



MONITOR

Civil-Military Relations in Pakistan

February 2016



In this Issue

1. Return of the Temporarily Displaced People in FATA: A Continuous Sticking Point for Civil-Military Relations
2. Consistent Inconsistency: Sindh Government Grants 'Unconditional' Policing Powers to Pakistan Rangers (Sindh)
3. Wither Credibility? Involvement of Pakistan Army in Census 'Necessary' for Credibility
4. No Meeting of the National Security Committee (NSC)
5. Premier-COAS Interactions

Return of the Temporarily Displaced People in FATA: A Continuous Sticking Point for Civil-Military Relations



Temporarily Displaced People queue up at the Mirzail Check Post, Bannu, before returning home

If the number of public statements issued on a particular concern were a barometer of its importance, the return of the Temporarily Displaced People (TDPs) in FATA would definitely top such a list for February 2016. Twice the Military leadership flagged the issue: once during a meeting of the Apex Committee of Khyber Pakhtunkhwa on February 09, 2016;¹ secondly, during the Corp Commanders Conference on February 10, 2016.² On both occasions, the resolve of the Military leadership 'to ensure a timely and dignified return of TDPs to resettle them in their respective homes' was highlighted.

As if taking Press Release issued by the ISPR as their cue for point scoring,³ political parties jumped to the fray in criticizing the PML-N-led Federal Government. The Chairman of the PPP, Mr. Bilawal Bhutto Zardari, stated that '*this is worst form of human rights violation on the part of PML-N Government, which is spending hundreds of billions of rupees on worthless projects but seems not willing to release the required funds to send the TDPs back to the homes even after two years*'.⁴

The tailpiece of this particular statement by him must however be taken with a pinch of salt. He emphasized that there was a massive displacement of people in Khyber Pakhtunkhwa during Operation Black Thunderstorm (conducted in Buner, Lower Dir, Swat and Shangla Districts) that started on April 26, 2009 in which over two million people had become internally displaced. According to him, the PPP-led Federal Government facilitated around 1.6 million of them to return to their homes by August 2009.

Although this might be true, it was also the same PPP-led Federal Government and the ANP-

1. The Press Release issued by the ISPR in this regard can be accessed at: https://www.ispr.gov.pk/front/main.asp?o=t-press_release&date=2016/2/9
2. The Press Release issued by the ISPR in this regard can be accessed at: https://www.ispr.gov.pk/front/main.asp?o=t-press_release&id=3197
3. Ibid.

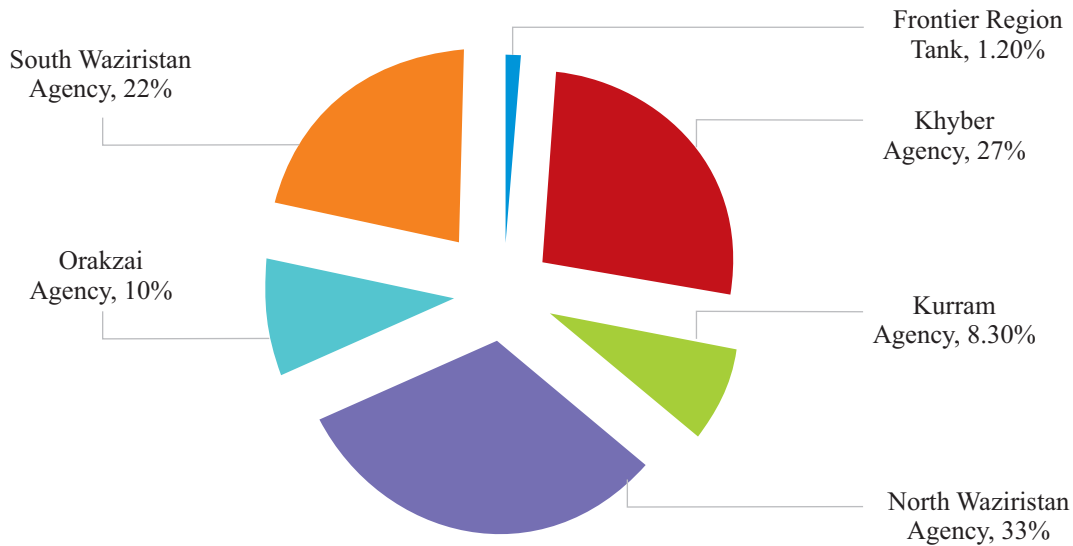
PPP Coalition Government in Khyber Pakhtunkhwa that failed to take control and provide effective civil services in Swat after it was cleared by the Army following the Operation Rah-e-Nijat in 2009. Almost all the rehabilitation work in Swat was carried out by the Armed Forces that included training the local police, rebuilding schools and even setting up local medical camps. So much so, with 50,000 soldiers in Swat in 2010, the military presence in the area was larger post-Operation than during it.

Given that the return of the TDPs is a critical issue, we believe that the following questions are of particular importance in this regard:

1. *What are the areas in FATA from which majority of the TDPs belong?*
2. *Which of these areas has the Pakistan Army declared safe and open for rehabilitation? Are the conditions conducive for the TDPs to return?*
3. *Is the issue singularly of the disbursal of funds, or also of management of the return of the TDPs? According to former Governor of Khyber Pakhtunkhwa, Mr. Mehtab Khan Abbasi, 'the real issue was management of the return process, not provision of resources'.⁵*
4. *What is the division of responsibilities between the Federal and Provincial Government in the repatriation of the TDPs?*

According to the statistics made available in the FATA Sustainable Return and Rehabilitation Strategy, March 2015, the first effort by the FATA Secretariat to map out a strategic plan for return and rehabilitation of the TDPs, a total of 310, 729 families have been displaced from FATA. Figure 1 gives the percentage of the TDPs from the various areas of FATA in this regard.

Figure 1: Percentage of TDPs from Various Areas of FATA



As regards the area that is notified safe for return of the TDPs by the Pakistan Army, a cloak of opacity shrouds this information. This particularly holds true for North Waziristan, which till now has remained closed for any independent media coverage. However, according to the FATA Secretariat, the return of the TDPs was to be carried out in five phases, with the last of the TDPs repatriated to their home by December 31, 2016.

4. For details, please see: <http://www.pstimes.com/2016/02/11/bilawal-warns-fed-govt-of-consequences-of-delaying-tdps-rehabilitation>
5. For details, please see: <http://www.dawn.com/news/1169655>

Table 1: Phases of Repatriation of the TDPs

| Phases | Timeline | Segmentation of Population Return |
|-------------|-----------------------------|---|
| Phase 1 | By <i>August 30, 2015</i> | 83% of the TDP families returning by this date belong to the <i>Khyber Agency</i> |
| Phase 2 | By <i>December 31, 2015</i> | 66% of the TDP families returning by this date belong to <i>North Waziristan Agency</i> |
| Phase 3 | By <i>June 30, 2016</i> | 85% of the TDP families returning by this date belong to <i>South Waziristan Agency</i> (41% of the families) and <i>North Waziristan Agency</i> (45% of the families) |
| Phase 4 & 5 | By <i>December 31, 2016</i> | 70% of the TDP families returning by this date belong to <i>South Waziristan Agency</i> (38% of the families) and <i>North Waziristan Agency</i> (32% of the families) |

According to the Daily Situation Report on the return of the TDPs issued by the FATA Disaster Management Authority (FDMA), as of March 15, 2016, the following number of families has returned for the various regions of FATA.

Table 2: TDP Families Returned as of March 15, 2016⁶

| Agency | No. of TDP Families Returned | No. of Original TDP Families | Percentage of TDP Families Returned |
|--|------------------------------|------------------------------|-------------------------------------|
| Khyber Agency | 71, 928 | 86, 107 | 84% |
| Kurram Agency | 2, 942 | 25, 865 | 11% |
| North Waziristan Agency | 17, 103 | 101, 788 | 17% |
| Orakzai Agency | 534 | 29, 615 | 2% |
| South Waziristan Agency | 9, 851 | 66, 978 | 15% |
| Total (Including TDP Families from Frontier Region Tank) | 101, 812 | 310, 729 | 33% |

6. The Daily Situation Report on Return of the TDPs issued by the FATA Disaster Management Authority for March 15, 2016 can be accessed at: <http://www.fdma.gov.pk/situation-report-on-tdps-return-as-of-15-03-2016>

It seems that conditions are not completely conducive for the TDPs' return, particularly for North Waziristan. The people of North Waziristan have been required to reaffirm their allegiance to the Constitution, Frontier Crimes Regulation and local customs, by signing an undertaking under the *Samaji Mohada NWA 2015* (Social Agreement North Waziristan 2015) which is an 8-page long document.

It has been signed between the elders of the Wazir, Dawar, Sidgai and Kharseen sub tribes of the Utmanzai tribe and the Political Agent for North Waziristan. Although usually the signing of an agreement denotes mutual understanding between the signatories, this particular agreement was formulated without consulting the tribal elders. According to a media report published by daily *Dawn*, signing the agreement is made mandatory for all those returning to North Waziristan Agency.⁷

Particular sections of the Agreement are a matter of concern.⁸ For example, Section 17 states that '*we will be obligated to provide security to all personnel of Government Institutions in our vicinity, and will facilitate them in their official duties*'. Here, the question arises that how can people of North Waziristan Agency be made responsible for something, which is essentially the responsibility of the State?

It also seems that the Federal Government seems to be lagging with regards to mainstreaming of FATA in Pakistan's constitutional framework. The Prime Minister has formed a Committee for FATA related reforms on November 23, 2015 led by the Advisor to the Prime Minister on Foreign Affairs, Mr. Sartaj Aziz. Reportedly, the Committee has met only once till now. Given that an integral member of the Committee, i.e. the Governor of Khyber Pakhtunkhwa, has resigned from his post and Mr. Zafar Iqbal Jhagra has only recently been sworn in, the Committee's subsequent course of action remains in the dark.

Consistent Inconsistency: Sindh Government Grants 'Unconditional' Policing Powers to Pakistan Rangers (Sindh)

The Provincial Government of Sindh seems to have developed a penchant for remaining consistently inconsistent with regards to the powers and deposition of Pakistan Rangers (Sindh) in the province. Whereas the months of December 2015 and January 2016 saw it at daggers drawn with the Federal Government, with the Provincial Assembly of Sindh placing conditions on the exercise of special policing powers, the Sindh Government granted an 'unconditional' extension for these powers on February 17, 2016 for 90 days, without any hue and cry this time around. The previous notification in this regard was issued on December 26, 2015, and expired on February 04, 2016.

A particularly strange remark emanated from the Advisor to the Chief Minister, Mr. Maula Bux Chandio in this regard. While answering a question regarding whether Pakistan Rangers (Sindh) had also requested deployment in Interior Sindh during a press briefing, he said that '*the Pakistan Rangers (Sindh) have not asked for Special Policing Powers in other areas of the province, but only for the Karachi Division*'.⁹ We believe that the honourable Advisor to the Chief Minister needs to be reminded that it is not the paramilitary force that *asks* for deployment or granting of special policing powers. Rather, it is the Provincial Government that makes this request, based on its law and order needs, to the Federal Government.

Additionally, PILDAT believes that only the police should do the policing, and the Pakistan Rangers (Sindh) should not become a permanent feature of the law and order landscape of Karachi and Sindh, or for that matter, elsewhere in the country. In this regard, de-politicization of the Police Force of Sindh is a must. The implementation of a provincial version of the Police Order of 2002 may be considered as the first step in this regard. For more details, please see PILDAT's Policy Brief titled **Policy Recommendations for Reforms in the Police System of Pakistan**.¹⁰

7. For more details, please see Footprints: Burden that doesn't end, *Dawn*, April 10, 2015, as accessed on March 18, 2016 at: <http://www.dawn.com/news/1174985/footprints-burden-that-doesnt-end>

8. Ibid.

9. For details, please see: <http://nation.com.pk/national/02-Feb-2016/sindh-grants-extension-to-rangers-stay>

10. The publication can be accessed at: <http://www.pildat.org/Publications/publication/ROLR/PolicyRecommendationsforReformsinPoliceSystemofPakistan.pdf>

Wither Credibility? Involvement of Pakistan Army in Census 'Necessary' for Credibility

Although the holding of the census, lately scheduled for March 2016, has been postponed indefinitely after the meeting of the Council of Common Interest (CCI) on February 29, 2016,¹¹ the reasons for it present an interesting window into civil-military relations in Pakistan.

Speaking on the floor of the National Assembly, the Parliamentary Secretary for Finance, Revenue, Statistics and Privatization, Mr. Muhammad Afzal Khan, MNA, stated that Government was committed to holding the census depending upon the availability of Army personnel for provision of security. He went on to state that the '*engagement of the Pakistan Army was also necessary to provide credence to the exercise*'.¹²

PILDAT understands that although the necessary discipline, muscle and security for the exercise can come from the Pakistan Army, the elected Government need not unnecessarily burden the institution as it is engaged in an active war against terrorism across the whole nation. Alternative means must be sought so that the exercise is not delayed indefinitely and unnecessarily. Statements like the one that the inclusion of the Pakistan Army is a must for credibility of the census show that the elected Government is not able to create its own credibility, at the cost of abdication of its duties and responsibility.

No Meeting of the National Security Committee (NSC)

It seems that the institution of the National Security Committee (NSC), the nation's '*principal body for decision-making on matters of national security*', is destined for dormancy. The latest meeting of the NSC was held October 10, 2014, almost one year and five months ago.

At the cost of repeating itself every month, PILDAT believes that there is a critical need to introduce regular periodicity of the meeting of the NSC. Apart from that, there is also a need to urgently reconsider the permanent membership of the Services Chiefs in the NSC, along with the forum's decision-making powers, instead of consultative ones. Both these features are exclusively peculiar to Pakistan's NSC, and are anomalous with regards to national security consultative forums across the world.

11. For details, please see: <http://www.geo.tv/latest/101596-CCI-decides-to-postpone-population-census>

12. For details, please see: <http://www.dawn.com/news/1240765>

Premier-COAS Interactions

During the month of February 2016, the Prime Minister and the Chief of Army Staff, Gen. Raheel Sharif met twice, in addition to be seen riding a military jeep in Balochistan driven by the COAS, when the two met to review the road developed at Hoshab, Balochistan under the Pakistan-China Economic Corridor on February 03, 2016.¹⁴

1. During a meeting held at the Prime Minister's Office to review implementation of the National Action Plan on February 01, 2016. The meeting was also attended by the Federal Minister for Interior, Chaudhary Nisar Ali Khan, MNA; DG ISI, Lt. Gen. Rizwan Akhtar; the National Security Advisor to the Prime Minister, Lt. Gen. (Retd.) Nasser Khan Janjua.
2. During the Prime Minister's visit to the ISI HQ on February 04, 2016. The Prime Minister was also accompanied by the Federal Minister for Interior, Chaudhary Nisar Ali Khan, MNA and the National Security Advisor to the Prime Minister, Lt. Gen. (Retd.) Nasser Janjua on the occasion.¹⁵



The Prime Minister being driven around by the COAS as they inspect the road developed in Hoshab, Balochistan under the Pakistan-China Economic Corridor¹³

For the three meetings held between the Premier and the COAS during February 2016, the Federal Minister for Defence, Khawaja Muhammad Asif, MNA was present in none of these.

13. Picture courtesy the ISPR

14. The Press Release issued by the ISPR in this regard can be accessed at: https://www.ispr.gov.pk/front/main.asp?o=t-press_release&date=2016/2/3

15. The Press Release issued by the ISPR in this regard can be accessed at: https://www.ispr.gov.pk/front/main.asp?o=t-press_release&id=3185



Islamabad Office: P. O. Box 278, F-8, Postal Code: 44220, Islamabad, Pakistan
Lahore Office: P. O. Box 11098, L.C.C.H.S, Postal Code: 54792, Lahore, Pakistan
E-mail: info@pildat.org | Website: www.pildat.org