sector indicators**

Indicator	Pakistan	NWFP	FATA
Literacy rate (both sexes, %)	43.92	35.41	17.42
Male literacy rate (%)	54.81	51.39	29.51
Female literacy rate (%)	32.02	18.82	3.00
Population per doctor	1,226	4,916	7,670
Population per bed in health institutions	1,341	1,594	2,179
Road (per sq km)	0.26	0.13	0.17
* Literacy rates according to 1998 census; all other figures for 2003.			
Source: Go NWFP, 2005b; GoP, 1998a; undated (b).			

### **Collapse of tribal administration**

When the military moved into FATA in 2001, even the limited access system of indirect administration collapsed because the military commander out ranked the political agent. This is yet another less mentioned outcome of Martial Laws in Pakistan; it subverted the normal chain of civilian command in Fata. When the British designed this system they never thought of the iterations and consequences which a military take over would generate for tribal areas.

The patronage system became confused, when the military began directing it towards its supporters. The political agent and the elders tied to him were eclipsed. This reduced the control of the government over the tribes. By 2004, the Political Agents in Waziristan became mere shadows of their past selves. At the same time the radicals realized that their greatest foes who could cause damage would be the elders. So they began to assassinate them. To date about 275 have been killed!

Another poor outcome for Fata was generated by the Local Government Reform which afforded space to the radicals by weakening of the provincial government's executive authority. Many of the provincial government's powers were transferred to the new district governments. According to the Pakistani Constitution there are only two tiers of government - the federal and the provincial. Through the Local Government Reforms of 2002, a third tier of district government was created and the guardians of the provinces' executive authority the magistracy stored abolished.

If the district government composed of elected persons was limited to look after the provision of services and economic development only, there would be some merit in the reform. On the contrary the reform abolished three tiers of administration which looked after state protection and enforced the provincial government's writ by regulating various laws!

Also abolished was the post of Commissioner, who was the provincial government's senior most regional coordinator ensuring peace, law and order and good governance. He was the link between tribal area and the district. Even more unfortunate was the simultaneous abolition of the magistracy system, which was a pillar of stability in Pakistan and India where it still continues to endure. The magistracy system is pivotal in controlling crime, law and order and the healthy functioning of society.

Both India and Pakistan were administered by a system of magistrates whose job was to enforce the regulatory and legal authority of the province. They were the custodians of the welfare the people and many of them combined under them powers derived from the land revenue act and the criminal procedure code. They also ensured maintenance of public order as well as the up keep of the canal and drainage systems.

Furthermore they also supervised the working of police stations so that the population was protected against police violence and mal administration. In times of disaster they coordinated relief. This structure was abolished in a thoughtless manner as if space had to be found for the lawless bands who are now threatening the state!

A further consequence of the abolition of the magistracy was the drying up of the pool of officers for service in the tribal agencies as assistant political agents or as political agents because their training paths as assistant or as deputy commissioners stood abolished as a result of the end of magistracy! It is the case today that very few good officers are now available for posting in Fata. What happens when they retire? There is no system generating the next generation of tribal administrators.

Another serious blow to integration of tribal areas into the province was administered when a Governor of the NWFP won approval for a most regressive measure which was the separation of the Fata secretariat from the province. It may be noted that professional services in hospitals and schools as well as other fields in Fata is provided by the NWFP civil service.

This had created a transfer of experience to Fata of government servants who had learned their skills in NWFP. It also provided Fata with a much larger pool of officers to select from. Since Fata did not have its own service, the officers serving in Fata and who receive training during the course of their job when transferred back to the province take away the benefit of their experience in Fata. There is thus no continuity and capacity is not developed. As a matter of fact even the previous capacity has been lost!

All the factors enumerated above combined to reduce the effectiveness of the political agent. This was not lost on the al-Qaeda and others who had run away from Afghanistan and were now present in FATA. They emerged and began their evangelizing mission. They enrolled tribesmen and others and also established numerous training camps. They spread their influence into the districts of NWFP. The spread of these warriors went unchecked, since there was now no designated structure of the provincial government left to challenge them. In Fata the political agent could not check their growth as he had been marginalized by the military.

### **Activities of Kashmiri Mujahideen**

The October 2005 earthquake in NWFP and Kashmir devastated the mountainous districts of Hazara and also exposed the places where the Kashmiri Mujahideen camps were relocated after they were shifted away from Kashmir. The military was hard pressed to retain control of the Kashmiri Mujahideen when they were shifted from place to place to prevent their exposure.

Although the earthquake generated enormous international sympathy for Pakistan and brought much needed succor to the victims of the earthquake, yet the presence of NATO forces providing relief, forced the Pakistani military to shift the Mujahideen camps to Dir, Swat and other districts of NWFP. This spread them in the Malakand districts and elsewhere. Their relocation was the pre-cursor of the emergence of much violence which we witnessed recently in Swat, Kohat and Waziristan.

This was also the reason why the military was made responsible for the earthquake rehabilitation efforts rather than the civilian entities who had been handling relief matters in the past. By about 2006, the military had lost control over about 12,000 trained and motivated Kashmiri Mujahideen warriors. They began to provide their services to any Jihadi outfit that would provide them support.

In the absence of a rehabilitation plan, the Kashmiri Mujahideen became autonomous and deadly. Not only did their fighting quality improve but they spread to different parts of the extended war zone which includes Eastern Afghanistan, Fata, NWFP and Pushtun parts of Baluchistan. A new menace thus arose and has now entered the Punjab. The recent devastating attack on the FIA building in Lahore is a clear example of the capacity of the Kashmiri Mujahideen. They also combine more readily with the foreign elements like the al-Qaeda.

Thus now another sort of war is taking place. It is much more vicious and dirty. The fighting in Waziristan was within a known Pushtun paradigm. After mid 2006 it was transformed into a more virulent form with the induction of the Kashmiri Mujahideen.



The al-Qaeda is more at home with them than the Pukhtun rebels, who with the passage of time will be marginalized. The Pukhtun thus has a diminishing influence in the latest terrorist operations. Is this war now firmly in the hands of the al-Qaeda and the Kashmiri Mujahideen rather than the Waziristan tribesmen? If it is then this is indeed a dangerous sign for the future.

The question that needs an answer is whether it is wise anymore to think of the emerging Kashmiri Mujahideen threat purely in the Pakistani context. Their ambitions of transforming Pakistani society and wresting back Kashmir as well as supporting the re-instatement of the Taliban in Afghanistan posit serious challenges to international security.

One of the greatest weaknesses in the existing security policy has been its narrow focus we only concentrated on the Taliban! While the world remained focused on them a more sinister threat was born.

Secondly, is it wise any more to depend only on a military approach? The focus must become wider so that the problem in Pakistan and Afghanistan is addressed under a wide and comprehensive program which deals with all facets of society, particularly in Pakistan. What should be the component of such a program? How should the Kashmiri Mujahideen be de-mobilized? What can be done to break their links with the Taliban and the al-Qaeda? These are questions that need to be answered for establishing enduring peace in the region.

### **Tribal areas Task Force on reform**

It is not the case that the Pakistan government was not confronting the challenge of reform in Fata. In April 2006, the President's Task Force on Tribal Reform (Strengthening and Rationalization of Administration Report), submitted its report. This task force was formed to recommend measures for the revival of the authority of the political agent for meeting the security challenges in tribal areas.

The committee was headed by a very experienced civil servant. The report of the committee is important for what it said between the lines rather than what it said explicitly. Some of its chief findings and recommendations were!

- The tribal balance in Fata was disturbed by the Mujahideen war against the USSR from 1979-88. The establishment of training and refugee camps in Fata during this period radicalized the tribes
- The movement of the military to Fata post 9/11 reduced the authority of the political agents and they were thus not able to influence the turn of events in favor of government policies.
- The political agent's supremacy in an agency must be recognized by all the stakeholders including the military, if the effectiveness of government was to increase.
- The best option for the future of Fata was its merger with NWFP, however since it could cause problems in these delicate times it could wait after examination by a Commission especially constituted for examining this matter.
- There was a need to review and amend the FCR
- Fata should be given responsible local government
- The government should re-instate the Commissioner but instead call him a Coordinator
- There should be more emphasis on development to bring at par the sorry social sector indicators of tribal areas.
- The development budget of tribal areas needed to be increased many fold. A new development authority should be created

Many of the recommendations of the Task Force have been applied. The important ones being the approval of a \$ 2.3 billion ten year development plan called the Sustainable Development Strategy. Only \$ 1 billion has been committed. The remaining amount is to be found. A development authority has been created. A partially empowered local government system is in place, which does not meet the aspirations of the people. There is no progress regarding political or empowerment reform, which is crucial for isolating the radicals.

However, as in the past this committee too shied away from proposing a rapid merger of Fata into NWFP. It failed because its analysis of the causes of the decline of the administration of tribal areas is flawed. The political agent has been by and large passed by many measures initiated in Pakistan since 2002. He is now marginal and is confronted by a radical movement. He cannot operate within the dynamics of the tribes – they have become autonomous in a sense. They need to be brought back through wide ranging reforms indicated below.

Integrating Fata is a doable policy if accompanied by an all encompassing multi-sectoral Peace Plan which is simultaneously applied both in NWFP and Fata; a preliminary outline of such a strategy developed for the NWFP is attached to this paper at Annex-1. A similar policy will be desirable for Fata.

The military's role will be gradually replaced by a strengthened Frontier Corp whose primary role besides dealing with the insurgents will be to protect the supporters of the government. Secondly they will assist in the maintenance of law & order when the civilian administration requires.

### **Fata Reform – the next steps**

The analysis above has explained the background and has indicated why reform leading to the merger of the tribal areas into NWFP is essential if the menace of providing safe haven to international terrorists is to be ended. In order to do so the following actions need to be undertaken:

- A strong advocacy program should be launched in Fata and within Pakistan explaining why the agreed reform is important for the stability of Pakistan and the development of the people.
- Consultations with all sections of the tribes and within Pakistan should begin prior to the introduction of the reforms along with the implementation of a Peace Plan.
- Steps should be immediately taken to merge Fata Secretariat into the provincial secretariat with a strengthened capacity.
- Simultaneously, the Political Parties Act should be extended to Fata.
- FCR should be replaced by a liberal Fata Regulation providing more fundamental rights along with rights of judicial appeal and review.
- Fully empowered Local government should be introduced and elections held under it.
- In 2010, election of Fata members to the Provincial Assembly should take place.
- The nomenclature of the political agent should be changed to Executive officer.
- While undertaking Fata reforms, simultaneously Pata should be merged into NWFP.
- A Constitutional amendment needs to replace Art 246-247 reflecting the above proposed changes.
- The process of the Pak-Afghan jirga needs to be institutionalized within the working of the Pakistani institutional system. A road map is at annex– 2.

Annex-1

A Framework for an NWFP Peace Plan

Findings from conflict zones indicate that the causes of violence and societal conflict are multiple. NWFP and the region is engulfed in one such situation at this moment. So far the state response has largely been uni-directional with focus on suppression of violence. Other instruments have either not been used or reliance on them has been minimal.

The log frame below presents one model for a “Peace Plan.” The success of this framework will depend on reforms in the tribal areas which is federal government responsibility.

S. No	Goals	Results	Activities	Indicators	Start date
1	Reduce by 30% insurgent attacks on security forces/suicide attacks on public in NWFP in the 1st year	<ol style="list-style-type: none"> <li>1. The real causes of violence are identified.</li> <li>2. The social structures, leadership and techniques used for causing violence are identified.</li> <li>3. The methods used for causing violence through activists, teaching places, mosques, media, organizational structures both internal &amp; external and responsible for violence are identified.</li> <li>4. The executive authority of the province is extended by new legislation regulating institutions like the police, magistracy, communities, media etc. This will remove the institutional void in the districts &amp; sub-divisions.</li> <li>5. A program for rehabilitation of former militants</li> <li>6. Border movements across the tribal areas is better regulated and accounted for.</li> <li>7. Identification of persons/groups, social structures that can assist in implementation of Peace Plan.</li> <li>8. The investigative capacity of the police is improved by 30%</li> </ol>	<ol style="list-style-type: none"> <li>1. The govt establishes a Peace Plan Committee (PPC), composed of 10 members who will submit a report to the govt in 45 days containing recommendations relating to improving security, livelihoods, rule of law as they relate to items 1-5 under Results.</li> <li>2. Troubled districts or parts of districts are identified by the committee.</li> <li>3. Prov govt approves policy and package of reforms to implement the recommendations of the PPC within 14 days of receiving the recommendations including approval by cabinet/prov assembly.</li> <li>4. A media strategy is approved in line with the recommendations of the PPC to improve social cohesion and to condemn violence. In this connection conventions of Ulemas will be held to condemn violence and lawlessness. The <u>media</u> particularly at the community level will be encouraged to decry violence and win public support.</li> <li>5. A committee will created for recommending measures and proposing amendments to law for improving the investigation &amp; policing capacities. It will submit its Recommendations to the cabinet in 30 days. The recommendations are approved and implemented within 45 days.</li> <li>6. A rehabilitation of militants program is approved by the cabinet in which LG/religious elements /communities/media are involved in creating support for peaceful society.</li> <li>7. Fatwas are issued, Religious conferences are held and a strong body of Ulema for peace is supported. Conferences, workshops, discussion groups are formed to change perceptions.</li> <li>8. The Explosives Act is diligently implemented and licensing authorities improve regulation</li> <li>9. Frontier Constabulary strength is increased by 8,000 men. These will be recruited from Malakand and Southern districts and also deployed for duty there.</li> </ol>	<ol style="list-style-type: none"> <li>1. Committee with Tors formed within one week of formation of govt</li> <li>2. Recommendations are submitted within 45 days</li> <li>3. Troubled areas are identified</li> <li>4. Announcement of policy package for the Peace Plan in the identified areas to be announced within 14 days of the submission of the report at (2) above.</li> <li>5. A media strategy for conflict prone areas is announced</li> <li>6. Recommendations of the committee for improving investigation in the troubled areas are implemented</li> <li>7. The number of known insurgents is reduced by 40% by integrating them as responsible citizens.</li> <li>8. Investigation &amp; policing capacities are improved</li> <li>9. A rehabilitation policy for the militants is implemented</li> <li>10. The border with FATA is better policed</li> </ol>	

## Extending Stability to Pakistani Tribal Ares

S. No	Goals	Results	Activities	Indicators	Start date
		<p>9. The number of known insurgents is reduced by 20% in the troubled districts in year 1.</p> <p>10. Immediate programs are launched for generating employment throughout the province, particularly in the troubled districts.</p> <p>11. Livelihoods are improved by 5% in the troubled districts in the 1st year.</p> <p>12. Rule of law is strengthened and courts give quick decisions by introduction of alternate dispute resolution strategies and amendment in the law.</p> <p>13. Religious leaders support publicly efforts for peace</p> <p>14. Traditional elites and leadership is organized and supported</p>	<p>10. Livelihood base line indicators are chosen for improvement in the troubled districts by a new development strategy</p> <p>11. GOP/donors provide emergency funding to the provincial govt to implement the Peace Plan and media capacity is built simultaneously.</p> <p>12. A special development plan is launched in the troubled districts to improve livelihoods. Service delivery in health &amp; education is also improved.</p> <p>13. Micro credit and community organization is accelerated in the troubled areas specifically and the province generally.</p> <p>14. Committees are established to make recommendations for improvement of Rule of Law and formulation of alternate dispute resolution system.</p> <p>15. Efforts for political reform in FATA are stepped up leading to its merger into NWFP. However, control over region is maintained by working through the political agents.</p> <p>16. Political Parties Act is extended to FATA after an advocacy campaign</p> <p>17. Money flows from abroad through banks / individuals are monitored in FATA.</p> <p>18. Local govt elections are held in Fata</p> <p>19. Economic development &amp; empowerment is increased in FATA</p> <p>20. The federal &amp; provincial govts work closely together for achieving reform goals.</p>	<p>11. Base line livelihood indicators are available.</p> <p>12. A special development plan for the troubled area is implemented.</p> <p>13. Micro credit &amp; community organization is rolling</p> <p>14. Rule of law improved and work load of judiciary is reduced by the introduction of the alternate dispute settlement system. An open media is encouraged to get involved in discussing rule of law.</p> <p>15. Traditional elites are co-opted into activities and play greater role in security and governance.</p>	

Provincial Mid Term Peace Plan (3 years) 2008 - 2011

NWFP's Peace Plan		Budget	
		1,000,000	60
Sector	Activities	Max. Budget (m PkR)	Total Max. Required Budget (m US\$)
	<b>Peace Plan Activities</b>	<b>14,109</b>	<b>238</b>
	<b>Financial Estimates</b>	<b>14,109</b>	<b>238</b>
<b>1</b>	<b>Preliminary Work</b>	<b>19.9</b>	<b>0.3</b>
1.1	Consultation & Preparatory Phase	19.9	0.3
1.2	Preparation of Peace Plan		
1.3	Peace Plan (PPC) Reports / Presentations		
1.3.1	Creation of Provincial Peace Board		
1.3.2	3 Regional Peace Boards under Regional Coordinators		
1.3.3	Preparation of Regional Peace Plans		
1.3.4	Donors Conference		
1.4	Consultation Meetings / Advocacy Campaign		
1.5	Surveys / FGDs		
1.6	Dissemination of Peace Plan into Communities		
<b>2</b>	<b>Media Strategy</b>	<b>153.0</b>	<b>2.5</b>
2.1	Notification of Media Strategy Board		
2.2	Preparation of media strategy for peace plan		
<b>3</b>	<b>Implementation of media strategy in communities /circles</b>	<b>144.0</b>	<b>2.4</b>
3.1	Conventions of Ulemas		
3.2	Financial Support of Ulemas		
3.3	Establishing Analysis Cell		

## Extending Stability to Pakistani Tribal Areas

3.4	Establishing Internet service providers		
3.5	Providing financial support for Internet Structure		
3.6	Establishing FM Radio stations		
3.7	Providing financial support for FM Radio Infrastructure		
<b>4</b>	<b>Legal &amp; Institutional Reforms</b>	<b>1,785.2</b>	<b>29.5</b>
<b>4.1</b>	<b>Notification of Legal &amp; Institutional Change Board</b>	<b>10.0</b>	<b>0.2</b>
4.1.1	Hiring of Consultants & Experts		
4.1.3	Presentation of Reform reports		
		<b>25.0</b>	<b>0.4</b>
4.2.1	Implementation of Reforms in FATA / PATA /Prov Govt.		
<b>5</b>	<b>Capacity Building of Police &amp; Constabulary</b>	<b>45.0</b>	<b>0.5</b>
	Notification of Capacity Building Board		
	Hiring of Consultants		
4.3.1	Improvement of Investigation & Policing Capacities		
4.3.2	Strengthening Executive Authority of Province		
4.3.3	Integration of Magistracy System		
<b>4.4</b>	<b>Developing Alternate Dispute Resolution Reforms</b>	<b>62.0</b>	<b>1.0</b>
4.4.1	Local Govt. Reforms		
4.4.2	Empowering Communities for Resolution of Disputes		
4.4.3	Advocacy / Media		
<b>4.5</b>	<b>Strengthening of Traditional Elites</b>	<b>83.2</b>	<b>1.4</b>
4.5.1	Institutional Strengthening of Govt. Processes		
4.5.2	Re-establishing mandates & responsibilities		
4.5.3	Involvement in Dispute Resolution		
4.5.4	Revival of Local Cultural Platforms		
4.5.5	Amendment of Laws to include space for Elites		
4.5.6	Induction of elites in discretionary processes		

## Extending Stability to Pakistani Tribal Areas

4.5.7	Consultation processes with elites		
4.5.8	Control of Private Foreign Charity		
<b>4.6</b>	<b>Additional Strength for Frontier Constabulary</b>	1,560.0	26.0
<b>5</b>	<b>Rehabilitation Prog. For Militants</b>	<b>6,203.4</b>	<b>103.4</b>
<b>5.1</b>	<b>Presidents Human Development Initiative</b>	<b>468.0</b>	<b>7.8</b>
5.1.1	Enhancement of Presidents Internship Prog.		
5.1.2	Monitoring & Evaluation & Reporting (Control Component)		
<b>5.2</b>	<b>Social &amp; Economic Rehabilitation</b>	<b>5,735.4</b>	<b>95.6</b>
<b>5.3</b>	<b>Rehabilitation of Kashmiri Ex-fighters</b>	<b>631.9</b>	<b>10.5</b>
5.3.1	Psychologists / experts		
5.3.2	Psychological sessions		
5.3.3	Social Integration		
5.3.4	Creating Employment Opportunities		
5.3.5	Establishing Families Kashmir Ex-Jihadis		
<b>5.4</b>	<b>Rehabilitation of Ex-Fighters (NWFP)</b>	<b>5,103.5</b>	<b>85.1</b>
5.4.1	Psychologists / experts		
5.4.2	Psychological sessions		
5.4.3	Social Integration		
5.4.4	Creating Employment Opportunities		
5.4.5	Establishing Families FATA & other areas Ex-fighters		
<b>6</b>	<b>Provincial Livelihood Programme</b>	<b>1,272.2</b>	<b>24.2</b>
<b>6.1</b>	<b>Baseline Surveys / Studies for Livelihood Analysis</b>		
<b>6.2</b>	<b>Income Generation</b>	<b>667.7</b>	<b>23.8</b>
6.2.1	Community Mobilization and Organizations		
6.2.2	Enterprise Development		
6.2.3	Micro Credit extension		
6.2.4	Rapid Skill Development Trng Prog. For Entrepreneurs		
6.2.5	Rapid Skill Development Trng Prog. For Micro-credit benefiteres		

## Extending Stability to Pakistani Tribal Ares

6.2.6	Natural Resource Extension		
<b>6.3</b>	<b>Drinking Water &amp; Sanitation Sector</b>	<b>585.0</b>	<b>3.3</b>
6.3.1	DWSS Schemes		
6.3.2	Sanitation Schemes		
<b>7</b>	<b>Social Sector Reforms</b>	<b>24.4</b>	<b>0.4</b>
<b>7.1</b>	<b>Education Sector</b>	<b>18.4</b>	<b>0.3</b>
7.1.1	Formulation of New Syllabus		
7.1.2	Implementation of New Syllabus		
<b>7.2</b>	<b>Health Sector</b>	<b>6.0</b>	<b>0.1</b>
7.2.1	Health Insurance		
<b>8</b>	<b>Public Works for Employment Generation</b>	<b>4,401.3</b>	<b>73.4</b>
<b>8.1</b>	<b>Infrastructure development</b>	<b>4,371.3</b>	<b>72.9</b>
<b>8.2</b>	<b>Urban Renovation of major cities</b>		
<b>8.3</b>	<b>Developing Capacity of CSOs</b>	<b>30.0</b>	<b>0.5</b>
<b>9</b>	<b>Creation of Corporations</b>	<b>90.0</b>	<b>1.5</b>
<b>9.1</b>	<b>All Corporations</b>	<b>90.0</b>	<b>1.5</b>
9.1.1	Fruit & Vegetables Corporation		
9.1.2	Fruit & Vegetables Umbrella Bodies		
9.1.3	Agriculture Corporation		
9.1.4	Industrial Investment Organization		
9.1.5	Gemstones Corporation		
<b>10</b>	<b>Program Support Unit</b>	<b>160.0</b>	<b>2.7</b>
<b>10.1</b>	<b>Creation of Programme Management Unit</b>		
<b>10.2</b>	<b>Assistance for Capacity Building for Policy Research</b>		
<b>10.3</b>	<b>Administrative &amp; Financial Consultancies</b>		
<b>10.4</b>	<b>Monitoring &amp; Evaluation / Reporting (Control Component)</b>		



**Annex-2**

**Proposal for creating structure & process for implementation of Joint Peace Jirga Declaration**

1. The following process and creation of new structure is proposed to institutionalize the Pak-Afghan Peace Jirga Declaration issued in Kabul on 12 Aug, 2007.
2. It will provide legality for the Declaration within the Pakistani system.
3. The shortest, cleanest and quickest method is to request the National Assembly to pass the draft resolution at annex-1. It will provide a forum for discussion and gather support for the declaration.
4. During the passage of the resolution a short report on Jirga proceedings will be annexed. After presentation of request the N.A is likely to discuss the resolution; speeches and recommendations will follow.
5. It may be ensured that prior to moving of the resolution cross party support is obtained specially from the Pushtun grouping in the NA; for instance NWFP, Fata and Baluchistan. Support from other parties will be welcome.
6. After the passage of the resolution various GOP institutions will be legally required to implement proposals made in the Declaration permitting demand for additional funds for undertaking agreed activities.

**Creation of Joint Jirga Organization**

1. The joint declaration speaks of there being an office for coordination and implementation in Kabul and Islamabad.
2. The President had sometimes ago approved a core group of five officials to oversee the implementation of the Declaration. The officials are Interior Minister, Foreign Minister, SAFRON Minister and the Governors of NWFP & Baluchistan.
3. Twenty other persons are to be selected from the Pakistani Jirga to be added to the five members already nominated; they will make up the twenty five members recommended from each country. Presumably Afghanistan will do the same.
4. It is proposed that the Jirga Secretariat be created in the Interior Ministry under an Additional Secretary who will be the secretary to its Board. Support to the Secretariat will be provided by the existing staff of the Additional Secretary. Additional capacity can also be provided by contracting a service provider (consultancy firm) on a lump sum contract.
5. The Jirga Board will be consist of five core members mentioned at para 2 – above or others. Its rules will be approved by the Prime Minister. Other Secretaries will be invited on need basis to attend to agenda items specific to their department.
6. The other twenty members will form the general body of the Pakistani Jirga and will be invited from time to time.
7. The TORs of the Jirga Board are at annex-2, items could be added or deleted. The budget for managing the Board and implementing its purpose will be included in the budget of the Interior Ministry.
8. The Pakistani Jirga in collaboration with the Afghan Jirga will formulate an annual work plan of activities which will be agreed and approved by the respective countries for implementation.
9. The process dealing with peacemaking ad security issues will be coordinated by the core team and the twenty member general body respectively.
10. The Jirga Board will present its annual report to the N.A, the President/Prime Minister and the Executive Committee or the Joint Jirga of both the countries.

**Annex-1**

**Draft Resolution for Presentation to the National Assembly on the Pak Afghan Joint Peace Jirga Joint Declaration and its implementation**

**WHEREAS** the Pak-Afghan Joint Peace Jirga held its first meeting in Kabul, Afghanistan, from August 9 to August 12, 2007. The Joint Peace Jirga adopted the recommendations of the five working committees as part of the Joint Declaration and resolved to constitute a permanent Jirga of twenty-five members each from Afghanistan and Pakistan to oversee progress on implementation;

**AND WHEREAS** this initiative has created an opportunity and a forum to promote bilateral understanding and peace;

**AND WHEREAS** there is a genuine need of institutional arrangement to handle the subject matter;

**AND WHEREAS** the Ministry of Interior, in view of the centrality of the matter to our national interest and of peace in the region, proposes to create a **“Joint Jirga Board”** in its Secretariat to coordinate progress on the recommendations of the Joint Peace Jirga Declaration and matters connected therewith or ancillary thereto, including follow up actions on the following core areas envisaged in the joint declaration:

- i. To hold regular meetings of the Jirga Board to monitor implementation of decisions and recommendations of the Peace Jirga Declaration and facilitating the convening of its meetings;
- ii. Pursue the process of dialogue for peace and reconciliation with the opponents (Mukhalifeen);
- iii. Supporting efforts to eradicate poppy cultivation and drug trafficking through development interventions, opportunities for crop substitution and assistance from global community in enabling the Afghan government to undertake this responsibility.
- iv. Accelerating efforts to eliminate conflict that constitutes a threat to both Pakistan and Afghanistan;
- v. Denying sanctuaries to extremists, anti-state and subversive elements on the territory of Pakistan and Afghanistan and engaging the concerned communities on either side of the border for assistance in this matter; and Peace Plan.
- vi. Making recommendations and suggestions to the two governments for further strengthening of bilateral relations between Pakistan and Afghanistan.

**AND WHEREAS** the National Assembly has considered the matter;

**Now, therefore** through this resolution, the National Assembly welcomes this move towards peace and prosperity of the two brotherly nations and further resolves to support the initiative for Joint Peace Jirga and consequential actions thereto to establish the **“Joint Jirga Board”** as institutional arrangement for the implementation of the Joint Declaration signed in Kabul on 12 August 2007.

**(Copy of Joint Declaration is attached along with the agreed minutes of the five Jirga Working Committees)**

**Annex-2**

**Terms of Reference of the Pakistan Jirga Board**

1. To take all necessary coordination, implementation, review and budgetary measures considered essential for achieving the objectives of the Joint Declaration and recommendations of the five Jirga Working Committees.
2. To notify the members of the Pakistani Jirga and hold periodic meetings and when desirable to hold joint meetings with the Afghan Jirga either in Pakistan or Afghanistan.
3. To interact with its Afghan counterpart for affecting the purpose of the Joint Declaration.
4. To approve and undertake plans programmes contracts, expenditures relating to the functioning of the Board or implementation of the Declaration.
5. To establish close coordinating links with its Afghan counterpart for achieving the Declaration objectives.
6. To procure budgetary resources for the functioning of the Jirga Board.
7. To prepare annual work plan for Jirga activities / implementation of Joint Declaration.
8. To seek assistance and establish linkages with national or international agencies with the approval of the Jirga Board, for furtherance of the purpose of this Board.
9. To form committees or sub-committees to implement the purpose of the Jirga board.
10. To hire staff, recruit consultants or take any other administrative measure after approval of the Jirga Board for Implementing of its purpose.
11. To prepare the annual report for N.A and to disseminate information of its performance to the media.