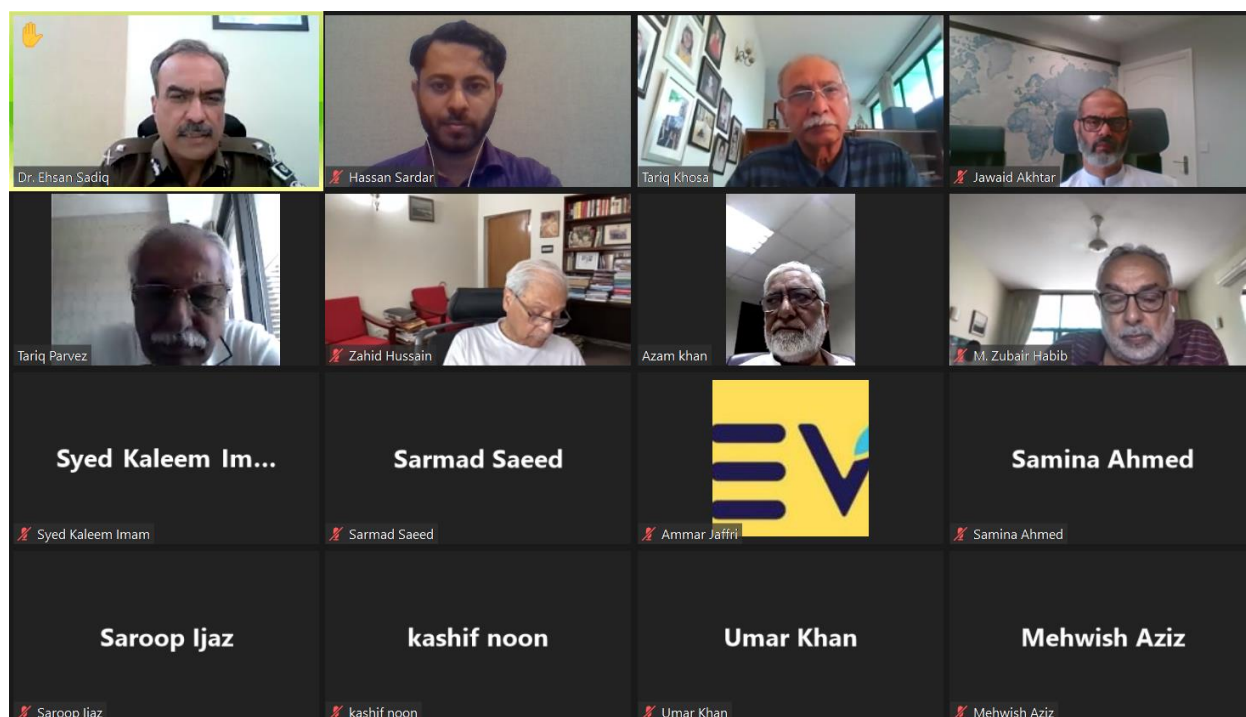


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# Minutes of the NIOC 34<sup>th</sup> Advisory Board Meeting



The 34th Advisory Board Meeting of NIOC was held on Monday 29 August at 1500 hrs. The following Board Members participated: Tariq Parvez, Zahid Hussain, Samina Ahmed, Zubair Habib and Jawaid Akhtar. NIOC directorate was represented by the following: Tariq Khosa, Sarmad Saeed, Kaleem Imam, Kashif Noon, Saroop Ijaz, Ammar Jaffri, Azam Khan, Nawaz Nadeem, Hassan Sardar and intern Mehwish Aziz. The following participated on special invitation: Ehsan Sadiq, National Focal Point on UNTOC Review and Barrister Umar Khan of the Centre for Human Rights.

The following agenda items were discussed:

- 1) Pakistan UNTOC Review Scoping Meeting was held virtually on 24 August 2022, participated by representatives of CSOs and Experts, including those from UNODC Civil Society Unit and Global Initiative Against Transnational Organized Crime in Vienna.

- 2) The Report of the Scoping Meeting will be jointly prepared and released by CGR-NIOC and UNODC CSU for consideration by different stakeholders involved in the Review Process.
- 3) Formal Launch of Pakistan UNTOC Review Pilot Initiative will take place in Islamabad on 15 September 2022.
- 4) The launch event will be for both in-person and virtual participation. An organization committee headed by Sarmad Saeed will start preparations immediately.
- 5) Draft Policy Brief on Trafficking in Persons has been prepared by NIOC Consultant Dr Syed Kaleem Imam. It will be released by 7 September.
- 6) Policy Brief on Counter Terrorism will be prepared by Mr. Tariq Parvez, NIOC AB President and will be ready for release by 14 September.
- 7) Policy Brief on Police Reforms will be jointly prepared by Sarmad Saeed, Deputy Director NIOC and Dr Syed Kaleem Imam, NIOC Consultant.

## 2 cops martyred in grenade blast at police headquarters in Karachi's Garden

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A photo of a police mobile

**Two policemen were martyred while two others were critically injured in a grenade explosion inside the police headquarters located in Karachi's Garden area.**

Senior Counter Terrorism Department (CTD) official Raja Umer Khattab, who visited the site of the incident, told Dawn that the explosion took place outside the armoury in-charge's office, where arms are stored and handed out to officials on duty.

He said that one of the deceased officials was carrying the hand grenade when it exploded. He identified the deceased as Shahzad and Sabir, and the injured as police inspector Saeed – the armoury in-charge – and constable Ali Gohar.

Khattab said another grenade "miraculously" did not explode. The CTD officer said it appeared to be a case of "mishandling" rather than a terror incident.

South Deputy Inspector General (DIG) Sharjeel Kharal also termed the incident to be an accident. He said the grenade was a part of case property and policemen had brought it out to defuse it when it exploded.

Kharal said the condition of the two injured policemen was critical.

Meanwhile, Karachi police spokesperson Shazia Jehan said city police chief Javed Odho had taken notice of the incident and ordered an inquiry to ascertain the circumstances which led to the explosion.

**SOURCE: DAWN, AUGUST 3, 2022**

## One killed, 14 hurt in Quetta grenade blast

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**QUETTA: A man was killed and 14 others, including two children, were injured in a grenade attack targeting roadside stalls selling national flags.**

The blast took place at the Joint Road Square near Raisani Road.

Police said unknown motorcyclists hurled the grenade at the stalls selling national flags and other decoration items in connection with the upcoming Independence Day on Aug 14. The grenade exploded near the stalls, killing one man and injuring 14 others.

The assailants fled the scene after the incident. Police and Frontier Corps personnel rushed to the site and shifted the body and the injured to a nearby hospital.

“One body and 14 injured were brought to the hospital,” Dr Wasim Baig, a spokesman for Quetta’s Civil Hospital, told Dawn.

The man killed in the grenade attack was identified as Surat Khan. SP City Shoukat Janjua said Mr Khan was purchasing national flags when the blast took place, whereas the injured mostly included sellers.

SOURCE: DAWN, AUGUST 5TH, 2022

# Ruthlessly ethical

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SYED KALEEM IMAM

**HUMANS have been known to transgress all extremes when they come down to savagery. Even then, the trends set over the last few decades are alarming. Our violent tendencies did not emerge out of the blue: extremism was birthed, reared, and nurtured right in front of us as we stood by, unsure of what to do. We witnessed religious and sectarian fault lines deepen in the late 1970s, when a traditional, all-embracing affection for each other's way of living and beliefs began to be replaced with xenophobia and hate.**

Soon after, sectarian divisions flared up. Riots killed hundreds. Curfew had to be imposed numerous times. There was mass displacement in cities: colonies and townships appeared, which barricaded themselves along sectarian lines. Many lives were lost, but very few were held accountable.

In the 1980s, Bushra Zaidi, a student, died in a traffic accident, caused by a reckless bus driver, in Karachi. Her death gave way to racial violence. Massacre ensued and many belonging to 'other' ethnicities were killed. Over the course of the 1990s, scores of prominent individuals, particularly professionals like doctors, engineers and scholars, were singled out and eliminated for their sect or ethnicity.

Unruliness was given a new lease of life with 9/11. A host of monsters, with backing from within and outside the country, unleashed havoc in the name of faith. The law was applied only where convenient and, rather than being reprimanded, the religious and ethnic groups doing wrong were appeased and elevated to the mainstream.

A massive effort was eventually launched to take back the space seized by these elements. It involved the expenditure of a number of resources and entailed human losses before militant forces were tamed or forced to retreat. However, the war remains far from won. Many of the subdued militant outfits remain in hibernation, waiting to return.

Strategies that employ the use of force alone have not taken any nation far in the fight against militancy. The European experience, on the other hand, proves that security measures grounded in human rights and the rule of law have better potential to combat terrorism and other forms of crime.

I recently participated in a conference titled 'Community-Oriented Policing and Combating Violent Extremism', organised by the Near East South Asia Centre for Strategic Studies in collaboration with the UAE government. During the four-day programme, which was attended by law-enforcement officials from 12 countries, there was broad agreement that police should

always be the first responders for law enforcement. This is a vital recognition in the fight against extremism and terrorism and requires support from all relevant departments and organs of the state.

Developing a partnership and ties with antagonised communities at appropriate levels and empowering them by giving them ownership of their future was emphasised as necessary to curtail zealotry. I found the concept of the Hedayah Centre in the UAE particularly interesting in this regard. The centre carries out science-based deradicalisation and reintegration programmes and has been deemed a valuable source in identifying early signs of extremism.

Another view shared by the participants was that overly coercive covert security measures serve as a major driver for violent extremism, even insurgency, as they create more anger in communities and drive families of the targeted to settle scores and restore their 'honour'. It was agreed that where regulations are discriminatory, there is an increased risk of radicalisation and recruitment to violent extremist groups.

When expediency, shortcuts and illegal actions are justified, extremism and terrorism, as well as other social ailments, take further root. To defeat extremism in all its manifestations, the state, its institutions and leaders must remain 'ruthlessly ethical' – they must refrain from extrajudicial actions and admit that employing such tactics is many times illegal and almost always counterproductive. If not them, someone will pay the cost. The sooner law enforcement and stakeholders understand this the better.

Allegiance must always be to the Constitution and the law, and to uphold the highest ethical standards. Law enforcement should not be beholden to decision-makers who call the shots but are almost never held accountable for them.

In our case, the National Action Plan, the National Internal Security Policy, and most recently, the National Security Policy are all documented strategies to counter militancy. They are sombre in their aspirations, yet also a little flawed in their approach. It is time we started to reconsider if they are sufficient for scenarios in which a people turn against their own, defy their own laws and even take arms and support from sworn enemies to attain their misguided causes.

**SOURCE: DAWN, AUGUST 7, 2022**

# Cyber-Weapons on The Dark Web

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AYAZ HUSSAIN ABBASI

Cyber-war is more concerning to today's policymakers and decision-makers than cybercrime. Cyber-terrorists and state-sponsored hackers are the key actors in cyber-war, who not only attack websites to deface them and steal Facebook accounts, but also compromise and destroy our country's economic security.

A malware agent used in a cyberattack for military, paramilitary, or intelligence purposes is usually referred to as a cyberweapon. Data theft and electronic or physical destruction are examples of cyber weapons. While a cyberweapon nearly always causes direct or indirect financial harm to the target organization, direct financial gain for the sponsor is not the primary goal of this type of agent.

A cyber-army is a group of troops with advanced cyber talents who are extremely competent in information technology. Countries should use cyber-armies to maintain national cybersecurity. China is ranked first in cyber defensive power, followed by the Netherlands and France, then the United States and Canada.

According to the researchers, the United States leads in cyber offensive, cyber norms influence, and cyber intelligence. Teams at Cyber Command are allocated to specific adversaries – including Iran, North Korea, Russia, and China – and have worked with the intelligence community for years to get access to digital networks. Cyberweapons are stealth weapons that, like any computer code, are written in zeros and ones. They have the ability to infiltrate entire networks as well as infect individual PCs. They have the ability to block communication systems, confound enemy signals, and stop military attacks before they happen, all without the flash and bang of traditional weapons of war.

Although cyber warfare is a new phenomenon in its current form, the notion is as old as warfare itself. Rivals used to try to physically interrupt their opponent's communication networks in the old days as well. Similarly, using all available means, well-thought-out strategies were used to gain access to information systems and develop mechanisms of misinformation in enemy ranks.

Humans are becoming increasingly reliant on technology due to rapid advancements in communication tool applications. During the COVID-19 pandemic, the efficacy of these technical techniques was put to the test. Even the most advanced states with cutting-edge medical facilities were crippled for months, forcing everyone from executives to administrative staff to work digitally from their homes.

Furthermore, the idea of cyber threats has muddled the internal and external dimensions of national security, allowing less powerful state and non-state actors to increase their influence efforts. One of the causes that have fostered the formation of hybrid threats or made irregular warfare more appealing is the shifting nature of traditional ideas of armed conflict and war, because these may not motivate military action.

Due to its great capacity to disrupt communication infrastructure, cyberwarfare is now regarded as a more appropriate tactic for offensive action against a rival. This is particularly risky because it has the potential to immobilize the target system for the duration of the disruption. Highly sensitive defense installations, such as command and control systems, missile-firing sites, air defense systems, and, more importantly, strategic decision-making mechanisms, may be included in these systems.

The race for space dominance, which began in 1957 with the launch of Sputnik-I by the then-Soviet Union and ended in 1958 with the launch of the United States' first manned space voyage, was perhaps to attain improved connectedness, integration, and networking in the decades to come. However, knowledge gained via advancements in the fields of information and space technology is now being used in a bad way to disrupt the same communication and integration.

State institutions have become increasingly vulnerable as a result of the use of cyber warfare as part of a strategy to disrupt enemy lines of communication and cause harm to their prospective capabilities. Personal security, which is an important component of human security, is also vulnerable to disruptions in communication, location, and financial activities, to name a few examples. As a result, international and national organizations must establish legal procedures to ensure that cyber warfare does not violate an individual's rights or deprive him or her of his or her financial assets.

Cyber-warfare tools used by the military could eventually fall into the hands of hackers. According to Interpol Secretary General Jurgen Stock, in a few years, state-developed cyberweapons will be available on the darknet, a hidden area of the internet that cannot be accessed using search engines like Google.

"In the physical world, that is a significant problem—we have weapons that are used on the battlefield today and will be utilized by organized crime groups tomorrow. The same is true for digital weapons that are currently in use by the military, have been created by the military, and will be available to criminals tomorrow."

Ransomware, in which hackers lock down a company's computer systems and demand a ransom payment to regain control, is one of the most common cyberweapons. Cyberwar has long been a source of fear for governments around the world, but it has resurfaced in the wake of the Russia-Ukraine conflict.

Cyberwar has long been a source of fear for governments around the world, but it has resurfaced in the wake of the Russia-Ukraine conflict. Moscow has been blamed for a number of cyberattacks

that occurred before and during its military invasion of Ukraine, but it has always denied the allegations. Meanwhile, Ukraine has solicited the assistance of volunteer hackers from all around the world to aid in its defense against Russian aggression. A "significant number" of cyberattacks go unnoticed. "It's not just law enforcement that demands we develop bridges between our silos, the islands of information," says the author. According to the World Economic Forum's Global Cybersecurity Outlook study, the number of cyberattacks worldwide more than doubled in 2021. According to the research, ransomware remains the most common sort of assault, with firms being targeted 270 times each year on average. Critical energy infrastructure and supply lines are being jeopardized by cyberattacks.

**SOURCE: THE EXPRESS TRIBUNE, AUGUST 7, 2022**

# Turning A Blind Eye to Torture

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XARI JALIL



When Muhammad Iqbal was picked up in 1998 by the police on a charge of murder, from near his home in Mandi Bahauddin, he was barely 17 years old. Iqbal claims he was not even in the village at the time the said murder was committed and that he had been framed by someone.

“Someone we know had some personal enmity with my father and so he made me a scapegoat,” Iqbal says, now approaching the age of 40. “But honest to God, I wasn’t even there when it happened. In any case, the police picked me up, and took me to the police station.”

Whatever happened after that, Iqbal usually skips over, when alluding to his arrest. Ultimately, he was handed a death sentence by an Anti-Terrorism Court (ATC) for “murdering a man and injuring three others”, but not before suffering severe third-degree torture by the local police.

The police torture Iqbal suffered forced him to confess to a crime he vows he never committed. He spent the next 22 years of his life in jail. Despite being a minor, he was even dealt a death sentence which he managed to dramatically escape at the last minute, after being given a ‘black warrant’ – the final order for execution.

However, his story is not about his narrow escape from the jaws of death. His is a story that exemplifies the unspeakable custodial torture suffered at the hands of police and investigation agencies by those facing physical remand or detention.

“Instead of taking me to the police station, where the accused is meant to be taken,” Iqbal tells Eos, “the police took me to a cut-off place located at a distance from the main station.

“I was blindfolded but it seemed like their private cell was meant for such acts. Once they took me inside, they tied me to a metal bed and began their business.”

Iqbal is a little embarrassed when speaking about what he endured. He does not go into the details of the torture methods used.

“What can I say? They made me suffer in every way possible,” he tells Eos. “They kept forcing me to own up to the crime. The torture was so bad that I, just a minor, was at their mercy and ended up taking the blame for the crime. They had been threatening me that, if I did not give a confessional statement, they would nominate my father in the FIR as well.”

It took 22 years for Iqbal to be declared wrongfully accused and for his case to fall apart in court. His youth was over. He had lost his parents. But at least he was still alive and finally free from prison.

Not every innocent makes it out, though.

In September 2019, a mentally unstable man, Salahuddin Ayubi, a resident of Gujranwala, was picked up by the Punjab police on charges of an ATM theft in Faisalabad. The man was subjected to intense and horrific police torture, with a video that surfaced on social media later showing Punjab police officials beating him and humiliating him in the worst possible ways.

In the video, two police officers could be seen beating Ayubi and verbally abusing him to scare him, while the accused appeared to be in extreme pain and was ostensibly confused. The police officials also forced him to stick his tongue out for ‘fun’, as Ayubi had done in the ATM unit while facing the CCTV camera there. This was a display of utter apathy for a person with a mental or physical condition, and rampant abuse of power by the police.

Salahuddin was not only mentally challenged, he was also mute and, according to his father, had been reportedly suffering from a health condition which worsened while he was in custody. When his health began to deteriorate in police custody, only then was he taken to a hospital. But Ayubi could not survive.

Later, a forensic report confirmed that Ayubi had been badly beaten, especially on his right arm and on the left side of his stomach, which had caused severe bruising. There was coagulated blood on different parts of his body where he was tortured, said the report, while adding that the deceased was often out of breath due to a lung disease.

An uproar on social media about this incident lasted for a short time before it evaporated from the collective memory of the public.

## Parliamentary Inaction



It is rare to see a police officer get more than a slap on the wrist even in cases of custodial deaths. For the torture victim, it is difficult to decide which is worse: the torture or the impunity his or her perpetrators enjoy. It is rare to see a police officer get more than a slap on the wrist even in cases of custodial deaths. Not many are tried in court, and even fewer convicted.

Many hold society responsible for enabling a violent mindset that these officers mirror. There is certainly a lack of accountability for these crimes and there are no mechanisms in place that can ensure accountability, either.

In March 2015, the Senate of Pakistan passed the Torture, Custodial Death and Custodial Rape (Prevention and Punishment) Bill 2014. This bill was subsequently sent to the National Assembly, which referred it to the relevant committee. The bill lapsed due to a failure to pass it within the stipulated 90-day period. It was then referred to a joint sitting of the parliament in January 2017.

The National Action Plan (NAP) for Human Rights, introduced by the federal Ministry for Human Rights in February 2016, set a six-month deadline to pass the Torture, Custodial Death, and Custodial Rape (Prevention and Punishment) Bill. However, to date, the bill has not been taken up by parliament.

In 2017, a similar draft bill was approved by the sub-committee of the National Assembly's Committee on the Interior. Again, this too has not been passed by parliament.

In 2010, Pakistan also ratified the UN Convention Against Torture (UNCAT). Besides not adhering to its international law obligations, this failure to enact anti-torture legislation is also in violation of Pakistan's own promises made under the National Action Plan (NAP) that was passed eight years ago.

In 2020, life in the idyllic Karora village in district Shangla of Khyber Pakhtunkhwa, was troubled after a 52-year-old local man died in police custody. Sayid Muhammad Shah, the brother of the deceased, revealed to local media that all he was told by the police was that his brother had "died in the lock-up." He was offered no other explanation.

"When I reached the police station," Shah had said when talking to a local journalist, "I found my brother's body inside the lock-up, with a piece of cloth around his neck and handcuffs on his wrists. The police tried to show that he had hanged himself. But it was clumsily done and was clearly a cover-up."

Sayid Muhammad registered an FIR against Naseeb Shah, the additional Station House Officer (SHO) who had arrested the victim from Karora bazaar.

To make matters worse, the police had uploaded, on their Facebook page, a photograph of the victim, holding up a placard with charges of drug possession written on it, to further humiliate him.

#### IN THE TORTURE CELL



Salahuddin Ayubi, a mentally unstable man, was beaten and humiliated by Punjab police officials in the worst possible ways. He died in police custody

Although the police force has become synonymous with torture, intelligence and investigation agencies have also been regularly accused of meting out torture to people they pick up for 'interrogation' or information.

The chairman of the Baloch National Movement (BNM) Dr Naseem Baloch was abducted twice by an intelligence agency from Karachi – once in 2005 and then in 2010. Apparently targeted for his political activism, Dr Naseem suffered such intense torture by his kidnappers that its severity cannot be measured by words.

From cigarette burns on his body to electric shocks to kicking him in his kidneys which affected his urinary system, to sleep deprivation, humiliation, starving and hanging by the arms – the latter seemingly a favourite go-to method of custodial torture – it is a miracle Dr Baloch survived at all.

“The doorbell rang at 3am while I was in a deep sleep,” Dr Naseem recounts the horrific details of his first abduction for Eos. “Around 20 uniformed personnel accompanied by plain-clothed men stormed my flat the moment I opened the door. After being hit a couple of times with a gun butt on my head and neck, I was left half unconscious. But from the sounds from the next room I could tell that my other colleagues were being blindfolded and tied up. I remember being barefoot, as I was escorted to one of the security jeeps.”

They didn't allow him to sleep for the first three days.

“I was hung by my wrists, arms stretched upwards. It was a huge hall with black and white tiles. A high beam searchlight would hover in my face. I was made to hang like this in such a way that my toes barely touched the ground.” At the same time, his head was covered with a plastic bag, making it difficult to breathe and he was burnt with cigarettes all over his body.

“I had only 40 seconds to relieve myself when they allowed me to, and when I asked for water, I would be given four strikes of the chhittar [leather whipping strap] before being given a bottle of water held by one of the torturers. The personnel at night would whip me with the leather strap the moment they felt I had fallen asleep.”

Each whipping would leave a thick bloody mark on his body.

“They did other things too – electrocuted me on my thighs, for example – all of it depended on what mood they were in to kill time.”

His 'interrogation' did not begin before the fourth day. An officer sat opposite him questioning, while he sat on a chair blindfolded, while another stood behind him, ready to whip him hard when the need arose. It continued like this for weeks. After 45 days, he was shifted to Quetta, where the whole cycle continued. Later, somehow, he says, he was freed along with some others on May 25, 2005.

“The second time I was picked up was from Quetta in 2010, when I was heading home from my hospital shift. I was stopped by the Frontier Corps (FC) personnel, who were accompanied by some plainclothes intelligence agents. Again, I was blindfolded and tied and put in the back of a vehicle.”

Once again, the whole procedure began on repeat, but this time by midnight, shortly after the whipping had stopped, a bearded man entered the dark room. Dr Naseem’s blindfold was removed, and the man began showing him some pictures on a cell phone for him to identify.

“This is when I saw a blue electric shock machine. The man pointed a remote at the machine and warned me that the power could go up to 450 watts should I choose not to cooperate.”

Needless to say, Dr Naseem was tortured by the machine.

“I was left unconscious after the electric shocks and do not remember what happened afterwards,” he says. “In the morning, when I asked permission for a toilet break, I discovered blood on my clothes, mainly the lower part of the body and the testicles,” he says, adding that there was blood in his urine too.

“The toilet break was for two minutes a day and was the only place where I could see things. This continued for a week. They would often electrocute my head, my genitals and other sensitive parts of my body.”

There was also waterboarding, dipping his face in oil, forcibly making him stand on ice for long periods of time, pulling off nails, and even hammering iron nails on the ankles and bones of legs.

The psychological impact of these two abductions still remains with Dr Naseem. He gets nightmares and sometimes he himself cannot help but become aggressive towards those nearest to him, realising it was an overreaction often too late.

He has also developed a panic disorder, which can be triggered at any time. After his release, the sound of keys would send fear through him, because it would remind him of an officer unlocking the cell door to take one of the prisoners away for a torture session.

Even today, he visits a psychiatrist to heal himself. The scars of his body may have diminished, but the scars on his mind remain.

Dr Naseem has left the country and lives in self-exile.

## THE UNSEEN NUMBERS



Policemen beat up a man on a road

The Justice Project Pakistan (JPP) is one of the main organisations to have highlighted custodial torture in the country through various campaigns. Their project 'Torture Watch' conducts anti-torture advocacy, spreads awareness regarding this practice and pushes for police reform to eradicate torture.

The organisation has also released some detailed research, including in the report 'Policing as Torture' and on the abuse of women and juveniles by the Faisalabad police. It has also submitted a report to the UN Special Rapporteur against Torture and other Cruel, Inhuman or Degrading Treatment and Punishment, and provides pro bono legal aid to prisoners and torture victims.

In 2014, a ground-breaking study was conducted by JPP and Yale University, where a sample of 1,867 medico-legal certificates (MLCs) from District Faisalabad, filed between 2006 and 2012, were thoroughly investigated. Following this, the National Commission for Human Rights Pakistan (NCHR) initiated an inquiry into the confirmed cases of torture, acting on a complaint filed by JPP. NCHR recorded testimonies of witnesses and survivors, and conducted a hearing with police officers named in the complaints. It also surveyed 350 random MLCs.

The MLCs were prepared by the Faisalabad District Standing Medical Board (DSMB), which was set up by the government to conduct medical examinations in response to allegations of torture. The DSMB includes four government-appointed physicians.

Over 61 percent of the women in the sample had been sexually assaulted, 81 percent had been subjected to cultural humiliation and 61 percent had been forced to witness torture of others, often their family members. This shows the systematic prevalence of police torture and adds fuel

to the assumption that it is also accepted by authorities as part of the process of criminal investigation.

In January 2021, Dawn reported 10 encounters, 10 incidents of deaths in encounters or in custody and 11 incidents of physical torture or violent intimidation by the police across Pakistan.

News reports taken only from Dawn during 2020, where incidents of police violence had occurred that had resulted in the deaths of individuals came to around 109 in number; 89 news reports were of police encounters. There were 80 other articles on torture, intimidation and other abuses of authority. This was published in an investigative report by Voicepk.net, an initiative of the Asma Jahangir Legal Aid Cell.

Meanwhile, for the same year, the Human Rights Commission of Pakistan (HRCP) monitored a total of five national newspapers, both English and Urdu, and tabulated 146 reports on police encounters that resulted in the deaths of 225 individuals, and 19 news reports on custodial deaths which claimed 23 victims. However, these figures do not include the number of inmates (convicted or under trial) who had died in prisons.

In 2020, approximately 34,000 law-enforcement personnel were punished for offences according to the police department's accountability mechanisms, amounting to some 17 percent of the personnel enrolled in the Punjab Police force. Punishments included dismissal from service, demotions, censures and putting a hold on promotions.

## **LACK OF FRAMEWORK**

Why torture is widely accepted and perpetrators given impunity is because of multiple reasons. They include a socio-cultural acceptance, the lack of independent oversight and investigation mechanisms, widespread powers of arrest and detention, procedural loopholes and ineffective safeguards. However, perhaps the biggest reason this practice continues is Pakistan's failure to criminalise torture.

The existing framework has inherent flaws. Despite this, Muhammad Shoaib from JPP says that there are multiple ways at present in which a complaint against torture may be filed.

"When it comes to the legal process, a constitutional petition can be filed at the high court," he says. "Besides this, Sections 155 and 157 from the Police Order deal with police accountability and with arrest or detention without reason. The latter can entail a five-year imprisonment period for offenders. There is also Section 166 of the Pakistan Penal Code (PPC) which is not used much – covering disobedience of the law by a public servant, with an intent to harm. The NCHR is a platform where a complaint can also be made. However, all such forums mete out very little punishment for the perpetrator."

Unfortunately, apart from this, there is no mention of torture under the PPC and the Code of Criminal Procedure 1898 (CrPC) – Pakistan's two primary criminal codes. Under the PPC, there are penalties for certain acts of torture under related offences, such as "causing hurt to extort

confession or to compel restoration of property”, “wrongful confinement to extort confession or compel restoration of property” or provisions governing “criminal force and assault.”

The offences described under these sections, however, do not highlight all the components of torture that have been outlined in detail under Article 1 of UNCAT, especially when it comes to custodial torture.

The term “hurt” has been used, rather than “torture” under section 337-K of the penal code and this is legally ambiguous, especially since there is no specification of whether it refers to physical or mental torture. There is also no mention of the after-effects of torture, such as a victim forced to commit suicide.

In Article 156(d) of the Police Order 2002, there are penalties against police officers who inflict “violence or torture” upon any person in their custody, but this is only limited to police officers and not other public officials. Plus, it contains no definition of torture. It does not recognise torture as an offence distinct and more severe than the mere infliction of violence by police officers.

### **THE UNPASSED BILLS**

Instead, the 2017 Torture Bill gives a comprehensive plan to report incidents and, most importantly, defines torture, including its indirect effects.

The bill also proposes a method for reporting torture. First, the complainant must lodge a complaint before the sessions court, which would then direct the Federal Investigation Agency (FIA) to conduct an investigation within a set period. Both the court and the NCHR have the power to monitor this investigation.

If a magistrate feels there may have been torture, he can order an MLC and, if the results point towards torture, the sessions court will be notified and will take cognisance. This framework effectively removes the possibility of police making arrests without warrant and initiating the investigation into complaints of torture on their own – there is now a layer of scrutiny, oversight and regulation from the court, to ensure that complaints of torture are actually investigated.

The bill also provides for strict punishments, complying with UNCAT directives. It stipulates express penalties for torture, ranging from imprisonment for a term of three to 10 years, as well as a fine which may extend to two million rupees. Importantly, it also provides penalties for those public servants who have a duty to prevent the commission of torture and “intentionally or negligently” fail to do so. It also provides penalties for those public servants who incite or instigate the torture of any person.

But the problem is not in the wording of the bill. Rather, it lies in the fact that the bill is not being passed. In fact, since 2010 when UNCAT was signed and ratified by Pakistan, any attempts to have an anti-torture bill passed have been unsuccessful.

In 2015, the Pakistan Peoples Party (PPP) Senator Farhatullah Babar managed to have a bill passed in the Senate. But because PPP did not have a majority in the National Assembly, the bill did not pass there.

“When, in 90 days, a bill is not passed by the other house, you may call a joint sitting of the parliament,” explains the former senator and human rights activist. “But it did not even go to this session, despite the fact that the Senate had passed a resolution for it.”

In July 2021, a new Anti-Torture Bill was passed this time by Sherry Rehman, another PPP lawmaker. It was again transmitted to the NA, but there it remains to this day.

“To me it seems as if the parliament is being ‘remote controlled’ by a third party,” says Babar. “It is being blocked at different stages, despite the number of attempts to have a bill passed.”

Babar deeply criticises the state’s response towards torture.

“Whenever there is an incident of torture, a common response from the government is that ‘action is being taken, and an inquiry has been ordered.’ But what happens next, we never know,” he says. “We continue to live in a state of denial. We do not even bother to acknowledge that there is torture meted out by the LEAs [law enforcement agencies]. In fact, in our Universal Periodic Review [UPR] report, the government audaciously declares that the country’s constitution and Islam both have no tolerance for torture, therefore there is no torture in the country.”

However, he says that retired police officers have themselves confessed that they prefer to interrogate suspects in private detention cells.

“Pakistan’s own laws, such as the ‘Action in Aid of Civil Power’ law, gives the freedom to officers to practise torture,” says Babar. “This law allowed the constitution of internment centres in the tribal areas of Khyber Pakhtunkhwa, and then later they were extended to the whole province. What are these internment centres but the Guantanamo Bay prisons of Pakistan?” he exclaims. “Once someone goes inside, the walls close in on him and no one has any idea about what is happening inside.”

For Babar, the way forward is that all of civil society must stand together and give this matter importance and, at the government level, the UNCAT law must be made and implemented.

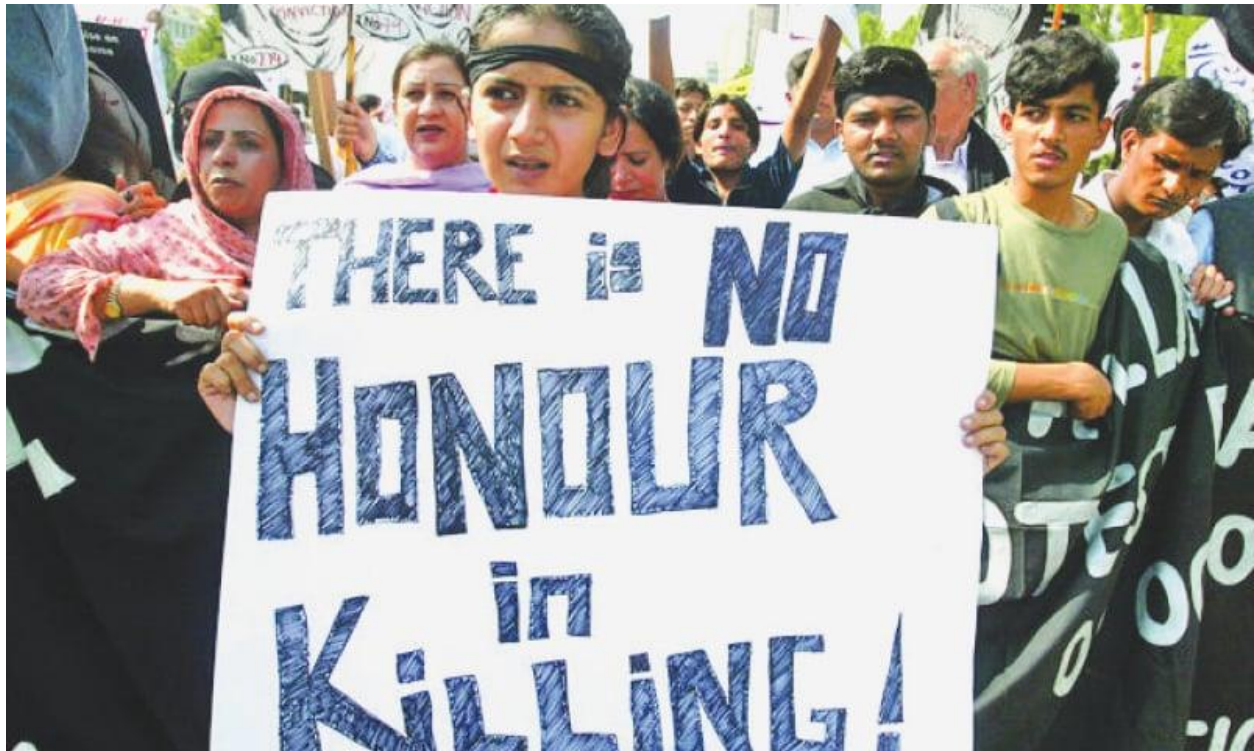
While Babar may be right, the many survivors of torture in Pakistan, such as Iqbal and Dr Naseem, have little belief that the law will ever even be passed, let alone be implemented.

**SOURCE: DAWN, EOS, AUGUST 7, 2022**

# Society: A Deadly Tradition

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NASIR AHMAD KHAN



Civil society comes together to protest cases of honour killings

**It was too much for the villagers of Shangal Dar to watch as police exhumed the body of a minor girl in front of them in broad daylight. None of them could stay and witness the entire process. The judicial magistrate and a team of doctors had to look on though, as the girl's body was to be autopsied under medico-legal procedures (MLP) to unearth ambiguities over her death.**

Shangal Dar is a far-off village in Torghar District of Hazara Division, Khyber Pakhtunkhwa. It is mainly home to slum dwellers, and its women are largely uneducated. Age-old customs are still prevalent there, such as the heinous act of murdering girls and women in the name of honour. Those labelled perverted, or "chor" in the local dialect, including couples who have engaged in extramarital affairs, are condemned to death. No one had dared to question this cruel law of the land, until now.

The local rumour mill threw up different opinions over the police action. Some looked at the exhumation as an insult to corpses, while others were hopeful that perhaps fear of police investigation could curb killings in the garb of honour in the future.

Such police action had never occurred previously, allowing murderers to go scot-free. In the deeply conservative society of Torghar, eliminating a woman is a non-cognisable offence, and perpetrators routinely escape justice.

The 13-year-old girl, whose body was being exhumed, was buried in the Asharay Pattah locality of Shangal Dar. Her murderer is believed to be her father, who dug her grave clandestinely at night, after killing her. He and his family maintain that the girl had been in a relationship with a man who she kept in touch with through a secret mobile phone, hidden particularly from her father and brothers.

The police confirmed the victim possessed a cell phone.

The father changed his story frequently. Sometimes he said his daughter had died a natural death; other times he said she had committed suicide. But the autopsy, according to police, revealed that the victim had been gunned down, contrary to her father's testimonies.

According to locals, this is one of the rare cases where police intervened, based on a tip-off, to investigate a girl's murder under the pretext of honour. Hassan Khan, the station-house officer (SHO) at the Judbah police station, says the accused could have escaped justice if police had not been quick to act and arrest him under Section 202 of the Criminal Procedure Code (CrPC).

The families of victims of chor often do not move any court or notify the police about the murders. "Such crimes where women are killed or handed over to rivals to settle bloody feuds under the wani custom are mostly perpetrated by families and clans covertly, and nobody comes forward to register an FIR," points out the SHO. But Section 202 empowers police to act on their own when a crime is perpetrated.

Zahid Khan, the Human Rights Commission of Pakistan's district coordinator in Torghar, has reported various heinous crimes and murders committed under the garb of honour. He says that the cold-blooded elimination of a young girl by her father, allegedly over her telephonic relations with a man, is nothing exceptional; such violence is common in the area.



Afzal Kohistani (right) was shot and killed for campaigning against honour killings

He says that, in the recent past, men and women who married out of their free will or choice or even indulged in verbal contact with the opposite sex were murdered either upon a jirga's decree or by their own family members' actions. "Married couples can also be declared chor. This centuries-old custom still very much exists and the victims and their families suffer unimaginably," Zahid Khan tells Eos.

The HRCP coordinator recalls another horrific case where a man mutilated the genitals/reproductive organs of his wife upon suspicion of her having an affair with someone else. "The incident happened in 2016 in Oghi, after the family migrated from Torghar. The accused was arrested. The victim was shifted, profusely bleeding, to the Ayub Medical Complex Hospital in Abbottabad," he remembers.

"The mortality ratio of couples or individuals targeted in the name of honour is much higher than that of incidents reported to the police," Khan explains, "as families still practise this ancient custom without question."

Ulema and religious clerics are influential in the highly conservative Torghar. Maulana Safiullah is considered a liberal cleric, who condemns human and women's rights violations. He maintains that Islam strictly forbids the killing of human beings under the pretext of honour. "Murdering someone in the name of honour is as punishable as any other assassination, in the eyes of Islam," Maulana Safiullah clarifies.

But clerics settled in the remote parts of Torghar district never condemn the killings of men and women in the name of honour, says Maulana Safiullah, and that is one of the major reasons why the custom of labelling and killing people as chor has not ended. “The ulema in our district even decreed a family to give away their three-year-old girl in marriage to one of their rivals in order to settle a bloody feud,” he says.

The majority of local residents get their minor girls engaged soon after birth. When the girls grow up and refuse to get married to their fiancé, they face the same fate as the 13-year-old killed in Shangal Dar. “There have been many incidents in the recent months and years where such girls, after attaining puberty, married out of their free will and were killed by their families along with their partners,” Maulana Safiullah says.

However, there is now a clear division of opinion over honour killings and some clerics are considered to be hardliners while others are seen as liberal and progressive. A group of ulema now openly oppose the traditional customs being practised by the jirgas and raise their voice against such violence during Friday prayer sermons and public appearances.

The erstwhile tribal belt of Torghar became a settled district in 2011, but it remains an area without a single middle school for girls or even a college for boys, Maulana Safiullah elaborates.

Along with Torghar, Kohistan district is a hotbed for honour killings. Men and women act as judge, jury and executioner of women they deem perverted or immoral. According to official data, both areas have the highest number of cases of Gender Based Violence (GBV) and honour killings in the province of Khyber Pakhtunkhwa.

Afzal Kohistani was one of the first Pakistanis to publicly challenge the custom of chor in Kohistan in 2012. He was gunned down in a busy commercial area in Abbottabad in 2019.

A video that most would find innocent is what led to the death of Kohistani. The video was made by one of his brothers, showing five women singing a wedding song and two men dancing to its rhythm. One of the men dancing was also Kohistani’s brother, Gul Nazar. The video went viral on social media and the group of men and women involved were all decreed as chor by a local jirga.

“So far nine people – the five girls seen cheering in the video and four of my brothers, including Afzal – have fallen prey to this custom, says Bin Yaseer, who filmed the happy scene of song and dance. “The perpetrators are still after me and my brother, Gul Nazar, and we have frequently been changing our residence to avoid execution,” he tells Eos.



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Today, the two brothers are called “zinda laash” [the walking dead] and Bin Yaseer affirms that is exactly what his life has been like. He believes that the decree issued by the jirga, led by a cleric, will certainly be carried out and the matter would meet its end only after he and his brother have been killed. He claims that a squad of more than a 100 men has been appointed by the jirga in Kolai-Palas to execute its decree. He and Gul Nazar are followed 24/7, so they move from place to place and are under police protection.

“The life of a chor is hell in this life,” says Bin Yaseer. “Since being declared chor by the jirga, we have lost almost all our male family members. We have lost the livelihood that supported over 45 people, 22 of them orphans, including Afzal Kohistani’s four children and his two widows,” Bin Yaseer says.

“Our agricultural land, houses and whatever we possessed is occupied by our enemies and the families of the five girls killed. We are living underground to protect our lives. We are at the gallows, living and dying every day,” he adds despondently.

The Khyber Pakhtunkhwa police recently released data regarding Gender Based Violence (GBV) for last year, based on reported incidents across the province. It reveals as many as 125 women were killed in the name of honour, while 299 others lost their lives to domestic violence. As many as 343 women were raped, 154 harassed sexually and physically, and as many as 1,522 were abducted across the province.

“We have actively been policing to bring an end to assassinations in the name of honour in Kohistan district,” the Deputy Inspector General (DIG) Hazara range Mirvais Niaz says.

He says that a total of 24 people were killed in the name of honour in the Hazara division in 2021 and almost half of them were from Upper Kohistan. Five people were killed in Mansehra, three

in Abbottabad, two each in Lower Kohistan and Kolai-Palas. Yet, not a single honour killing was reported in Torghar and Haripur districts.

“We have arrested almost 90 percent of the accused in honour-related murders but cases are still there,” admits the DIG.

A resident of Kolai-Palas, Sher Mohammad Kohee says, “Though there is a slight decline in killings and other brutalities committed in the name of honour since those five girls cheering a dancer in a party were killed under chor, the custom still exists everywhere, particularly in the remote parts of Kohistan district.”

The DIG says that the Hazara police also constituted committees of ulema and influential people, headed by the district police officers, in Upper Kohistan, Lower Kohistan and Kolai-Palas, to urge an end to killings in the name of honour. “Seminars and jirgas are being held to sensitise people to stand against the killings in the name of honour or under the chor custom,” he says.

“Because of the effective role executed by the police, now prayer leaders in Kohistan have openly been opposing killings in the name of honour during Friday sermons, declaring such practices repugnant to Islamic injunctions and the writ of the law,” says Niaz.

Maulana Asmatullah who belongs to Kolai-Palas is a thrice-elected MPA and leads a jirga. According to him, killing women in the name of honour is a social custom and has nothing to do with Islam.

“The jirga that is held to decide the fate of chor is not held under the Islamic Shariah,” Maulana Asmatullah says. “Witnesses lie to get the accused couples punished. The government should take serious remedial measures to do away with such traditions.”

The National Commission on the Status of Women (NCSW) has also initiated a campaign to amend laws dealing with killing in the name of honour and other crimes inflicted on women.

Nilofar Bakhtiar, who pushed for legislation calling for perpetrators of so-called honour killings to be punished when she served as minister of women’s affairs, currently chairs the NCSW. She says, “I was the only federal minister and lawmaker of my party [PMLQ] who persuaded the ruling and opposition benches in 2004 to pass the ‘Anti Honour Killing’ bill and, now, as chairperson of the NCSW, I have initiated a campaign to get it and such other laws amended, to make them flaw free.”

It’s definitely a start and all such efforts are required. But changing mindsets in remote areas like Torghar and Kohistan will require much more than well-intentioned parliamentary interventions.

**SOURCE: DAWN, EOS, AUGUST 7, 2022**

## Senior TTP leader Omar Khalid Khorasani killed in Afghanistan



Omar Khalid Khorasani is seen in the centre during an interview in Mohmand tribal region on June 2, 2011

**Senior Tehreek-i-Taliban Pakistan (TTP) leader Omar Khalid Khorasani and two others members of the banned outfit were killed in a roadside bomb attack in Afghanistan.**

Omar's real name was Abdul Wali Mohmand and he previously headed the TTP in the Mohmand Agency bordering Afghanistan.

In a statement today, TTP officials said that the car carrying Omar came under attack in the eastern Paktika province near the Barmal district on Sunday evening.

They urged the Taliban government in Afghanistan to investigate the incident and unearth “spies” who could be responsible for the death of senior TTP leaders.

Apart from Omar, the two other men killed in the attack have been identified as Mufti Hassan and Hafiz Dawlat Khan. They were among several TTP leaders who had joined the outlawed Daesh in 2014.

It is pertinent to mention here that Omar was a member of the TTP team involved in negotiations with Pakistani officials, Pashtoon jirgas and recently with religious scholars over the past few weeks.

Recently, a jirga member had posted the TTP leader's photo on the sideline of its meeting with Pakistan's side which had held two rounds of talks in Kabul in the first week of June and late July.

Omar and a majority of the TTP members from Mohmand agency had parted ways with the TTP and formed a splinter faction Tehreek-e-Taliban Pakistan Jamaat Ahrar (TTP-JA) in 2014.

The then TTP chief Maulvi Fazalullah had sacked him after he had announced the formation of his own group Jamaat ul Ahrar, which comprised of almost all the Taliban leaders from the Mohmad Agency. Omar had accused the TTP leadership of deviating from the outfit's ideology.

The group received prominence when Jamaat-ul-Ahrar spokesman Ehsanullah Ehsan claimed responsibility for the Wagah border suicide attack in November 2014, in which over 70 people, almost all civilians, were killed.

The TTP leader's killing could be seen as a major blow to the group, especially at a time when it is involved in talks with the Pakistani government.

Omar was wanted by the Pakistani government for his involvement in a series of attacks on security forces, tribal elders and members of the peace committee in the area.

In July 2017, one of the UN Security Council's sanctions committees, upon Pakistan's request, had approved the addition of Jamaat-ul-Ahrar in the list of entities and individuals subject to the assets freeze, travel ban and arms embargo.

Meanwhile, the United States added Omar's name to the US State Department's Rewards for Justice wanted list in March 2018. The US had announced a reward of up to \$3 million for information on him.

In recent years, several TTP leaders, including former chief Maulvi Fazallah, have been killed in Afghanistan after they crossed into the border due to military operation in the tribal areas, Swat and parts of the Malakand division. Fazlullah, who served the TTP chief in Swat, was killed in a US drone strike in Afghanistan's eastern Kunar province in June 2018.

#### **TTP leaders killed in the last few years**

In January this year, the TTP confirmed the death of senior leader Mufti Khalid Balti alias Mohammad Khorasani in the eastern Nangarhar province of Afghanistan.

Earlier in July 2016, Umar Mansour, alias Khalifa Mansour, the mastermind of the 2014 attack on the Army Public School Peshawar, in which more than 150 people were martyred, was killed in an American drone strike in Afghanistan.

Besides the TTP, the Daesh Khorasan chief Hafiz Saeed Khan was also killed in July 2015 in a US drone strike in the Nangarhar province.

Separately, former TTP spokesperson Shahidullah Shahid and 24 other militants were killed in a US drone strike in Nangarhar in July 2015. Shahid had joined Daesh along with Saeed Khan in October 2014.

The Taliban founder Baitullah Mehsud was killed in a US drone strike in South Waziristan in August 2009, while another chief Hakimullah Mehsud was killed in an American drone attack in North Waziristan in November 2013.

**SOURCE: DAWN, AUGUST 8, 2022**

# Anti-Terrorism Laws

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DR SYED KALEEM IMAM

Almost everyone agrees that terrorism must be eradicated, but many groups criticize the route taken to accomplish this. One school of thought believes the war against terrorism itself is terrorism. Alternatively, some debate the necessity of harsh measures while others push for addressing the root cause to nip the evil in bud.

Dissenting views are essential to maintain balance in any society. This agreement to disagree can even be seen at the highest levels of the United Nations. Despite the zero-tolerance policy of the UN Office of Counter terrorism, the Human Rights Committee is ever concerned about the Anti-Terrorism Act's (ATA) extensive powers. Occasionally reviewing laws that criminalized terrorism would be prudent before joining either pressure group. It is true that various sections of the law penalize war against the country, sedition, and mutiny, which are the basic components of terrorism; however, its inherent nature is largely lacking for the ever-mutating nature of terrorist activity.

As a result of sectarian conflicts and target killings during the late 70s and early 90s, the country was plunged into a deep swamp of instability and violence. Along with other supplementary laws, the Suppression of Terrorist Activities (Special Courts) Act 1975 and the Terrorist Affected Areas (Special Courts) Ordinance 1990 were passed. In contrast, our chronic problem has been the careless way in which laws have been implemented. The ATA was Pakistan's primary legislation dealing with terrorism in this context. Through various Ordinances or Acts, provisions of the said law have been regularly amended or added.

In the post 9/11 world, a variety of laws were needed to ensure uniform transnational anti-terrorism policies, one of which was terror financing. The Fourth Schedule of the ATA was amended in 2001 to curb financial support for terrorism. Several amendments were made to the law in 2013 and 2014 to further clamp down on terror financing. Earlier to these amendments, special laws aimed at curtailing money laundering were introduced in 2007 and 2010. Although Pakistan has taken early steps to improve its financial situation, one wonders why the Paris-based watchdog 'Financial Action Task Force' placed it on the 'Grey List'. Maybe having a law is one thing, and unyieldingly enforcing it is another! It must be admitted that the blame cannot be pinned entirely on the legislature, executive, or judiciary. It was practically impossible for the government to control terror financing because proscribed organizations disguise their motives as Islamic causes, and the masses give away charity with such cavalier disregard.

The amendment passed on January 10, 2002, emphasized the speedy completion of the trial while specifying a ten-month time frame. As a result of the law, a single bench was expanded to a three-member bench, along with the introduction of one military personnel. A similar solution to having military courts was reinforced in 2014 under the Protection of Pakistan Act. It does not take much convincing that our judicial infrastructure needs serious overhauls, however, makeshift arrangements that endorse and advertise inefficiency do more harm to the cause than good. Despite a lapse of two decades, neither our law enforcement agencies nor our judiciary are inclined to increase their capacity. It is still popular to prefer quick fixes over substantial reforms. This results in lengthy trials which rarely yield the desired results and a system still on artificial life support.

A significant addition to the 2002 amendment was the ability to detain a suspect for up to a year without filing any criminal charges. This very amendment stimulated the deliberations regarding missing persons, it wouldn't be wrong to say. Interestingly Articles 9 and 10 of our Constitution, however, guarantee a person's security as well as their freedom from arrest and detention. But on the other hand, it allows the making of laws for dealing with persons acting in a manner prejudicial to country integrity, security, and defense. Additionally, the Action (in Aid of Civil Power) Regulations 2011 allowed the restriction of miscreants in internment centers during counter-insurgency operations in Federally Administered Tribal Areas.

In recent years, there has been continuous criticism of the definition of terrorism provided under the ATA. There were originally only two paragraphs in Section 6 ATA defining terrorism, but today the same has been extended to nearly 30 paragraphs. The criminal code was amended in 2005 to include offenses such as kidnapping for ransom and explosives. Due to the aftermath of the Lal Masjid attack, attacks on public properties, such as government buildings, schools, and hospitals, were also included in the definition. The addendums might have been necessary, yet an overstretched definition of terrorism that would include almost all crimes without any link to militancy wasn't prudent. As a result, the necessity and significance of the ATA have been undermined.

The basic test to categorize an act as terrorism under section 6 of the ATA is whether it was designed to create fear among the population. As a result of such an ambiguous requirement, the justice system has clearly endured more loss than value. As examples, two separate murders between political rivals and a murder of a couple accused of extramarital affairs have also been tried under ATA. According to records, many cases are transferred from antiterrorism courts to regular courts due to incorrectly drafted FIRs. The apex court of the country has also recommended that the ATA be revised carefully.

With every passing day, the government was restrained from enforcing its anti-terrorism laws due to the advancement of modern technology. Therefore, both the Prevention of Electronic Crimes Ordinance 2007 and the Act that replaced it in 2016 included provisions relating to

terrorism. National Counter Terrorism Authority was also constituted in 2009 to have a holistic counter terrorism strategy by collecting and disseminating data between all stakeholders.

Law enforcement agencies and intelligence agencies remain at odds with each other, which is one of the main setbacks to counter terrorism activities. It is common practice for suspects to be picked up first by other agencies and then transferred to police later. Police are therefore forced to fabricate a story regarding the arrest incident, which ultimately falls apart in court. Due to lack of credibility in the story narrated in the First Information Report, such procedural irregularities only benefit the suspects when they are eventually released.

Unless existing cracks in the system are filled, a better result cannot be expected. Legislation can never be perfect despite the plethora of numerous other laws that address this topic. Providing robust training not only to law enforcement and intelligence agencies, but also to judges and lawyers will provide the results we need. The good news is that sane voices within the system are raising red flags. To achieve a safe society for future generations, all stakeholders must take stock and work together.

**SOURCE: THE NATION, AUGUST 8, 2022**

## 4 soldiers martyred in North Waziristan suicide attack

Four soldiers were martyred in a suicide blast at a military convoy in the Mir Ali area of Khyber Pakhtunkhwa's North Waziristan district.

The martyred soldiers have been identified as 22-year-old Lance Naik Shahzaib, a resident of Mansehra, 26-year-old Lance Naik Sajjad, hailing from Ghizer, 25-year-old sepoy Umair, a resident of Kohat and 30-year-old sepoy Khurram, a resident of Narowal.

According to a statement issued by the Inter-Services Public Relations (ISPR), intelligence agencies have commenced investigations to find out details about the suicide bomber who carried out the attack and his handlers and facilitators.

The "Pakistan Army is determined to eliminate the menace of terrorism and such sacrifices of our brave soldiers will not go unpunished," the ISPR said.

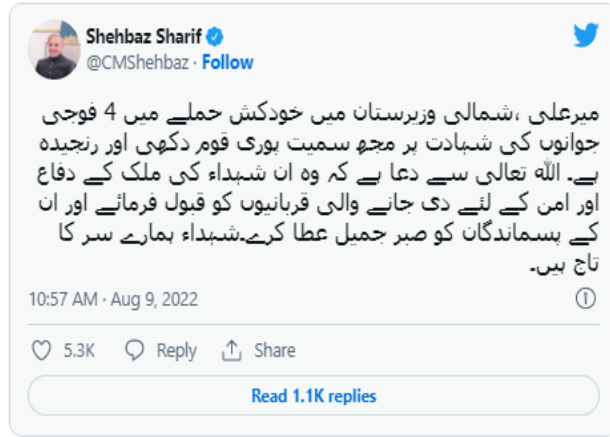
President Dr Arif Alvi has condemned the attack and expressed grief over the martyrdom of Pakistan Army soldiers.

Tweets by the president's office quoted him as saying that "such cowardly attacks cannot weaken our resolve to rid the country of the scourge of terrorism and all its manifestations".

He paid tributes to the martyred soldiers for laying down their lives while defending the country and extended condolences to their families.



Prime Minister Shehbaz Sharif also condemned the incident, saying that the entire nation was sad at the soldiers' martyrdom.



Attacks on security forces and clashes with suspected terrorists in the North Waziristan tri-bal district have become quite frequent in recent months.

On July 4, at least 10 security personnel were injured when a suicide bomber attacked a convoy of security forces in the area.

Officials said at the time that the convoy was going from Mirali to Miramshah, the district headquarters, when the suicide bomber, who was on a motorcycle, blew himself up near one of the vehicles.

On May 30, a suicide bomber riding a motorcycle attacked another convoy of security forces in the Razmak area, injuring two soldiers and two children.

**SOURCE: DAWN, AUGUST 9, 2022**

## 1 dead, 5 injured in grenade attack in Balochistan's Khuzdar area



A crowd panics at the scene of a reported blast in Khuzdar, Balochistan

**One person was killed and five injured in a grenade attack in Balochistan's Khuzdar area, confirmed Khuzdar Deputy Commissioner (DC) Major (retd) Mohammad Ilyas Kibzai.**

He said the attack occurred at Khuzdar's Azadi Chowk and further investigation was underway.

The DC said the injured were shifted to Civil Hospital Khuzdar for treatment and the condition of two was critical.

Balochistan Chief Minister Mir Abdul Quddus Bizenjo condemned the "bomb blast", according to a statement issued from his office.

The chief minister expressed regret at the loss of life and said the elements subjecting innocent people to terrorism were not deserving of any leeway.

He ordered police and administration officials to bring such elements involved in the incident to justice and improve the effectiveness of security measures in the area as well as the whole province.

CM Bizenjo also instructed that the victims be provided with the best treatment facilities.

Earlier this year, at least five security personnel were martyred and 19 people injured in a blast near Thandi Sarak in district Sibi on March 8.

Before that on March 2, three people, including a deputy superintendent of police, were killed while 24 people were injured in a blast near a police van at Quetta's Fatima Jinnah Road.

**SOURCE: DAWN, AUGUST 10, 2022**

## Two terrorists killed in exchange of fire near Dera Ismail Khan's Kulachi area

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Two terrorists were killed during an exchange of fire with security forces in the Kulachi area of Dera Ismail Khan district.

The military's media affairs wing said in a statement that on August 10, an improvised explosive device (IED) exploded on a police vehicle in the area.

"The army's Quick Reaction Force immediately reached and cordoned off the site," it stated.

Resultantly, the ISPR said, an exchange of fire took place with terrorists in which two militants were killed. "Weapons and ammunition were also recovered from the site."

The army statement added that locals of the area appreciated the operation and expressed their support to eliminate the menace of terrorism from the area.

On August 9, four soldiers were martyred in a suicide blast at a military convoy in the Mir Ali area of Khyber Pakhtunkhwa's North Waziristan district.

The martyred soldiers were identified as 22-year-old Lance Naik Shahzaib, a resident of Mansehra, 26-year-old Lance Naik Sajjad, hailing from Ghizer, 25-year-old sepoy Umair, a resident of Kohat, and 30-year-old sepoy Khurram, a resident of Narowal.

On July 4, at least 10 security personnel were injured when a suicide bomber attacked a convoy of security forces in the area.

**SOURCE: DAWN, AUGUST 10, 2022**

# Taliban cleric Sheikh Rahimullah Haqqani killed in blast in Kabul

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Influential cleric Sheikh Rahimullah Haqqani during an interview with the BBC in May this year

**A prominent Taliban cleric, Sheikh Rahimullah Haqqani, was killed in an attack in a seminary in Kabul when the attacker detonated explosives hidden in a plastic artificial leg.**

"Very sadly informed that respected cleric (Sheikh Rahimullah Haqqani) was martyred in a cowardly attack by enemies," said Bilal Karimi, a spokesperson for the Taliban administration.

It was not immediately clear who was behind the blast.

Four Taliban sources told Reuters that the attacker was someone who had previously lost his leg and had hidden the explosives in a plastic artificial leg.

"We are investigating who this [...] person was and who had brought him to this important place to enter the personal office of Sheikh Rahimullah Haqqani. It's a very huge loss for the Islamic Emirate of Afghanistan," said one senior Taliban official of the interior ministry, referring to the group's name for its administration.

Haqqani was a prominent cleric in the Taliban who had survived previous attacks, including a large blast in the northern Pakistani city of Peshawar in 2020 claimed by the Islamic State that killed at least seven people.

The Taliban say they have restored security since they took over as foreign forces withdrew almost a year ago. However, regular attacks, many of them claimed by Islamic State, have taken place in recent months, often targeting religious and ethnic minorities as well as Taliban leaders.

SOURCE: DAWN, AUGUST 11, 2022

## Militancy redux

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**THE ghosts of the past are coming back to haunt the residents of Swat Valley in the Malakand Division. Several recent incidents indicate that militants are reasserting themselves in the area, and have become emboldened enough to commit brazen acts of violence that hark back to the bad old days.**

Last week, PTI MPA Malik Liaquat Khan was seriously injured and three others were killed in Lower Dir when the vehicle in which he was travelling came under attack by militants. A few days later a video surfaced on social media showing a man claiming to be a member of the TTP interrogating an army major whose hands had evidently been tied behind his back, and asserting that the militants had taken him and two others – a DSP and a soldier – hostage. A jirga later successfully negotiated the release of the captives.

These are highly disturbing indicators that have alarmed the people, many of whom turned out in various parts of KP to protest against the resurgent Taliban. A revival of the horrors witnessed during the years when the TTP's Swat chapter led by Mullah Fazlullah – who was later to become the TTP emir – was in control of the area cannot be countenanced.

When the cleric first began inciting rebellion in fiery sermons on illegal FM frequencies in the mid-2000s, he caught the locals' attention. Fed up with the dysfunctional governance and judicial system in the area, many were swayed by the words of the 'Radio Mullah'; women even donated their jewellery to his cause.

The state apparatus was curiously lethargic to his tirades in which he also railed against girls' education and polio vaccination. But the brutalities visited upon the locals by the militants when they held much of Malakand Division in their grip shocked the nation.

It took two kinetic operations to flush them out and establish the writ of the state in the area. That writ is once again being tested, and this time the authorities must not allow violent extremists a comeback.

While Mullah Fazlullah was killed in a US drone strike in Afghanistan in 2018, others from his outfit have been taking refuge in that country's Kunar province which borders Dir, and from where they are believed to have crossed over into Pakistan.

There have been increasing reports over the past month about them establishing their presence in the area. But that begs the question why, of all the TTP chapters, are only militants from the Swat chapter evidently returning home? What are the terms of the ceasefire that the Pakistani

state has agreed with them? Have they been allowed to return without laying down their arms, contrary to what had been publicly stated?

There is fear and confusion all around. It is for the state to bring clarity to the situation. The people have a right to know.

**SOURCE: DAWN, AUGUST 12, 2022**

## Two Pak Army soldiers martyred in gunfight with terrorists in Balochistan's Harnai

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A combination photo of Pakistan Army soldiers, Sepoy Qayyum (L) and Naik Atif, who were martyred in Balochistan.

**Two Pakistan Army soldiers embraced martyrdom in Harnai, Balochistan during a gun battle with terrorists.**

In a statement, the Inter-Services Public Relations (ISPR) said terrorists fire raided a security forces post in Harnai's Khost area which was successfully repulsed by soldiers.

The armed attackers attempted to flee after ambushing the forces, the ISPR said.

"The escaping terrorists were pursued into the nearby mountains and an exchange of heavy fire ensued, and as a result, two valiant sons of soil, Naik Atif and Sepoy Qayyum embraced martyrdom," the statement added.

It said the gun battle also left Major Umer injured, while causing losses to the terrorists.

The military's media wing said, "at the eve of 75th Independence Day, security forces remain determined to thwart attempts at sabotaging peace, stability and progress of Balochistan."

On Saturday, an army soldier was martyred in an IED blast in Lower Dir as militants stepped up attacks against security forces in Khyber Pakhtunkhwa.

Similarly on Aug 9, four soldiers were martyred in a suicide blast at a military convoy in the Mir Ali area of North Waziristan district.

**SOURCE: DAWN, AUGUST 14, 2022**

# Interpreting justice

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AISHA KHAN

**BY now there is universal recognition that the global climate regime is changing and that it will impact people disproportionately depending on where they live, and other factors that contribute to vulnerability like age, gender and income.**

Perspectives and policies evolve with time and serve a better purpose if they are aligned with ground realities. Environmental justice cannot be discussed in isolation without taking into account the historical experiences of nations and impact of past events on present vulnerabilities.

So far we have lived in a world of plenty with enough resources to meet the needs of the people and a carbon budget that could absorb the greenhouse gas emissions without severely damaging the ecology and altering weather patterns. But now we live in a world of shrinking resources and a burgeoning population that is pitting vested interest groups against each other for the grab of critical resources. Add demographic shifts, pandemics like Covid and new geopolitical fault lines to the conundrum, with economies in recession and rising inflation, and the picture of a grim future is complete.

In this backdrop the interpretation of justice assumes grave importance. Whenever the word justice is invoked, it suggests that a wrong has been done that needs to be righted. Global warming has triggered new debate on policies and development goals as seen by countries that have come to regard luxuries as necessities and countries that are struggling to meet basic needs.

The past history of South Asia has also assumed a new significance in the light of climate change, making regional countries link past injustices to present misfortunes. The colonisation and exploitation of the subcontinent thwarted its development trajectory. The siphoning of its wealth, social marginalisation of the local population, violation of human rights and a systematic policy of discrimination that stripped people of their dignity, are seen as contributing factors responsible for delaying social development and economic growth.

Some in the Global South feel that 19th-century racial prejudices have morphed into environmental injustices in the present century that will continue to pose a challenge to the concept of justice and its universal application. Climate parleys have been the longest negotiations in history with no conclusive outcome. Meanwhile the planet is in turmoil but despite the looming existential threat the Global North is neither reducing emissions fast enough nor providing adequate mitigation and adaptation support or compensating loss.

Some hold the Global South responsible for its vulnerabilities. The blame list includes lack of investment in human capital, gender discrimination, unsustainable population growth rate and poor governance. However, this doesn't take into account the impact of a rapidly warming planet as a game changer.

If 2030 was not flagged as a critical timeline for reducing emissions and 2050 was not set as a deadline for reaching net zero emissions, and if the Global North had not disproportionately consumed the global carbon budget, the Global South would have had another four decades to achieve development goals and be better prepared to cope with crisis and fragility. A just transition thus requires that developed economies fast-track emission reduction and provide financial and technical support to developing countries. Concurrently, the Global South needs to practise climate justice at home and provide better governance. This will strengthen its moral stance on demanding climate justice.

Racial prejudice and clash between civilisations have been a part of human history. It so happens that all the people living in the Global South are coloured but that does not make them children of a lesser God. Their future will be adversely affected by global warming. This makes climate change a rights-based issue and a moral responsibility.

Philosopher David Hume believed that reason is influenced by feeling. Perhaps that is why our response to tragedy is different. Every death, every violation of rights, every injustice doesn't elicit the same emotional response. The level of empathy changes with race and place. Alongside solutions like making lifestyle changes and transitioning faster to renewable energy, we need a moral mandate to address climate challenges. Environmental justice is not only about the difference in wealth between rich and poor countries. There is an emotional disconnect between the Global North and South and this gap needs to be bridged fast.

Justice will remain an elusive goal but we must never give up striving for it. It is a symbol of progress and the first principle of humanity. When every death diminishes us and we realise that no man or woman is an island unto itself and that one day the bell will toll for everyone, finding equitable solutions will become easier.

**SOURCE: DAWN, AUGUST 15, 2022**

# Taliban anniversary

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A YEAR ago on this day, the Afghan Taliban rolled into Kabul as the Western-backed government fell like a house of cards, and its foreign benefactors beat a hasty retreat after a 20-year occupation of Afghanistan. The hard-line movement's report card concerning its year in power is nothing to write home about, with mostly negatives, some grey areas and very few positives. There were genuine fears that the Taliban would revert to their ways of old when they enforced mediaeval codes during their 1996-2001 stint in power. However, while in many ways the 'new' Taliban are very much like the 'old' Taliban, in some areas the group has shown moderation, if only slightly.

Of course, amongst the areas where the Taliban rulers have performed dismally is the securing of women's and other fundamental rights. For example, the hard-line group has yet to allow secondary schools for girls to reopen, while restrictions on women's freedom of movement remain. Moreover, the group has not allowed elements that differ with it ideologically to participate in government, and the country is very much being run by the Taliban's inner circle. As for the international community, perhaps the most pressing issue is the presence of foreign militants in the country, including those belonging to the self-styled Islamic State group and the banned TTP. In addition, the killing of Al Qaeda chief Ayman al-Zawahiri in an affluent Kabul suburb last month in an American drone strike did little to convince the world that the Taliban are serious about their commitment to fighting terrorism.

Despite all these grim considerations, the fact is that the Taliban are a reality – an unpleasant one – that cannot be wished away by the international community. Therefore, to ensure stability in Afghanistan, as well as regional security, foreign states will have to work with the Taliban for the foreseeable future. Also, it is unfair for Western states to thrust their demands on the group. Expecting the hard-line tribal outfit to turn Afghanistan into a Western-style liberal democracy is the stuff of fantasy. In fact, pushing the Taliban to the wall may lead the group to embrace even more extreme outfits. The way forward, therefore, must be pragmatic. The international community must insist that the Taliban restore girls' right to education, and women's rights to work, free movement, etc, but should not close all channels with the group if they take their time in doing so. There can also be no space for foreign militants in Afghanistan, while the Taliban should activate traditional methods, such as grand jirgas, to involve more of the country's groups and tribes, and eventually move towards democratic governance. To prevent Afghanistan's collapse into renewed anarchy, the world needs to engage with the Taliban, with engagement one day leading to recognition if Afghanistan's rulers and the international community can agree on a middle path.

SOURCE: DAWN, AUGUST 15, 2022

## A depraved society

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IF the extent of sexual violence against women and children is any measure of a society's moral degradation, then a survey of national newspapers is enough to send chills down one's spine. Their pages on a daily basis carry accounts about sexual violence against these segments of the populace. However, the most consistent public outrage is often not about the above-mentioned issues but related to the real or perceived financial and political misdeeds of leaders.

According to a monthly report compiled by two NGOs, as many as 108 children and 85 women were raped across the country in the month of July alone. What is also striking is that a majority of the incidents of sexual violence have been recorded in Punjab, the most populous but also the most 'developed' province of the country. Out of the 108 children who were sexually abused, 42 were in Punjab, 32 in Khyber Pakhtunkhwa and 21 in Sindh. Similarly, among the women who were subjected to sexual violence, 47 were from Punjab, 16 from Sindh, 11 from KP, 10 from Islamabad and one from Balochistan. Though these numbers might seem low to some, they constitute only the reported cases, the proverbial tip of the iceberg. Last month, a top FIA official speaking at an event in Karachi said that while 2m images of child sexual abuse were uploaded in 2021 in the country, 'only' 343 cases of child sexual abuse were reported over five years. What is it that prevents our society from expressing the same moral outrage at these reprehensible acts that they would at someone who steals material possessions? The misguided sense of shame which tends to silence victims after they have been robbed of their dignity, peace of mind and sense of security is also what makes perpetrators of these crimes act with impunity. It is about time our state and society collectively decide to shun and shame those guilty of such crimes, instead of tolerating and justifying such behaviour.

**SOURCE: DAWN, AUGUST 15, 2022**

## 2 police officers on polio security martyred by firing in KP's Tank

Two police officers providing security to polio workers were martyred by firing from "unknown terrorists", according to the Khyber Pakhtunkhwa police.

The police tweeted that the incident, in which constables Nisar and Pir Rehman were martyred, took place within the precincts of Gomal police station in Kachagraha.

President Dr Arif Alvi strongly condemned the attack. Expressing "deep grief and sorrow" over the incident, the president said the sacrifices of security personnel and health workers during the national polio drive would not go in vain.

"The elements carrying out such abhorrent attacks are the enemies of the future of the country's children," he said while paying tribute to the sacrifices of law enforcement agencies.

The president expressed the resolve to completely eliminate polio in Pakistan with joint efforts.

According to Radio Pakistan, Prime Minister Shehbaz Sharif also condemned the incident and paid tribute to the martyrs.

He said the assailants wanted to make the nation's children disabled.

"Police force has been rendering unmatched sacrifices against terrorism," the report quoted the prime minister as saying, adding that he expressed the commitment to eliminate the "menace of terrorism".





Special Assistant to Chief Minister Barrister Mohammad Ali Saif condemned the incident as well and said the chief minister had taken its notice.

“Police personnel sacrificed their lives for the future of the nation’s children. The provincial government will bring to justice the miscreants involved in the incident,” he said, adding that every possible step would be taken to help the martyrs’ families.

A polio vaccination campaign began in six high-risk districts of the province on Monday.

In April, Pakistan reported the first case of polio in 15 months.

Since then 14 polio more cases have been reported – all from the same district of North Waziristan where many villagers are against vaccines.

The United States reported its first case of polio in almost a decade in July, while Britain said last week that around one million children in London will be offered a booster vaccine after the virus was detected in sewage samples.

**SOURCE: DAWN, AUGUST 16, 2022**

## UK inks deal to return ‘criminals’ to Pakistan

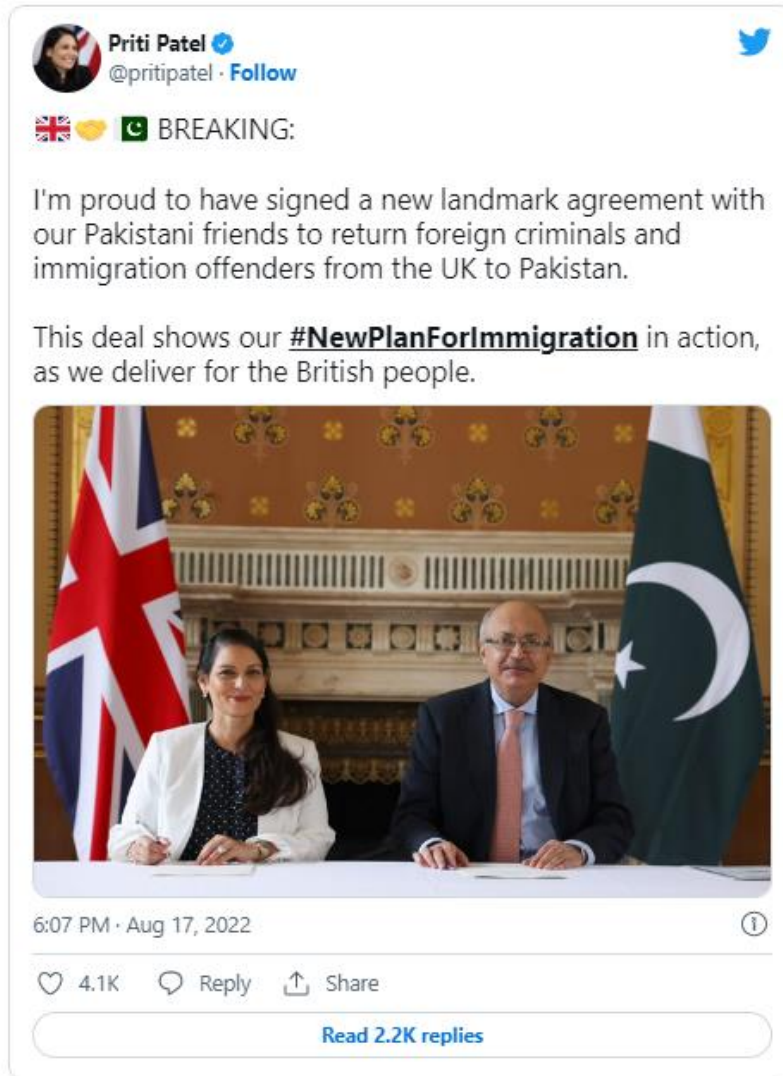
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UK Home Secretary Priti Patel (L) and Pakistan Interior Secretary Yousaf Naseem Khokhar (R) at the signing ceremony of a deal under which foreign criminals and immigration offenders from the UK can be returned to Pakistan

**LONDON: The UK signed a major deal with Pakistan under which foreign criminals and immigration offenders from the UK can be returned to Pakistan.**

UK Home Secretary Priti Patel hailed the development on Twitter, saying that “I’m proud to have signed a new landmark agreement with our Pakistani friends to return foreign criminals and immigration offenders from the UK to Pakistan. This deal shows our #NewPlanForImmigration in action, as we deliver for the British people”.



“I make no apology for removing dangerous foreign criminals and immigration offenders who have no right to remain in the UK. The British public have quite rightly had enough of people abusing our laws and gaming the system so we can’t remove them,” the statement quoted Ms Patel as saying.

“This agreement, which I am proud to have signed with our Pakistani friends, shows the New Plan for Immigration in action and the government delivering.”

“Our new Borders Act will go further and help end the cycle of last-minute claims and appeals that can delay removals.”

A statement from the Pakistani High Commission said: “The agreement renews and updates, in a bilateral context an earlier agreement between Pakistan and the European Community regarding readmission of persons residing without authorisation concluded in Oct 2009. The bilateral agreement was necessitated by the exit of the UK from the European Union.”

A photo tweeted with the announcement showed Ms Patel at a signing ceremony with Interior Secretary Yousaf Naseem Khokhar. A statement said the home secretary met with Mr Khokhar and the Pakistan High Commissioner to the UK, Moazzam Ahmad Khan, to sign the reciprocal agreement.

Under the new plan, Pakistani nationals with no legal right to remain in the UK, including criminals, failed asylum seekers and immigration offenders, will reportedly be removed.

The statement said Pakistan nationals make up the seventh largest number of foreign criminals in prisons in England and Wales totalling nearly 3pc of the foreign national offender population.

“The agreement underlines both countries’ ongoing commitment to tackling the issue of illegal migration and the significant threats it poses to both nations. The agreement also includes ongoing work to improve and expand UK-Pakistani law enforcement cooperation,” it said.

### **Bad news for Pakistan**

Though Pakistan has demanded an extradition treaty with the UK for years, this agreement falls short of that. Some lawyers see it as a blow to Pakistan, which may now see an influx of deported criminals from the UK – even those who have never visited Pakistan.

“This is a very negative step for Pakistan,” UK-based immigration law expert Mohammad Amjad told Dawn. “Last year, the Pakistani government was presented with this deal and refused to sign it, because fundamentally it will allow serious criminals to be deported to Pakistan without critical information sharing. This will present huge problems for Pakistan.”

Mr Amjad cited the case of Sohail Ayaz, a convicted pedophile and child abuser who was deported to Pakistan from the UK, but exploited the absence of an information-sharing mechanism and continued his criminal activities in Pakistan. In 2019, he was arrested for the rape and assault of upto 30 minors, despite being convicted of similar offences by a UK court in 2008.

He said: “Such issues will increase. Some criminals may be deported who have no links to Pakistan, and they will pose an even greater threat as they have no family network once they are sent back. The only beneficiary is the UK.”

The deal with Pakistan came after deals were signed with Albania and India last year, as well as Serbia and Nigeria this year. Pakistan’s deal appears similar to the agreements signed with Albania, Serbia and Nigeria where illegal immigrants and criminal offenders will be removed from the UK.

The deal with India, however, was more of a migration partnership deal, which allowed young British and Indian nationals to work and live in each other’s countries.

**PUBLISHED IN DAWN, AUGUST 18, 2022**

## 2 terrorists killed in gun battle with security forces in North Waziristan

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**Two terrorists were killed by security forces during an intelligence-based operation (IBO) in the Mir Ali area of North Waziristan tribal district.**

According to the Inter-Services Public Relations (ISPR), during the IBO, an intense fire exchange took place between the army troops and terrorists.

“Resultantly, two terrorists got killed, including Commander Khabaib Alias Bilal of the Hafiz Gul Bahadur Group.”

The ISPR said that weapons and ammunition were also recovered from the site, elaborating that terrorists remained actively involved in terror activities against security forces, preparation of improvised explosive devices (IEDs) and killing of innocent citizens.

“Terrorist Commander Khabaib was also involved in a suicide attack on security forces convoy in Mir Ali in August 2022,” the statement added.

Last week, a Pakistan Army soldier embraced martyrdom in Lower Dir as militants stepped up attacks against security forces in Khyber Pakhtunkhwa.

Separately, two army soldiers also lost their lives in Harnai, Balochistan the same day during a gun battle with terrorists.

The ISPR had said the terrorists’ fire raided a security forces post in Harnai’s Khost area on late Saturday night which was successfully repulsed by soldiers, and during the exchange of fire, two soldiers were martyred.

**SOURCE: AUGUST 20, 2022**

## Veiled threat

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It is the nature of the beast: those wedded to a life of violence will continue to speak the language of violence if it brings them dividends. The banned Tehreek-i-Taliban Pakistan, with whom the state has been engaged in stop-start peace negotiations since last year, issued a statement on Thursday, warning ‘secular’ and nationalist groups to desist from levelling allegations against them. It declared that “These ... elements are the enemies of Islam and this country”. While claiming it did not want to clash with any religious or political party, and without specifically naming any ‘offending’ group, it ‘advised’ them to not choose the path of confrontation. More sinisterly, it added: “These parties suffered losses in the past because of their wrong policies.”

No reminder is necessary for progressive parties to recall those terrible years when the TTP targeted them ruthlessly; many of their leaders and supporters lost their lives in the attacks. Among those singled out was the Awami National Party, which had challenged the expanding influence in the Malakand Division of the TTP’s Swat chapter led by Mullah Fazlullah.

The party, which at the time ruled the North-West Frontier Province – as KP was then known – was also very vocal in support of the military operations that finally drove out the militants from the area. ANP leaders Bashir Bilour, also senior minister in the then KP government, and his son Haroon Bilour both lost their lives a few years apart in suicide attacks claimed by the TTP.

In the first half of 2013, the umbrella group – by then well-entrenched in the tribal areas – carried out violent attacks against the secular ANP, MQM and PPP and crippled their election campaigns in the run-up to the polls that year. The spectrum of brutality the hard-line group is capable of had already become evident several years ago when it held sway in the Swat Valley, turning town squares into sites for public beheadings and banning girls’ education.

That dark era has not been forgotten. The protests across KP, including in Swat and Lower Dir, against the apparent return of the fighters of the Swat chapter – armed to the teeth and threatening as ever – are evidence that times have changed. No longer are the people willing to acquiesce in the name of yet another ‘peace treaty’ with the militants that does nothing to defang the latter but allows them to regroup and crush the populace.

Some analysts believe the TTP may have been taken aback by the collective call to resistance, and its statement should be seen in that light. Nevertheless, the response also appears to show that the state’s parleys with the militant grouping have sufficiently emboldened it to once again act as judge and jury as to who is anti-state and anti-religion. How long before it once again reverts to its role as executioner?

SOURCE: DAWN, AUGUST 21, 2022

# Beyond legislation

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HUMA YUSUF

**WHATEVER one thinks of Shahbaz Gill, he should not be subjected to torture. No one should. It is a violation of international law, of human rights, of all decency and morality. And yet, it is not explicitly illegal in Pakistan.**

Even if it were (and one hopes it soon will be), the country's socio-political context offers little hope for the widespread use of torture to be stemmed.

Imran Khan alleges that Gill has been subject to mental and physical torture, including sexual abuse. Sadly, he will not be the first or last person in custody in Pakistan to face such. Custodial torture is endemic, taking the most horrifying and humiliating forms. It is most widespread in Punjab, and minorities typically bear the brunt.

It is not just the police who engage in torture. The spike in recent years in enforced disappearances has yielded mounting evidence that the military and intelligence agencies engage in similar practices in detention centres. Indeed, the growing involvement of these latter institutions in the practice has likely deterred the passage of anti-torture legislation to date.

The latest version of an anti-torture bill – which would clearly define and criminalise torture, custodial death and custodial rape, and offer redress to victims – is under review in the Senate. It is long overdue.

Pakistan signed the UN Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment in 2008, and ratified it in 2010. Stop-start attempts at passing anti-torture legislation have been underway since 2015, stymied by a lack of political will.

PTI lawmakers are now right to question the state's intentionality regarding the 2022 bill, given Gill's experience.

No one expects torture to be eliminated overnight once the bill is passed. It is too ingrained in Pakistani law enforcement, systemically and culturally. More worryingly, Pakistan's current socio-political environment makes the meaningful implementation of any future anti-torture law even more unlikely than if the usual culprits of poor enforcement and weak accountability were at work.

Governments tend not to buy the ethically purist argument that torture is always wrong.

The deployment of torture is often framed as a dilemma, with states arguing that there are certain circumstances under which it is justified. Torture allegations over the past decade against

American and British troops indicate that countries with strong anti-torture legislation and better accountability can fall prey to the misconception that torture, while terrible, is necessary; for example, to gather sensitive intelligence that might protect innocent civilians or ward off terrorist attacks.

There is also the ever-present fear that other states that continue to engage in inhumane practices will have an edge, if not morally, then tactically, in terms of access to information.

In these situations, there is a moral hurdle to overcome, or a judgement call to be made, before torture is sanctioned. But that exercise of moral justification is easily disposed when the subject of torture is completely dehumanised and demonised. That is Pakistan's current predicament: deep polarisation and the normalisation of hate politics will drive rampant justification of the use of torture, despite the passage of any legislation.

If you have labeled someone a 'chor', a 'daku', a 'kafir', a 'ghaddar', a 'liberal-fascist', or 'foreign agent', you have dehumanised them to the extent where torture seems not just acceptable, but morally affirmative. If someone else's political and religious views or ethno-linguistic background are reframed not only as an affront, but a negation of your own, then torture seems less a dilemma or rights violation, and more a moral imperative.

It will take more than legislation to fight this deeply ingrained, hateful polarisation. But addressing these sociopolitical perversions will be more essential to the fight against the use of torture than traditional tactics such as strong legislation, police training, oversight, accountability, and the end of impunity for those caught inflicting torture.

In the West, the crackdown on torture has more often been driven by a fear of losing international standing or tarnishing a national reputation than on moral grounds. But reputations are only at risk where there are critics in the form of a free press and human rights or other civil society groups. The fear of being called out for hypocrisy at international fora such as the UN or G20 summits is also motivating.

But Pakistan has a less precious relationship with its reputation, and feels no threat from the media or civil society. And its sociopolitical dynamics, as they veer to extremes, are likely to enable rather than condemn the future use of torture. Sadly, irrespective of what laws end up in the books, torture is likely to persist as a national shame until we reweave our national fabric.

**SOURCE: DAWN, AUGUST 22, 2022**

# Nexus between climate change and corruption

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MUHAMMAD HAMID ZAMAN

The continued floods in parts of Balochistan and Sindh demonstrate both our inability to confront climate change, and our insistence on blaming climate change for our inability to govern, plan and deliver. First things first. Climate change is a real and an existential threat to humanity. Pakistan, like every other country on the planet is vulnerable – with our poorest communities being at the highest risk of losing their lives, homes and livelihoods.

This takes me to my second point, while there should not be any denial of climate change, finding refuge in climate change for governmental incompetence at every level is indecent on one level and an outright falsehood on another. There is no question that the rainfall in Sindh and Balochistan continues to be significantly higher now than it has been in the past. But this is not an excuse for illegal construction, rampant corruption, lack of trained staff to address emergencies, and policies that are reactive rather than proactive. Too often the government action these days is often in response to a viral video. It is particularly important, and painful, to note that vulnerable communities, including those that are at the lowest end of the economic spectrum, are unlikely to have the time or the resources to videos, or create trends that make our authorities take note in a reactionary manner. These communities continue to suffer, from climate change, and our collective apathy.

In the area of health, countries like Pakistan, and communities that are socio-economically disadvantaged get hit several times. First, climate change creates long episodes of illnesses ranging from respiratory disorders to skin diseases, then flash floods lead to loss of livelihoods and crops (hence higher levels of malnutrition), followed by increase in water-borne diseases that often follow the floods. Finally, inability to access adequate healthcare bookends a life that is shaped by societal injustice.

This ought to change.

First – this is our collective problem, not just an issue of only those in power. In the last few weeks, those who are in, and those who are out of the power corridors have not demonstrated the slightest seriousness and empathy that tens of thousands of affected families deserve. So much for the slogans of public service, progressive values, real change, actual freedom, etc. This goes for the general public as well. If discussions in drawing rooms or on (electronic or social) media are anything to go by, there is little interest in the lives of tens of thousands of those who

are affected by the devastation — and those who have been paying the price of climate change and corruption nexus for well over a generation, or more. It may be that those who die today are nameless because we choose never to learn their names, or there are too many to count, or of too little consequence to be counted, but we should remember that the worth of a society is measured by how it treats, and protects, the most vulnerable.

Second — we have to recognise that climate change is not simply an issue that is the domain of the Met or disaster response authorities. This requires everyone, from urban planners to health professionals, engineers to economists, policymakers to politicians, to play their part. This also means to think about the issues holistically, and beyond celebrating billion or trillion tree planting drives. This also means to create awareness in students and citizens through messaging that is effective, easy to understand and repeated frequently. There are some lessons to be learned by our effective anti Covid-19 campaign that shielded the country from the outcomes seen in many of our neighbours. It is true that every country is vulnerable, and all of us have to act together globally, but just like Covid-19, it is also true that every country and every region has to have a local robust plan, prioritising the most vulnerable. We have done well in some pretty dark times, we can continue to do well in others as well.

**SOURCE: THE EXPRESS TRIBUNE, AUGUST 23, 2022.**

# Lethal numbers

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MOHAMMAD ALI BABAKHEL

**PALESTINIAN groups and the LTTE attracted global attention when they adopted suicide bombing (SB) as an effective weapon of warfare but the 9/11 suicide attacks changed the dynamics of terrorism.**

Of the 156,772 terrorist attacks around the world from 1970 to 2015, SBs comprised only three per cent (4,771) and resulted in 14pc of the total fatalities. However, according to the US-based Combating Terrorism Centre, the 1,944 SBs that took place globally between 1981 to 2008 claimed an average of 11 deaths per attack. In 2021, the UK-based Action on Armed Violence recorded 61 SBs globally, resulting in 1,796 deaths and injuries. Of these casualties, 1,442 (80pc) were civilians, indicating a 7pc rise in such cases as compared to 2020, with an average of 25 civilians killed or injured in each attack. Afghanistan was the worst affected by SBs. Technology multiplied lethality: of the 61 SBs last year, 22 used VBIEDs (Vehicle-Borne Improvised Explosive Devices) causing an average of 26 casualties.

Attack locations may be easily accessible or of medium or low accessibility. Public parks, transport, and markets are easily accessible, while shopping malls and hotels in upmarket areas have medium accessibility. Military establishments and government offices have low access and are considered comparatively highly secure areas. Target-hardening measures increase the security level, but in case of failure to hit the actual target, the bomber prefers to detonate at the entry point or outermost security cordon.

An attack carried out in an indoor location increases lethality. Normally, everybody within 10 to 15 feet (three to 4.5 metres) of the explosion is killed within seconds. SBs in easily accessible places result in higher fatalities than those with multiple security layers.

According to research, suicide attacks staged at the main entrances of the buildings registered an average of 14.5 fatalities. SBs in easily accessible locations resulted in 12.6 fatalities, while low-accessibility sites like military bases and checkpoints caused an average of 9.7 deaths. Where VIPs were targeted, an average of 6.2 people were killed; with military targets, the estimated death toll was 9.2 while civilians, with 13.8 deaths, registered the highest fatalities.

SBs in which stationary bombs are used kill an average of 11.5 people while the use of motorised weapons in SBs reported an average of 10.7 deaths. Suicide bombers can more advantageously use their bodies to detonate explosives as opposed to explosive-packed vehicles.

A single suicide bomber kills about 10 people, whereas an attack by two or more results in an average of 15.6 deaths. In 2016, Quetta's Police Training College was stormed by three attackers; 61 people perished. During multiple suicide attacks, the second bomber targets the first responders and survivors of the initial attack. Attacks of this nature are generally carried out at easily accessible locations like venues of national holiday functions and political rallies.

Suicide attacks in more prosperous countries proved less lethal than in developing countries. This could be because developed countries employ the latest technology and quality intelligence, empower communities, and invest in counterterrorism.

To target high-profile personalities, discriminate suicide bombings are carried out where explosives are detonated near the targets. The assassinations of Benazir Bhutto, Ranasinghe Premadasa, and Rajiv Gandhi may be classified as discriminate suicide bombings. Indiscriminate suicide attacks are generally carried out against soft civilian targets and result in higher death tolls. However, to retain people's sympathies, the masterminds prefer to target security personnel.

Though preventing suicide attacks is a gigantic task, public cooperation in counterterrorism may be solicited by raising public awareness. In 2002 in Tel Aviv, when a security guard saw wires hanging out of an attacker's pocket, he grabbed his hands and foiled the attempt.

In Pakistan, the investigation of SBs primarily remains confined to the identification of the bombers, establishing their linkages with terrorist groups and verification of claims of responsibility. Questions that investigators usually fail to find answers to include: how the bombers were inspired, their hiring process, their training, and how the financial cost was managed. Prevention and successful investigation of SB is not possible by merely depending on the criminal justice-based approach. It warrants an understanding of push and pull factors such as socioeconomic aspects, dynamics of political and ethnic marginalisation, and misinterpretation of religious thought.

Living in isolation from ground realities is not a viable option. Those who preferred death over life need to be understood: only that can help ensure the right to life.

**SOURCE: DAWN, AUGUST 23, 2022**

## An almost-lynching

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IT could have ended in a lynching. After all, that is how Priyantha Kumara's life ended less than a year ago – beaten to death by a mob in an extended orgy of violence that culminated with his body being set alight. The Sri Lankan was working as a factory manager in Sialkot when fellow workers, irked by his disciplinarian ways, accused him of blasphemy. At least in the latest incident, law enforcement arrived on the scene in time and did not flinch from doing their duty to protect the victim – Ashok Kumar, a Hindu sanitation worker in Hyderabad accused of desecrating the Holy Quran – from vigilante 'justice'. The enraged crowd, gathered around an apartment building where Mr Kumar was apparently present, and demanding he be handed over to them, was instead met with the full force of the law. Video clips on social media showed the mass of people scattering as police personnel descended on them with batons. Forty-eight people were arrested for their role in the mob attack and granted bail for Rs20,000 each. Mr Kumar was remanded in police custody for seven days.

As in most such cases, the accusation is reportedly based on a personal dispute, but the manner in which religion has been weaponised in this country makes such allegations a handy tool with which to oppress and silence an individual – at times permanently – against whom one has a grudge. Although Mr Kumar luckily escaped injury or worse, his life will likely never be the same again. First there is the trial to contend with. Even if his lawyer successfully defends him, he may be a marked man. Vigilante killings have occurred even after blasphemy accused have been acquitted; at least one judge who handed down such an acquittal was himself slain; lawyers defending those alleged to have committed this crime have also been murdered. Second, his family and the wider community as well have already been profoundly impacted. All the Hindu families living in the six-storey apartment building in Hyderabad's Saddar bazaar have left, too fearful to continue staying there after witnessing the wrath of the mob. The impact of blasphemy accusations can be particularly devastating for minority communities: it often forces them to move en masse, leaving behind settled lives and incomes. Only the state by enforcing its writ and refraining from using religion for political point-scoring – among other measures – can make the country change course.

SOURCE: DAWN, AUGUST 24, 2022

# Countering violent extremism

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RASHAD BUKHARI

**PAKISTAN seems to be in the grip of extremism often fuelled and expressed by those violently reacting to any accusation of blasphemy.**

The recent, and as yet unproven, allegations of desecration of the Holy Quran in Hyderabad could have resulted in lethal consequences when mob fury erupted. However, quick action by the police thankfully has helped contain, at least for the time being, an explosive situation. The resolute decision taken by the police in Hyderabad to disperse the protesters helped avert violence.

A question often asked is whether the responsibility of countering violent extremism and growing intolerance in Pakistan lies with civil society and educational institutions or whether it is the responsibility of the law-enforcement agencies and the military.

One assertion has been that our civil society needs to work on social and behavioural change to address intolerance and social and ideological conflicts when they permeate a community, without harming individual freedoms and while respecting the right to dissent. However, the responsibility should shift to law enforcement as soon as the situation becomes potentially violent. Dealing with violence and terrorism should rest with the government apparatus trained to handle them.

Since 2011, countering and preventing violent extremism has gained popularity as a means to stem the tide of violence around the world. In Pakistan, government measures and civil society organisations have both pursued the countering violent extremism (CVE) agenda. But is it working? Have we identified the problem correctly, made practical recommendations and plans, and framed the issues wisely?

Pakistan's efforts to combat violent extremism are closer to the idea of CVE as a means of preventing those most at risk of being radicalised from becoming terrorists. In other words, CVE falls in the realm of policy, programmes and interventions designed to prevent individuals from engaging in violence linked to radical political, social, cultural and religiously inspired ideologies and groups.

Many associate CVE with a 'foreign agenda' and see it as disparaging of local target communities. The reason is that funding agencies and implementing organisations see these communities as being on the verge of violent extremism if not already supporting extremist groups. That becomes a hurdle in the attempts to build trust with local communities. In fact, acting on CVE without

considering the context does not help the goal of local communities themselves taking ownership of the initiative.

According to popular CVE theory, religious ideology, particularly in the context of its radical interpretation, plays a crucial role in this process, which is identifiable at different stages. Hence, ideology can be interpreted through constructive and corrective interventions. That's how the notion of working with people 'at risk of violent extremism' and 'vulnerable youth' or even 'vulnerable communities' emerged and grew in the CVE domain. For some analysts, the role of extremist religious ideology is something like a 'conveyor belt' automatically pushing an individual towards terrorism.

This approach overemphasises individual belief and downplays social and political circumstances that give rise to political violence. That is to say ideology in itself is not a core fundamental reason for radicalisation. Instead, there is a complex combination of social, political, economic, structural, identity, tribal and psychological factors at play; these make some individuals more susceptible to extremist ideas than others.

The overwhelming majority of CVE projects in Pakistan are founded on the basis of producing alternative narratives or 'relevant' interpretations of faith to discredit extremist ideology. However, the implications of these actions – such as governments or CVE experts assuming the authority to shape religious thought per their needs and wishes – are mostly overlooked in the enthusiasm of creating new narratives.

In some ways, it is said, "governments are taking on the role of 'de facto theologians', implicitly adopting an official interpretation" of religion. Critics say this approach undermines secular principles of neutrality and non-intervention in faith.

There is an urgent need for a detailed, formal scrutiny of international and intergovernmental decision-making in the field of CVE. The absence of critical debates on the impact, legitimacy and effectiveness of CVE policies gives rise to more problems than solutions.

How can we understand the susceptibility of the young generations to extremist ideas and invoke the narratives that answer their quest for an identity and a sense of being rooted in their historically perceived traditions? In other words, how can we move to create constructive intervention and positive engagement with local communities, particularly the younger generations in specific settings in Pakistan?

Though divided along sectarian lines, Pakistani Muslims are emotionally attached to Islam which constitutes their core identity. They can gather for any religious cause or issue. Though they usually do not vote for religious political parties, they can exert considerable political pressure to influence public policies.

Violent extremism can only be challenged by inclusive and effective multidisciplinary and multi-agency approaches. "Attempts to combat the totalitarian and intolerant nature of violent

extremist groups require a holistic understanding of local sectarian grievances and structural issues such as energy, access to water, housing, quality of education” unemployment, healthcare services, and gender justice.

It is imperative to recognise the people’s attachment to their belief systems. Building a coherent and open society that nurtures a culture of respect for differences must consider constructive and long-term engagement with local communities in a frank and sustained dialogue.

Trust building between governments and communities is crucial to developing and implementing a comprehensive national CVE strategy. Any success in CVE programming at the local level will hinge upon stronger relationships with teachers, youth, sports clubs, etc., and on integrating religious youths and imams with the broader communities.

Pakistan’s efforts to counter online propaganda and coordination among terrorist entities must be taken seriously with adequate funding for research. While counter-narratives and counter-messaging are necessary tools, they should not be considered the only methods of reducing violent extremism.

**SOURCE: DAWN, AUGUST 25, 2022**

## Army top brass hints at tougher approach against TTP

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**The army top brass hinted at a tougher approach against the outlawed Tehreek-i-Taliban Pakis-tan (TTP) as it emphasised continuation of counter-terrorism operations in Khyber-Pakhtunkhawa and Balochistan.**

Speaking at the 250th Corps Commanders' Conference, a monthly feature at General Headquarters, Army Chief Gen Qamar Bajwa, according to ISPR, "directed formations to maintain operational readiness and efforts to counter terrorism particularly in KP & Balochistan must continue (sic)".

A review of the security situation and flood relief operations being undertaken by the army topped the agenda of the meeting.

The ISPR press release on the conference did not give any details about the emphasis on counter-terrorism operations.

Operations against Baloch insurgents (in Balochistan), Gul Bahadur group (in KP) and some of other militant outfits have been continuing.

However, there has been a cessation of hostilities between security forces and TTP since Eidul Fitr – at least an unannounced one as far as Pakistani security forces are concerned.

At present, the two sides are observing a three-month ceasefire as their representatives hold peace talks.

Gen Bajwa's assertion about the continuation of the kinetic operations in KP and Balochistan provinces comes in the backdrop of growing public resentment about the return of TTP fighters.

Many suspect that the TTP fighters were returning as part of the ongoing peace talks.

Earlier this month, the TTP militants were seen in Swat's Matta area and at least one incident of their clash with law-enforcement agencies was reported.

Similarly, their presence has been noted in North and South Waziristan where an uptick in target killings and kidnappings has been witnessed.

This has led to anti-TTP protests in Swat and North Waziristan.

The timing of Gen Bajwa's statement also coincides with stress in peace talks that have been taking place in Afghanistan. There is a growing trust deficit between the two sides, though neither wants to walk out of the talks.

It is widely suspected that the TTP has begun extending active support to Gul Bahadur group in its attacks on security forces. The group, however, does not formally acknowledge its role in these attacks.

The TTP has, meanwhile, blamed security forces for the killing of two of its militants in North Waziristan.

In a statement released earlier this week, the terrorist group had warned that its patience was running thin.

Disquiet among TTP ranks is also visible over the death of the group's spokesman and senior commander Omar Khalid Khorasani in Afghanistan in a bomb blast.

At the same time, Taliban Interior Minister Sirajuddin Haqqani, who had been mediating TTP-Pakistan talks, is under tremendous pressure after the killing of Al Qaeda chief in a US drone attack in Kabul at the end of last month.

The COAS statement was, therefore, seen by security analysts as an attempt to correct perceptions among the people worried at home about the TTP comeback, while at the same time conveying a tough message to the terrorist group.

Meanwhile, Twitterati noted the absence of Bahawalpur Corps Commander Gen Faiz Hamid from the meeting. He was not seen in the video clip of the meeting that was publicly shared by the ISPR.

Gen Hamid had recently been transferred from Peshawar to the Bhawalpur corps. As the commander in Peshawar, he was the lead negotiator in talks with the TTP.

**SOURCE: DAWN, AUGUST 26, 2022**

# Redefining FC's role

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AFZAL ALI SHIGRI

**THE Frontier Constabulary (FC) was created when the Samana Rifles and Border Military Police – forces with a similar objective – were amalgamated under the Frontier Constabulary Act, 1915. In creating this force, the initial aim was to deploy the hardy tribesmen on the border of the tribal areas and settled districts to safeguard settlements from the frequent raids of unruly tribes. These raids were intended to coerce the British into resolving ongoing disputes with the area's fiercely independent Pakhtun tribes.**

The role of FC has changed after partition; the federal government was empowered to deploy the force to deal with law-and-order situations and natural disasters countrywide.

Each FC platoon comprises 43 members and four followers providing services to the unit. Recruitment for each platoon is from a particular tribe/sub-tribe. It is a self-sufficient body of men who can be mobilised swiftly for deployment across Pakistan. Their rigorous training leverages the inherent fighting skills of tribes to transform individual platoons into a disciplined and small solid fighting unit.

To address the most difficult operational challenges, the force's structure channels the bonds of tribal affiliation for effective cohesion. To maintain its civilian character, the FC is commanded by officers of the Police Service of Pakistan. Given its extensive experience of collaborating with the police during natural disasters and serious public disorder situations, FC enjoys a natural bonding with the civilian police. For all such duties, the force is placed under the command of police officers responsible for on-ground operations, thus ensuring the unity of command and allowing for the emergence of an arrangement conducive to the establishment of a cohesive functional merger.

Maintenance, superintendence, administration and control of FC vests with the federal government. Comprising a force of over 30,000, FC has its corps headquarters in Peshawar. It is headed by the commandant Frontier Constabulary, an officer of the Police Service of Pakistan with the rank of IGP assisted by several staff officers seconded from PSP. There are 17 districts in total known as FC districts. Each district is headed by a district officer, commonly known as DOFC of the rank of superintendent of police.

Since independence, its original role to protect the settled districts and regulate the entry of tribesmen has been radically revised. In a departure from its original border policing functions, FC is now frequently deployed to protect the assets of the federal government nationwide and to extend aid to the civilian police in all the provinces to tackle serious law-and-order situations.

Due to its high standards of discipline, FC is in great demand by federal establishments to protect their assets. Its role in dealing with hard targets in anti-dacoit operations in Sindh and tackling terrorists as well as large-scale urban disturbances has been commendable. Its experience in the settled areas has been invaluable in the Fata merger, a complex management undertaking by the state implemented in the aftermath of the complete breakdown of the administrative structure in that region.

A fine force with glorious traditions which has delivered outstanding results, FC has to its credit a long list of martyrs who made the ultimate sacrifice to make Pakistan a safer and better place. Given the increasing need for such a force, it is time to formally recognise its role as a truly civilian law-enforcement establishment and use its services to full capacity. The federation has only this reserve force commanded by the police.

FC is already assuming responsibility as a reserve force for the newly merged tribal areas. Thus, it can seamlessly combine with the civilian police, instead of working as a parallel force under an independent command. Working independently would dissipate resources and weaken the law-enforcement arrangement. The present commandant Salahuddin Mehsud of FC has proved to be a visionary commander in foreseeing the need for such a force. Training the force in crowd control and public dealing while blocking and isolating red zones to create safe spaces is underway. FC needs to be converted into a federal police reserve force, without changing its composition and with proper infrastructure and additional FC districts in the newly merged areas as well as the rest of the country. For the time being, its members should continue to be recruited from amongst tribesmen. Such a composition has a dual advantage given that it leverages the natural discipline and instincts of warriors as well as their tribal instincts to protect and confront foes.

A strong, well-trained and properly equipped force that moves fast will also reduce the reliance of political governments on civil armed forces commanded by army officers for policing. Caveats as to such forces include:

The human rights credentials of the country are questioned due to the erroneous perception that these forces are an extension of the army.

In our toxic political arena, politicians are prone to blaming the institution of the army for any individual lapse by any member of the force commanded by army officers.

Anti-state elements of society invariably find fault with their working and project it as persecution of a particular segment of the population.

– The media of a hostile country also tries to hurt the army for any incident.

FC meets all the benchmarks for law enforcement purely through a civilian police force universally advocated by a modern society. Further, its deployment cannot be categorised as military-led law enforcement. In fact, at present it is the only civilian paramilitary force deployed in support of provincial police forces in all kinds of emergencies.

Considering the concerns of the international community and the situation on ground wherein Pakistan faces governance challenges due to political instability and the ongoing pursuit of a political and democratic path, redefining the role of FC provides the much-needed option of a fully trained civilian federal reserve force with far-reaching benefits for the country, The only condition is that the force remains apolitical without any interference in its administration with guaranteed and complete operational autonomy and a fixed tenure for the commandant and the senior hierarchy of the force.

**SOURCE: DAWN, AUGUST 26, 2022**

## 'Missing' publisher

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THOUGH the nation may be in the midst of a calamity of epic proportions, some within the security establishment are still focusing their energies on 'disappearing' people. This was apparently the case with Fahim Habib Baloch, a publisher and human rights activist, who was whisked away on Friday from Karachi's Urdu Bazaar. According to details published in this paper, policemen as well as individuals in plain clothes approached Mr Baloch at his bookshop and asked him if he had sent books to Germany. Thereafter, they asked him to accompany them to a vehicle parked outside. There has been no news about the publisher's whereabouts since then. Initially the police refused to register a complaint regarding the disappearance, but after the man's family members and civil society activists insisted they do so, the law enforcers finally lodged the FIR on Monday.

It is unfortunate that invisible hands are still able to take away people's right to liberty in such a fashion. If the powers that be felt that Mr Baloch had broken the law, there exist courts in this country where such complaints can be registered. Fahim Baloch was clearly not a militant, and his disappearance in this fashion is totally unacceptable. He needs to be released forthwith, and if the authorities have evidence linking him to any illegal activity, they need to present it in a court of law so that he can defend himself. Sadly, the policy of 'disappearing' people has not been done away with, despite the fact that the higher judiciary has slammed this vile practice. Picking people up without proof and without due process will hardly win hearts and minds. Instead, it will increase alienation from the state, and may further fuel the separatist militancy the establishment seeks to quell. Instead of 'disappearing' people, the state needs to ensure equitable development and the rule of law in Balochistan, where many of the missing persons hail from. Adding to the list of the missing is no way to handle this delicate matter.

SOURCE: DAWN, AUGUST 30, 2022

# Civilian supremacy

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USAMA KHILJI

TO continue to call Pakistan a functioning democracy is farcical given the politicians' lack of control on matters they have the constitutional mandate to decide on. Though nothing new, it is tragic given the sigh of relief taken in 2013 after the first democratic transition of government. Thereafter, we saw the dismissal and disqualification of several elected politicians; first Nawaz Sharif and PML-N members, and now the same is being attempted against Imran Khan and PTI members.

Rather than the equal application of the law and justice, the common factor is the targeting of those who fall out of favour with the establishment. If we want to progress with fairness, selective justice cannot be our modus operandi.

Criticism of the security establishment seems to be the red line that elicits severe – and illegal – punishment for those who speak out. Attempts were made to criminalise criticism of the military through an amendment to the Pakistan Penal Code which did not go through. The Peca ordinance was also brought in to further strengthen criminal defamation including that of public officials – but it was struck down by the Islamabad High Court as it was clearly unconstitutional.

There are several cases from the past few years that demonstrate efforts reminiscent of martial law regimes: alleged custodial torture of Shahbaz Gill, attack on Ayaz Amir, arrest of Imran Riaz Khan; and previous attacks on/ abduction of Umar Cheema, Matiullah Jan, Asad Toor, Hamid Mir, Gul Bukhari, etc. South Waziristan MNA Ali Wazir has been in jail without conviction for over a year for criticising policies that do not conclusively tackle militants and that led to dozens in his family being killed.

Press freedom has been under attack. The circulation of this paper was restricted in cantonments, channels were relegated to the end of the list, media owner Mir Shakilur Rehman was jailed without conviction, official ads to media groups critical of the government were withheld, and reproving anchors taken off air. The unconstitutional ban on News One and ARY this year is a continuation of this trend.

This must also be a lesson for sections of the media that are happy to be used by anti-democratic forces for short-term gains, but have to escape or go into hiding when they fall out of favour.

Whoever is involved in politics invites criticism that political parties have always been subjected to. If matters of public interest – people's votes, who is in government, how rights are violated,

disappearances, arbitrary detention, extrajudicial killings, media clampdown, etc – point to the involvement of any institution, people are well within their rights to speak out.

Recent social media trends regarding the Balochistan helicopter crash show how the good work of institutions gets diluted because of the establishment's interference in politics.

To uphold civilian supremacy and ensure democratic governance, political parties need to be on the same page regarding outside interference in politics. A Charter of Democracy was signed between rivals PPP and PML-N for this very purpose, but the rise of Imran Khan's PTI meant a consistent campaign to villainise the political class, no matter how blatant the propaganda and selective justice were. The shielding of former dictator Pervez Musharraf, guilty of high treason for abrogating the Constitution, is a case in point.

Now that the PTI has also experienced its downfall through the loss of support of establishment-backed coalition partners, it is time for it to salvage its role and uphold civilian supremacy and democracy.

The rules of politics require the drawing of red lines. Political competition must not mean delegitimising political opponents. It must mean that there is a level-playing field for all parties who compete for public support based on their performance, and face the polls when they fail. Instead, what we have seen is the invoking of Article 62 and 63 of the Constitution to disqualify popular political leaders. This paves the way for other parties to come to power. We cannot expect stability, prosperity, development, or progress if this game of musical chairs continues where political parties undermine other parties for short-term gains.

Strong positions that centre on the supremacy of parliament must be adopted by political parties and engagement with the establishment must remain within constitutional bounds. Laws and constitutional amendments brought in by dictators or inherited from the colonial era must be done away with, such as Article 62 and 63, sedition laws, and other legal instruments meant for suppressing people's democratic rights.

We owe it to the founders of Pakistan, as well as all the brave activists, political leaders and workers who have struggled to uphold the independent voice of the people through emphasis on strong and functional democratic institutions.

**SOURCE: DAWN, AUGUST 31, 2022**