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## Issue Brief

# Pakistan's Counter-Terrorism Policy

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*“Our Operation, Zarb-e-Azb, is the largest anti-terrorism campaign against terrorists anywhere, involving over 180,000 of our security forces. It has made substantial progress in cleansing our country of all terrorists and will conclude only when our objective has been accomplished.*

*This Operation is complemented by an all-inclusive National Action Plan. It encompasses police and security actions, political and legal measures and social and economic policy packages, aimed at countering violent extremism”*

*(Extract from Prime Minister Nawaz Sharif's speech at the 70<sup>th</sup> session of United Nations General Assembly)*

The menace of terrorism in Pakistan has its roots, as some analysts would argue, in post Soviet - Afghan war era. Others say that Pakistan's involvement as a front-line state in the 'war on terror' created a "Frankenstein", causing immense damage to Pakistan's socio-economic fabric. Nonetheless, terrorism in all its manifestations poses a serious threat to national harmony in Pakistan. To combat this menace, Pakistan National Assembly passed the National Counter-Terrorism Authority Bill in year 2013. The bill revitalised the dysfunctional National Counter-Terrorism Authority (NACTA), which was formulated in year 2010. As a result of this legislation, Pakistan announced its first ever National Internal Security Policy (NISP) on February 25, 2014.

The attack in Peshawar on the Army Public School on December 16, 2014 became a tipping point for the nation to refresh their resolve for fighting terrorism. Terrorist attacks in Mastung and Safoora further strengthened national consensus and its resolve to eliminate terrorism from Pakistani soil. This national commitment led to the announcement of National Action Plan (NAP) in January 2015 by the Prime Minister, which led to the formation of military courts and removal of moratorium on death penalty. The Parliament passed the 21<sup>st</sup> Amendment on January 7, 2015 to provide legal cover to the NAP. The Supreme Court of Pakistan, in a landmark decision on August 5, 2015, upheld the government's decision on the formation of military courts, but declared that the military court's decisions will be subject to judicial review<sup>1</sup>.

The National Counter Terrorism Act (2013) enhanced the jurisdiction of NACTA, an independent body directly answerable to the Prime Minister of Pakistan. Its functions include collection and dissemination of intelligence/information to relevant stakeholders for threat assessment, coordination and

formulation of counter-terrorism strategies and action plans, research and review of legal reforms, and most importantly, liaison with international entities for intelligence sharing.

The NISP mainly focuses on dialogue amongst all stakeholders, as well as deterring and dismantling terrorist networks. It also takes into account the ability of non-state actors to use advanced technology and possibly chemical weapons. The NISP is divided mainly into two components. First, the Comprehensive Response Plan (CRP), which deals with the soft component of the approach that strives for participative political processes and public support against extremism. The CRP strategises against extremism through dialogue, rehabilitation of temporarily displaced persons, socio-economic development and reforms. It emphasises formulation of a national narrative against terrorism and extremism, a national de-radicalisation programme and reconciliation amongst societal forces. It proposes to engage youth in healthy activities and integrate madrassas into the mainstream education system.

Second, the Composite Deterrence Plan (CDP), represents the hard component of the approach. It mainly focuses on capacity-building of National Internal Security Apparatus (NISA), along with an arms control regime at the centre. It proposes to develop and integrate national database, along with effective measures to shield against cyber crimes. In addition, under this plan, steps are being taken to regulate Afghan refugees and the formation of a Directorate of Internal Security (DIS) to coordinate intelligence-based operations. Furthermore, modernisation of law enforcement agencies, formation of a Rapid Response Force and Counter-Terrorism Department are amongst the measures proposed for up-scaling national security apparatus<sup>2</sup>.

The policy is being implemented with significant success. Till December 2014 last year, 215 criminal had been executed. The Interior Minister addressing a press conference on August 24, 2015 said that so far security forces have carried out 62,000 operations under NAP, which resulted in some 68,000 arrests. According to January 2015 NAP implementation progress report, 72 organisations have been proscribed by the Ministry of Interior. Moreover, NACTA has identified some 11,000 Deobandi madrassas as "sensitive". NACTA needs to ascertain and establish the exact number of madrassas, since figures from different civil-military agencies vary widely, from 18,000 to 33,000<sup>3</sup>.

In Punjab, 470 persons were arrested from January to May 2015 on the charge of producing hate literature, out of which 260 were prosecuted which resulted in 24 convictions. In a February 2015 report to Senate committee, the Punjab police disclosed that some 950 organisations received hundreds of

millions of rupees from Qatar, Saudi Arabia and fourteen other Muslim and non-Muslim countries. General Raheel Sharif, Chief of the Army Staff, in his Defence Day address, said: "We shall not relent until all terrorists, their financiers, abettors, facilitators and sympathisers are brought to justice."<sup>4</sup>

A critical review of counter-terrorism efforts in Pakistan would reveal a number of challenges. The Chief of Army Staff, in April 2015, expressed his concerns about NAP's lacklustre implementation, and called for "re-energising the NAP in the true letter and spirit and achieving discernable results".

Some critics say that NISP externalises the causes of all the perils of internal security. They argue that Afghan war and interference from neighbouring countries are the root causes of Pakistan's deteriorating internal security environment. However, believing it to be the main reason for internal security problem could divert attention from the social processes that have contributed to the spread of extremism in Pakistani society. Any long-term solution to terrorism should address social factors.

Moreover, NISP does not give ample direction and a time-frame for the achievement of these objectives. NAP advocates FATA reforms, reconciliation of separatist and political forces in Balochistan, curbing militancy from Punjab, repatriation of Afghan Refugees. These wide-ranging reforms must have a comprehensive roadmap. Though some early signs of progress are visible but still the issues NAP plans to address are deep-rooted in Pakistan's history and are embroiled in a plethora of socio-economic and political factors. They cannot be resolved with one-size-fits-all approach; rather, they demand continued national consensus and a tailored approach.

Zarb-e-Azab military operation is a great success and its impact can be quantified at this stage. Similarly, the operation in Karachi is also proving to be a success in dismantling criminal and terrorist networks. As a result of it, crime rate has decreased by 70 per cent in Karachi. Moreover, depoliticising police and building their capacity for confronting new fronts of urban terrorism should be prioritised. Also, a robust mechanism of monitoring, evaluation and accountability should continue to be incorporated in all state machinery.

Under the 18<sup>th</sup> Amendment and the consequent devolution of power, centre-province cooperation required under NISP and NAP needs to be streamlined to avoid confusion and promote synergy. A provincial review shows that Punjab is the only province that has taken matching legislative measures by passing 'The Punjab Strategic Cooperation Act (2014)', legislation aimed at stopping hate speech. Other provinces must accelerate their pace to catch up on key deliverables of NISP and NAP.

Moreover, there are some differences among political parties over the ownership and participation in the preparation of NISP and NAP. These differences, which may have direct bearing on the implementation of these policies, need to be resolved.

Some of the measures and targets suggested under NISP are over-ambitious or vague. In addition, the operational aspect reveals a large number of arrests, surveillance and regulatory activities that can possibly choke the criminal justice system and over-burden law enforcement agencies. The creation of special military courts has been undertaken to meet this extraordinary situation, and despite international pressure Pakistan has taken a judicious decision, in the interest of ensuring speedy justice. The government is also planning on formulating special courts under Pakistan Protection Act (2014) to meet with these challenges.

There is also a need for using local governments to oversee the implementation of NISP. The collection of intelligence and other basic functions can be effectively regulated through liaison with the local body system at the grass roots level. The local body elections in Balochistan and Khyber Pakhtun khawa (KPK), followed by Punjab and Sindh in Novemeber 2015, are a step in the right direction.

More importantly, the functionality of Directorate of Intelligence Sharing (DIS) is most critical under NISP, even as several challenges to its effectiveness are there. There is also a need to strengthen coordination between the military intelligence agencies and civil authorities.

The issue of internal security is under the Ministry of Interior (MOI), but after the creation of NACTA, many of its functions are duplicated. The formation of the Cabinet Committee on National Security (CCNS) is creating some ambiguity regarding the domain of NACTA as per NISP. The issues of national security and external interest come under CCNS' domain, whereas they are also registered under the ambit of NACTA. There is an urgent need for the state machinery to streamline these roles and responsibilities, and set a clear chain of hierarchy and command.

The Government of Pakistan, has, however, contested this kind of criticism, citing many areas in which concrete progress has been demonstrated. The Interior Minister, Chaudhry Nisar Ali, emphasised that there should be no politics on security matters, and the civil-military relations were ideal. He has also repeatedly informed the media about the progress in controlling terrorism and violent extremism and affirmed Government's confidence in National Action Plan and National Internal Security Policy as comprehensive policy frameworks for countering violent extremism<sup>5</sup>.

After government's talks with representatives from Tanzeemul Madaris on September 6, 2015, Ch. Nisar told the media persons that the State would now take actions against those calling others *Kafir* (Non-Muslim). He informed the media that both sides had agreed to take the Madrassa reforms process further, and there was a consensus on major issues<sup>6</sup>. The Sindh Home Secretary told the Sindh Apex Committee that 3,662 madrassas in Sindh (2,122 in Karachi, 1,548 Hyderabad) have so far been geo-tagged as part of the National Action Plan (NAP)<sup>7</sup>.

There is a clear need for introducing reform in police and criminal justice system in Pakistan; and to review the terrorism-related laws and criminal investigation procedures. Under NAP, a Rapid Response Force (RRF) has been constituted in provinces. In addition, traffic police is also given training in using arms and would serve as a contingent force, with presence in every corner of the city.

Also, there is a weak national narrative on terrorism, though general awareness among the public is rising. What is needed is a well-directed, coordinated, and sustained national campaign.

Pakistan government should also focus on creating an effective deterrence against terrorism, especially among youth who are prone to manipulation by terrorists. Pakistan should pivot its counter-terrorism strategy on reducing alienation of the people by addressing their grievances. Finally, Pakistan is learning from its mistakes and building upon strengthening civil institutions. National security is a much wider concept than mere territorial defence; hence all segments of the society need to make efforts for the elimination of terrorism. All efforts do not have to be state-centric. Citizenry must be mobilised, especially for countering violent extremism.

#### Notes and References:

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<sup>1</sup> "Supreme Court upholds establishment of military courts" *The Express Tribune*, August 05, 2015

<sup>2</sup> "Text of National Security Policy 2014-18", *The Nation*, February 27, 2015

<sup>3</sup> "Revisiting Counter-terrorism Strategies in Pakistan: Opportunities and Pitfalls", *Policy Report International Crisis Group*, July 22, 2015

<sup>4</sup> "Military ask the government to choke terror financing", *The Dawn*, September 11, 2015

<sup>5</sup> "Operation against militias on the cards", *The Express Tribune*, August 25, 2015

<sup>6</sup> "State will take action against those calling others infidels: Nisar", *The Dawn*, September 7, 2015

<sup>7</sup> "NAP implementation: Half of all registered madrassas in Sindh geo-tagged", *The Express Tribune*, September 9, 2015.