

FACT FINDING MISSION REPORT

PAKISTAN



September 2015

Revised Edition

BM.I  REPUBLIC OF AUSTRIA
FEDERAL MINISTRY OF THE INTERIOR

BFA  REPUBLIC OF AUSTRIA
FEDERAL OFFICE FOR IMMIGRATION AND ASYLUM



This project was co-financed by the Asylum, Migration and Integration Fund

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The present revised edition of the report - January 2016 - replaces the previous edition published September 2015. For this revised version, parts of chapters 8. – 10.1. have been revised. Please note that the use of the September 2015 edition of the report is no longer authorised.

Imprint

Published by

Country of Origin Information Department | Federal Office for Immigration and Asylum
Landstraßer Hauptstraße 169 | 1030 Vienna | Austria
www.staatendokumentation.at

Editors

Thomas Schrott | Federal Office for Immigration and Asylum
Sean Cornell

Layout

Martin Angel | Federal Office for Immigration and Asylum

Cover

Martin Angel | Federal Office for Immigration and Asylum

Print

Austrian Federal Ministry of the Interior

Disclaimer

The Country of Origin Information Department (Staatendokumentation) of the Federal Office for Immigration and Asylum compiled the information of this product in accordance with the common EU Guidelines for the processing of information on countries of origin (EU Quality Guidelines, April 2008, https://www.ecoi.net/blog/wp-content/uploads/2012/07/coi_common_guidelines-2008-04-en.pdf). The EU common guidelines on (Joint) Fact Finding Missions were applied to the Fact Finding Mission (EU common guidelines on (Joint) Fact Finding Missions, November 2010, http://www.ecoi.net/file_upload/90_1292230919_20101118-ecs-ffm-guidelines-final-version.pdf), as well as the Austrian guidelines on Fact Finding Missions (BAA FFM guidelines, June 2010, www.staatendokumentation.at/baa-ffm-guidelines-2010-06-22.pdf) and the Methodology of the Staatendokumentation (Methodologie der Staatendokumentation, December 2013, <http://www.staatendokumentation.at/methodologie-der-staatendokumentation.doc>).

The content is based on interviews and conversations that were conducted during the timeframe of the Fact Finding Mission from 27.7 – 31.7.2015 in Pakistan. Where necessary to provide a better understanding, secondary sources have been included and cited.

All the information herein was researched and processed with the utmost care. This document does not claim to be exhaustive. Furthermore, this report is not conclusive as to the determination or merit of any particular claim of refugee status or asylum. The content of this Fact Finding Mission does not reflect the official opinion of the Federal Office for Immigration and Asylum (BFA) and cannot be interpreted as the BFA's political opinion.

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ISBN 978-3-903109-00-1

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Summary

During the Fact Finding Mission to Pakistan in the period of 27.7 – 31.7.2015, information concerning key issues was collected. The Fact Finding Mission covers topics such as the security situation in Pakistan (with a particular focus on Federally Administrated Tribal Areas (FATA)), Afghan refugees, Internally Displaced Persons (IDPs), religious minorities and medical treatment.

The aim of the Fact Finding Mission was, *inter alia*, to update and complement existing information contained in the “Report on Fact Finding Mission 2013 – Pakistan, Religious Minorities” and “regiones et res publicae – Pakistan – Challenges & Perspectives” through local research in Pakistan. Aside from the gathering of information, an additional goal was the establishment of further contacts in Pakistan.

Acknowledgement

Special thanks must be expressed to all interview partners who took the time to provide very useful information to the Fact Finding Mission delegation.

Without the support of the Austrian Federal Ministry for Europe Integration and Foreign Affairs, the Austrian Embassy in Islamabad and the Assistant to the Liaison Officer, the Fact Finding Mission would not have been possible. Special thanks must be given to the Advisory Board of the Country of Origin Information Department after its recommendation to conduct an *ad hoc* Fact Finding Mission to Pakistan, which was followed by the Country of Origin Information Department and the Austrian Federal Office for Immigration and Asylum.

1. Introduction

The Advisory Board of the Country of Origin Information Department recommended that an *ad hoc* Fact Finding Mission to Pakistan be conducted (*Recommendation 2/2015*). The Advisory Board also recommended that the Fact Finding Mission should focus on updating selected topics from the previous Fact Finding Mission report 2013.

In order to ensure transparency, a description of the *modus operandi* will be stated below in the following chapter, along with the introduction of the interview partners. Emphasis was placed on the illustration of the *modus operandi* and the background of each interview partner in their respective area of expertise.

The statements of the interview partners mentioned in the Fact Finding Mission report reflect exclusively the opinions of the interview partners. The interviews followed the open interview technique and were conducted without an interpreter. Where necessary, the statements of the interview partners were cross-checked with further sources. This report presents the results obtained from the interviews within the context and framework of the Fact Finding Mission. The report will be considered and analysed, along with a number of other sources, by the Austrian Country of Origin Department when preparing further products. In order to guarantee a wide and balanced spectrum of information, interview partners were chosen who have many years of experience with regard to the relevant topics. Included were representatives of public authorities, representatives of local NGOs, representatives of think-tanks, and employees of international organisations and diplomatic missions. The interviews were held in Islamabad and Rawalpindi.

Only one of the interview partners requested to remain anonymous with the rest having no objections to having their organisations cited.

2. Modus Operandi

In order to gain comprehensive insight into the abovementioned topics, such as the security situation, Afghan refugees, IDPs, religious minorities and medical treatment in Pakistan, interviews with local experts in their respective fields were conducted in Pakistan. The experts will be described briefly and introduced below:

Aid to Leprosy Patients (ALP) – the Rawalpindi Leprosy Hospital

The Rawalpindi Leprosy Hospital was established in 1867. Since its establishment, leprosy patients have been allowed to live there. The hospital now has 97 beds for leprosy and tuberculosis (TB), as well as an outpatient clinic for leprosy patients, an eye clinic, a skin clinic, a general physiotherapy department, a small surgical unit, an orthopaedic shoe workshop, and a pharmacy that belongs to the hospital. Further regular training programmes on leprosy and TB are being held in cooperation with Provincial Health Departments.¹

The interview was conducted with the Medical Director at Aid to Leprosy Patients in Rawalpindi.

¹ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

Embassy of the Islamic Republic of Afghanistan

This interview was conducted with a counselor of the Embassy of the Islamic Republic of Afghanistan in Islamabad.

FATA Research Centre (FRC)

FATA Research Centre is a research organization and think-tank that is based in Islamabad. It focuses on the FATA region in its entirety. Research and field officers of FATA Research Centre closely follow and analyse events and developments taking place in and around FATA. FATA Research Centre discusses and disseminates information concerning FATA and provides a forum for technocrats, policy makers, researchers and members of civil society, both inside and outside Pakistan.²

The interview was conducted with several representatives of FATA Research Centre in Islamabad.

Pak Institute for Peace Studies (PIPS)

The Pak Institute for Peace Studies is an independent, non-profit, non-governmental research and advocacy think-tank. Pakistani scholars, researchers and journalists conduct wide-ranging research and analysis of political, social and religious conflicts that have a direct bearing on both national and international security. Further, PIPS produces weekly and monthly security reports, analysis and evaluations concerning the security situation in the districts and provinces of Pakistan.³

Struggle for Change (SACH)

SACH was established in 1994, and is registered as a non-governmental, non-profit entity. Since its establishment, SACH focuses on issues such as violence against women and children, as well as the rehabilitation and reintegration into society of the survivors of violence and torture. Its employees concentrate on Afghan refugees and IDPs. At a national level, SACH works closely with the Pakistani government, the Pakistani Ministry of Women Development, women police station, Ministry of Law and Human Rights, Quaid-e Azam University Islamabad and other educational institutes, and the United Nations system in Pakistan, including UNHCR, UNIC and UNICEF etc. SACH is one of UNHCR's implementing partners.⁴

²FRC – FATA Research Centre (undated): About us, <http://frc.com.pk/sample-page/welcome-to-frc/>, accessed 14.8.2015

³ Pak Institute for Peace Studies (undated): Pak Institute for Peace Studies (PIPS), <http://san-pips.com/#>, accessed 14.8.2015; Interview with a representative of PIPS, 28.7.2015, Islamabad

⁴ SACH – Struggle for change (undated): About us, <http://sach.org.pk/page.php?post===QTUdWP>, accessed 14.8.2015

The interview was conducted with several representatives of SACH in Islamabad.

Zalan Communications

Zalan Communications, a non-governmental and non-profit organization, has sought to empower local communities throughout Pakistan and share lifesaving information with disaster-hit and disaster-prone communities in times of emergency. The team of Zalan Communications consists of qualified media- and communication-related professionals who have vast experience in the media and research sectors. Zalan Communications' target area is Khyber Pakhtunkhwa, FATA and other areas of Pakistan.⁵

The interview was conducted with representatives of Zalan Communications in Islamabad.

Local expert

This person originates from FATA and has vast experience in the political affairs of Pakistan.

Additional Sources

Additional sources that were used in this report comply with the standards of the Austrian Country of Origin Department. Further, relevant information regarding sources can be retrieved from <http://www.ecoi.net/5.unsere-quellen.htm> and www.staatdokumentation.at.

⁵ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

Executive Summary

At the time of writing, the overall security situation in Pakistan is better, when compared to the period of the Fact Finding Mission 2013, but remains a long way from completely satisfactory. Pakistan is not only faced with the challenge of militancy but also with violent criminal organisations and armed wings of political parties. Overall, sectarian violence has statistically declined in the past 1.5 years.

Following the attack on the Army Public School in Peshawar in December 2014, the six-year moratorium on the death penalty was ended and the country's leadership held a meeting and approved a comprehensive plan of action against terrorism, namely the National Action Plan. FATA is part of Pakistan's territories, yet it is treated differently, subject to separate laws, such as the Frontier Crimes Regulation, which only apply to FATA region. FATA has its own unique administrative structure that does not contain the usual three tiers of local government. It is directly controlled by the President of Pakistan through his agent, the Governor of Khyber Pakhtunkhwa, who has his seat in Peshawar.

The overall situation of each agency in FATA varies to a great degree depending on what on-going military operations are taking place. In the recent past, military operations have been conducted across FATA, in almost all of the seven agencies. It is very important to note that, statistically, the security situations in all of the regions of FATA have either already improved or are still improving, due to the various military operations conducted in the agencies. In summary, it can be said that past and on-going military operations have mostly cleared the areas of militants and militant attacks have decreased noticeably. In some remote areas, particularly near the border to Afghanistan, there are still militant "pockets" left.

As a result of the military operations many people were displaced. At the time of conducting the interviews, around 277,000 families are IDPs from all over FATA. As of 27 August 2015, UN OCHA states that 212,263 families remain displaced. According to UN OCHA, a total of 84,343 registered families returned by 31 August 2015. During the week of 21 August and 27 August 2015, 4,149 registered families returned to Khyber Agency.

A large number of Afghan refugees live in Pakistan. Sources estimate that there are approximately 1.5 – 1.7 million registered refugees and an additional 1.3 million Afghan refugees without PoR-Cards in Pakistan. According to a source close to the talks, a high level meeting behind closed doors between the tripartite lead to an unofficial discussion regarding the PoR-Cards. The meeting concerns the extension of the PoR-Cards which are set to expire by 31 December 2015. An official decision regarding a renewal date for the PoR-Cards is expected sometime in October 2015.

A three-tier medical system exists in Pakistan, namely Basic Health Units, at Tehsil (district)-level and Tertiary care hospitals. The interviewed doctor stated that in principle all medical problems could be solved in Pakistan.

3. General Situation in Pakistan



Pakistan Administrative Divisions⁶

At the time of writing, the overall security situation in Pakistan is better, when compared to the period of the Austrian Fact Finding Mission 2013,⁷ but remains a long way from completely satisfactory.⁸ One of the local experts stated that the “security situation has

⁶ U.S. Central Intelligence Agency (2010): Pakistan Administrative Divisions, http://www.ecoi.net/file_upload/4232_1407396596_pakistan-admin-2010.pdf, accessed 14.8.2015

⁷ Interview with a representative of PIPS, 28.7.2015, Islamabad; Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad

⁸ Email correspondence with a representative of FATA Research Centre, 24.8.2015

definitely improved, not only in the Federally Administered Tribal Areas but also in the whole of Pakistan”.⁹ Nevertheless, Pakistan is not only faced with the challenge of militancy but also with violent criminal organisations and armed wings of political parties.¹⁰

According to the local expert, one could say that Punjab, especially northern Punjab, is definitely the safest province of Pakistan. The second safest province would be Sindh (although parts of Karachi are quite dangerous), followed by Khyber Pakhtunkhwa. The least safe would be Balochistan and FATA.¹¹

Other noteworthy security issues in Pakistan, according to the local expert, are sectarian problems in Jhang (a district in Punjab) and in Balochistan. However, the country, by-in-large (except for in major cities like Islamabad, Lahore and affluent parts of Karachi), has become intolerant of other Islamic factions. Furthermore, parts of Balochistan have separatist movements.¹²

3.1. Karachi

Karachi is the capital of Sindh and is the largest city in Pakistan. It is located at the coast of the Arabian Sea, north-west of the Indus River Delta and contains the largest port in the country.¹³

Since September 2013, there has been an on-going operation to rid the city of Karachi of criminal organisations, particularly those allegedly patronised by political parties.¹⁴ Although the Pakistani government claims that with its operation it has made a considerable effort to eliminate criminal elements within Karachi, the facts on the ground indicate that it will take significantly more time and a greater effort to achieve the desired results.¹⁵ Furthermore, according to the police, sleeper cells of banned groups such as al-Qaida still exist in Karachi.¹⁶

⁹ Interview with local expert, 30.7.2015, Islamabad

¹⁰ Email correspondence with a representative of FATA Research Centre, 24.8.2015

¹¹ Email correspondence with local expert, 1.9.2015

¹² Email correspondence with local expert, 1.9.2015

¹³ KMC – Karachi Metropolitan Corporation (undated): Karachi the Gateway to Pakistan, <http://www.kmc.gos.pk/Contents.aspx?id=14>, accessed 31.8.2015

¹⁴ Email correspondence with a representative of FATA Research Centre, 24.8.2015; DAWN (22.8.2015): <http://www.dawn.com/news/1202003/no-decline-in-street-crime-despite-operation-karachi-police-chief>, accessed 24.8.2015; The Express Tribune (22.8.2015): MQM claims eight more activists held, <http://tribune.com.pk/story/942629/karachi-operation-mqm-claims-eight-more-activists-held/>, accessed 24.8.2015.

¹⁵ Email correspondence with a representative of FATA Research Centre, 24.8.2015

¹⁶ The Friday Times (29.5.2015): The Al Qaeda sleeper cells of Karachi, <http://www.thefridaytimes.com/tft/the-al-qaeda-sleeper-cells-of-karachi/>, accessed 7.9.2015; The Express Tribune (5.9.2015): Karachi operation: Sleeper cells still exist, says AIG Maher, <http://tribune.com.pk/story/951201/karachi-operation-sleeper-cells-still-exist-says-aig-maher/>, accessed 7.9.2015

The Muttahida Qaumi Movement (MQM) (the most popular party in Karachi and urban Sindh)¹⁷ and, to some extent, the Pakistan Peoples Party (PPP) have accused law enforcement agencies of victimisation, forced disappearances and extra-judicial killings, and ill treatment of their members who have been arrested as a result of the operation.¹⁸ The MQM felt that their grievances were ignored and thus, on 12 August 2015, resigned from the national and provincial parliaments in protest as they felt that the operation is targeted at weakening their power base.¹⁹ The MQM agreed to meet the Pakistan Muslim League-Nawaz (PML-N) who tried to allay their fears and persuade them to withdraw their resignations. These negotiations were on-going at the time of this report.²⁰

The Sindh home department compiled a performance report concerning the on-going Karachi operation and, according to this report, it has produced positive results. For example, the report indicates that 522 people had been killed in the first seven months of 2015, while during the corresponding period of 2014, 1,090 people had been killed. The report further indicates that in 2014, 48 kidnappings for ransom were reported by end of July, while in the same period in 2015 only one case was reported.²¹



Average Murders per day²²

¹⁷ Email correspondence with a representative of FATA Research Centre, 24.8.2015; see also The Express Tribune (22.8.2015): MQM claims eight more activists held, <http://tribune.com.pk/story/942629/karachi-operation-mqm-claims-eight-more-activists-held/>, accessed 24.8.2015

¹⁸ Email correspondence with a representative of FATA Research Centre, The Express Tribune (22.8.2015): MQM claims eight more activists held, <http://tribune.com.pk/story/942629/karachi-operation-mqm-claims-eight-more-activists-held/>, accessed 24.8.2015; DAWN (23.8.2015): MQM agrees to meet PML-N over resignations, sources say, <http://www.dawn.com/news/1202314>, accessed 24.8.2015

¹⁹ Email correspondence with a representative of FATA Research Centre, 24.8.2015; The Express Tribune (12.8.2015): MQM resigns from Parliament, Sindh Assembly, <http://tribune.com.pk/story/936541/protesting-karachi-operation-mqm-parliamentarians-may-resign-from-their-seats/>, accessed 24.8.2015

²⁰ Email correspondence with a representative of FATA Research Centre, 24.8.2015; DAWN (23.8.2015): MQM agrees to meet PML-N over resignations, sources say, <http://www.dawn.com/news/1202314>, accessed 24.8.2015

²¹ DAWN (17.8.2015): Karachi operation: 386 'criminals' eliminated this year, <http://www.dawn.com/news/1200936>, accessed 24.8.2015

²² DAWN (17.8.2015): Karachi operation: 386 'criminals' eliminated this year, <http://www.dawn.com/news/1200936>, accessed 24.8.2015

3.2. Balochistan

The province of Balochistan is situated in the west of Pakistan, bordering Iran in the west, Afghanistan in the northwest, Khyber Pakhtunkhwa province in the northeast, Punjab province in the east, Sindh province in the southeast, and the Arabian Sea in the south.²³

The province of Balochistan faces, in addition to crime-related problems such as kidnappings, extortion and targeted killings, several political issues including politically motivated violence.²⁴ According to representatives of FATA Research Centre the situation remains far from satisfactory.²⁵ Nevertheless, there are reports that the security situation in this province is improving.²⁶ One of the reasons stated by the representative of FATA Research Centre is that the Chief Minister, Dr Abdul Malik, who was elected as such in 2013, is a Baloch nationalist who has a better understanding of the grievances of the Baloch people and greater access to the leadership of insurgent groups.²⁷ Efforts made by the Balochistan government as well as the security agencies have been successful.²⁸ These efforts include the operations by the Frontier Corps (FC) and the police against terrorists, criminals and elements involved in sectarian violence.²⁹

Yet there remain political issues, as the large middle class of Balochs in the coastal areas of Makran have – with the exception of the Baloch tribesmen, including the Muree, Mengal and Bugti tribes – taken up the fight against the Pakistani government. The grievances of the Baloch people against the Pakistani government have existed for a long time. They consist mainly of the people's belief that their rights have been violated by the Pakistani state and

²³ Encyclopædia Britannica (undated): Balochistan, <http://www.britannica.com/place/Balochistan>, accessed 31.8.2015

²⁴ Email correspondence with a representative of FATA Research Centre, 24.8.2015; OSAC (14.4.2015): Pakistan 2015 Crime and Safety Report: Karachi, <https://www.osac.gov/pages/ContentReportDetails.aspx?cid=17436>, accessed 25.8.2015

²⁵ Email correspondence with a representative of FATA Research Centre, 10.9.2015; The News International (28.6.2015): Two years with Dr Malik, <http://www.thenews.com.pk/Todays-News-9-326055-Two-years-with-Dr-Malik>, accessed 15.9.2015

²⁶ DAWN (17.6.2015): Security situation improving in Balochistan, says CM, <http://www.dawn.com/news/1188662>, accessed 25.8.2015; The Express Tribune (13.8.2015): Balochistan security: Fear of terror is removed, says Lt General Janjua, <http://tribune.com.pk/story/937128/balochistan-security-fear-of-terror-is-removed-says-lt-general-janjua/>, accessed 25.8.2015; The Daily Times (24.8.2015): PM hopes dawn of peace, prosperity from FATA to Balochistan, Karachi, <http://www.dailytimes.com.pk/national/24-Aug-2015/pm-hopes-dawn-of-peace-prosperity-from-fata-to-balochistan-karachi>, accessed 25.8.2015

²⁷ Email correspondence with a representative of FATA Research Centre, 10.9.2015; The News International (28.6.2015): Two years with Dr Malik, <http://www.thenews.com.pk/Todays-News-9-326055-Two-years-with-Dr-Malik>, accessed 15.9.2015

²⁸ DAWN (17.6.2015): Security situation improving in Balochistan, says CM, <http://www.dawn.com/news/1188662>, accessed 25.8.2015; The Express Tribune (13.8.2015): Balochistan security: Fear of terror is removed, says Lt General Janjua, <http://tribune.com.pk/story/937128/balochistan-security-fear-of-terror-is-removed-says-lt-general-janjua/>, accessed 25.8.2015; The Daily Times (24.8.2015): PM hopes dawn of peace, prosperity from FATA to Balochistan, Karachi, <http://www.dailytimes.com.pk/national/24-Aug-2015/pm-hopes-dawn-of-peace-prosperity-from-fata-to-balochistan-karachi>, accessed 25.8.2015

²⁹ DAWN (31.8.2015): Improvement in security situation to boost economic activities in Balochistan, says FPCCI vice president, <http://www.dawn.com/news/1203931>, accessed 4.9.2015

that their natural resources have been exploited by the larger provinces, especially Punjab, without any benefit to the Baloch people.³⁰

A further factor contributing to the conflict in Balochistan is the international involvement resulting from Pakistan's efforts to build the Gwadar Port³¹ in collaboration with China. Pakistan accuses India and other countries of interfering and supporting the Baloch separatists.³²

3.3. Khyber Pakhtunkhwa

Khyber Pakhtunkhwa lies in the north of Pakistan and borders Afghanistan in the west and north, Azad Kashmir and the Northern Areas (the Pakistani-administered areas of the Kashmir region) in the east and northeast, Punjab province in the southeast, and Balochistan province in the southwest.³³

The province of Khyber Pakhtunkhwa is quite peaceful but remains relatively vulnerable as it shares its border with FATA, which was the hub of militancy for a long time.³⁴ Nonetheless, this province is a settled area and is run by a democratic government where Tehreek-e Insaaf, the political party of famous Pakistani cricket player Imran Khan, is in power.³⁵

Furthermore, in almost all of the major cities of Khyber Pakhtunkhwa, militant sleeper cells can be found, which can be activated by militant groups, should the need arise.³⁶ The groups that were listed by the representatives of FATA Research Centre include the following: TTP Jamaat-ul-Ahrar, TTP Mahsud group, Lashkar-e Islam of Khyber agency, TTP Fazlullah group of Swat and Lashkar-e Jhangvi.³⁷

According to FATA Research Centre, greater cooperation between civil and military law enforcement agencies and a strategic response to militancy as envisaged in the National Action Plan will go a long way to controlling the situation there further. However, not much

³⁰ Email correspondence with a representative of FATA Research Centre, 24.8.2015

³¹ The city of Gwadar is located on the shores of the Arabian Sea in the province of Balochistan. Gwadar Port is located at the mouth of the Persian Gulf near the key shipping routes in and out of the Persian Gulf. Gwadar Port is to complement Karachi Port and Port Qasim in order to stimulate economic growth of Pakistan. See Gwadar Port Authority (undated): GWADAR PORT, <http://www.gwadarport.gov.pk/about%20us.html>, accessed 31.8.2015; Gwadar Port Authority (undated): Vision and Mission, <http://www.gwadarport.gov.pk/vision.html>, accessed 31.8.2015

³² Email correspondence with a representative of FATA Research Centre, 24.8.2015

³³ Encyclopædia Britannica (undated): Khyber Pakhtunkhwa, <http://www.britannica.com/place/Khyber-Pakhtunkhwa>, accessed 31.8.2015

³⁴ Email correspondence with a representative of FATA Research Centre, 24.8.2015

³⁵ Email correspondence with a representative of Zalan Communication, 7.8.2015

³⁶ Email correspondence with a representative of FATA Research Centre, 24.8.2015

³⁷ Email correspondence with a representative of FATA Research Centre, 10.9.2015

has been done thus far to ensure agreement on the issues between the various law enforcement agencies.³⁸

3.4. Punjab

Punjab is located in the east of Pakistan and it borders the Indian state of Jammu and Kashmir in the northeast, the Indian States of Punjab and Rajasthan in the east, Sindh province in the south, Balochistan and Khyber Pakhtunkhwa provinces in the west, and Islamabad federal capital area and Azad Kashmir in the north. Lahore is the provincial capital of Punjab.³⁹

In comparison to the rest of the country, the province of Punjab is largely peacefully, yet here criminal and militancy elements also lurk beneath the surface.⁴⁰ In August 2015, the Home Minister of Punjab and 12 other people were killed in a suicide attack in Attock district, which is about 80 km west of Islamabad.⁴¹

Punjab is home to the largest number of Deobandi madrasas, which are religious schools belonging to the Deobandi sect of Sunni Muslims, who have been at the forefront of Jihadi activities, more so than anywhere else in Pakistan. The headquarters of militant organizations, such as the sectarian Lashkar-e Jhangvi, Jaish-e Mohammad, and Lashkar-e Tayyabah are based in Punjab. The sectarian tension between Shias and Sunnis remains high in this province.⁴²

3.5. National Action Plan

On 16 December 2014, the Tehrik-e Taliban Pakistan (TTP) attacked the Army Public School in Peshawar, killing 132 children.⁴³ The next day, Prime Minister Sharif ended the six-year moratorium on the death penalty, reinstating it for terrorism-related cases. Following these incidents, the country's leadership held a meeting and approved a comprehensive plan of action against terrorism.⁴⁴

³⁸ Email correspondence with a representative of FATA Research Centre, 24.8.2015

³⁹ Encyclopædia Britannica (undated): Punjab, <http://www.britannica.com/place/Punjab-province-Pakistan>, accessed 31.8.2015

⁴⁰ Email correspondence with a representative of FATA Research Centre, 24.8.2015

⁴¹ Email correspondence with a representative of FATA Research Centre, 24.8.2015; BBC (16.8.2015): Punjab Minister Shuja Khanzada killed in Pakistan blast, <http://www.bbc.com/news/world-asia-33952413>, accessed 25.8.2015

⁴² Email correspondence with a representative of FATA Research Centre, 24.8.2015.

⁴³ DAWN (16.12.2014): Militant siege of Peshawar school ends, 141 killed, <http://www.dawn.com/news/1151203>, accessed 27.8.2015

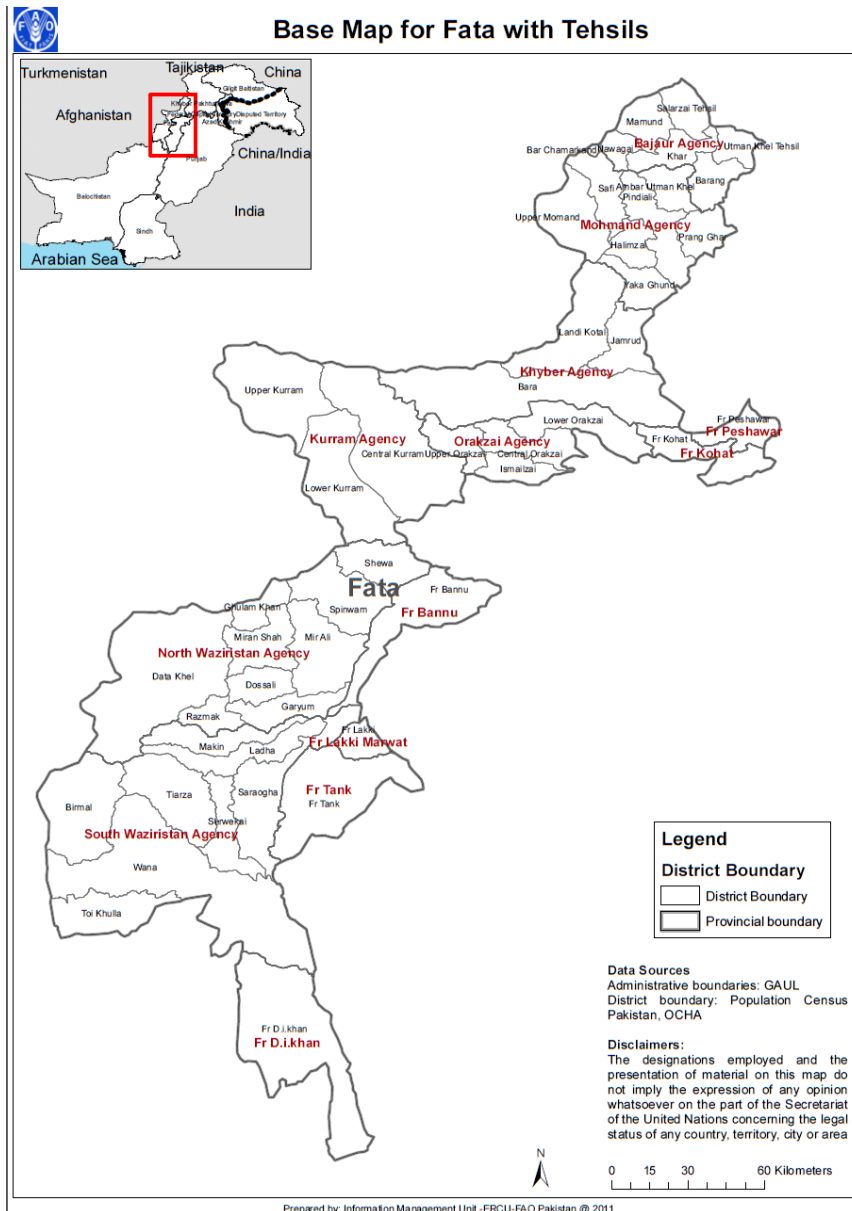
⁴⁴ DAWN (27.12.2014): UN urges Pakistan to halt executions, <http://www.dawn.com/news/1153474>, accessed 27.8.2015; Interview with a representative of PIPS, 28.7.2015

The 20-point National Action Plan (NAP) contains the following points:

1. Execution of convicted terrorists
2. Establishment of special trial courts
3. Ensure no armed militias are allowed to function in the country
4. Strengthening and activation of NACTA
5. Countering hate speech and extremist material
6. Choking financing for terrorists and terrorist organisations
7. Ensuring against re-emergence of proscribed organisations
8. Establishing and deploying a dedicated counter-terrorism force
9. Taking effective steps against religious persecution
10. Registration and regulation of madrassas
11. Ban on glorification of terrorism and terrorist organisations through print and electronic media
12. FATA Reforms
13. Dismantling communication networks of terrorist organisations
14. Measures against abuse of internet and social media for terrorism
15. Zero tolerance for militancy in Punjab
16. Taking the ongoing operation in Karachi to its logical conclusion
17. Balochistan reconciliation
18. Dealing firmly with sectarian terrorists
19. Policy to deal with the issue of Afghan refugees
20. Revamping and reforming the criminal justice system”⁴⁵

⁴⁵ NACTA - National Counter Terrorism Authority (undated): National Action Plan, http://nacta.gov.pk/Download_s/Presentations/National_Action_Plan_NACTA_Pakistan.pdf, accessed 15.9.2015; The Express Tribune (25.12.2014): Fight against terrorism: Defining moment, <http://tribune.com.pk/story/811947/fight-against-terrorism-defining-moment/>, accessed 27.8.2015

4. FATA Overview and Administration



Base Map for Fata with Tehsils⁴⁶

FATA is situated in the north-western part of Pakistan and borders several provinces of Afghanistan, namely Kunar, Nangarhar, Paktia, Khost and Paktika. FATA comprises seven agencies: Bajaur Agency, Mohmand Agency, Khyber Agency, Orakzai Agency, Kurram Agency, North Waziristan Agency, South Waziristan Agency, and six Frontier Regions (FR), namely Bannu, Dera Ismail Khan, Kohat, Lakki Marwat, Peshawar and Tank.

⁴⁶ Information Management Unit -ERUC-FAO Pakistan (2011): Base Map for Fata with Tehsils, <http://complex.pakresponse.info/LinkClick.aspx?fileticket=XRfZaO5qvDU=&tabid=71&mid=465>, accessed 16.9.2015

The Constitution of the Islamic Republic of Pakistan, 1973 provides for the different provinces and territories of Pakistan. According to Article 1 of the Constitution, the territories of Pakistan comprise of the provinces of Balochistan, Khyber Pakhtunkhwa, Punjab and Sindh. Also included are the Islamabad Capital Territory, FATA and such States and territories as are or may be included in Pakistan, whether by accession or otherwise.⁴⁷ Thus, the Constitution makes provision for FATA to be part of Pakistan.

As already mentioned, FATA is part of Pakistan's territories, yet it is treated differently, subject to separate laws, such as the Frontier Crimes Regulation, which only apply to FATA region. Some sections of the Frontier Crimes Regulation are called "Black Laws" due to their draconian nature.⁴⁸

FATA has its own unique administrative structure that does not contain the usual three tiers of local government⁴⁹. It is directly controlled by the President of Pakistan through his agent, the Governor of Khyber Pakhtunkhwa, who has his seat in Peshawar.⁵⁰ The Governor chooses a Political Agent (PA) for each agency who, together with Assistant Political Agents (APA), Tehsildars (administrative head of a Tehsil), Naib Tehsildars (deputy Tehsildar) and political Muharrars, administers the affairs of FATA region. This is why the area is called the "Federally Administered Tribal Areas". Tehsildars, Naib Tehsildars and political Muharrars are also government employees. The PA has vast powers and is often referred to as the "uncrowned king" of the agency.⁵¹

Since tribal elders do not form part of FATA administrative structure and the officials who govern FATA mostly do not originate from FATA, a "gap" between the people of FATA and the Pakistani government⁵² has developed. Accordingly, a sense of frustration and a feeling of deprivation have spread among the people of FATA – they felt marginalised which has resulted in the growing appeal of militancy.⁵³

However, the tribal elders have a very important function as they play the role of a "bridge" between the people of FATA and the political administration i.e. the PAs or simply the government. During war-like periods, their roles extended to that of a mediator between militants and the government. Some of the very influential maliks and tribal elders have been

⁴⁷ Constitution of the Islamic Republic of Pakistan, 1973, as amended by The Constitution Twenty First Amendment Act, 2015 <http://pakistanconstitutionlaw.com/>, accessed 10.8.2015

⁴⁸ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

⁴⁹ The three-tier system of the local government comprises of districts, tehsils and union councils.

⁵⁰ Interview with a representative of PIPS, 28.7.2015, Islamabad; Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

⁵¹ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

⁵² It is important to distinguish between the Pakistani government and the Pakistani military.

⁵³ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

engaged as mediators.⁵⁴ A malik is either a respected tribal elder or an influential personality of a tribe. The PA appoints a malik on male inheritance; however, the governor also has to agree with the appointment.⁵⁵ According to Zalan Communications, a malik is a man who works like a bridge between the political administration and the society. In most cases, he is a paid man who, while not salaried nonetheless receives stipends from the political administration.⁵⁶

There are on-going reforms of the status of FATA.⁵⁷ On 16 May 2014 FATA Reforms Commission was established by the Governor of Khyber Pakhtunkhwa. The mandate of the FATA Reforms Commission includes the formulation and proposal of strategic objectives, policies and action plans, and, furthermore, the oversight of the implementation of reforms. In May 2015, an interim report was published by the FATA Reforms Commission.⁵⁸

4.1. Jirga or Jarga

In addition to the separate administration, the judicial system in FATA is completely different to the rest of the country and the court structure of the rest of Pakistan does not have jurisdiction over FATA. Thus, there are no District Courts, High Courts or Supreme Court. Nonetheless, the people of FATA have their own justice system that is highly regarded by the people of FATA as it is cost effective and expeditious.⁵⁹



Supreme Court Islamabad

⁵⁴ Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad

⁵⁵ Gunaratna, Rohan; Iqbal, Khuram (1.1.2012): Pakistan: Terrorism Ground Zero, p 285

⁵⁶ Email correspondence with a representative of Zalan Communication, 7.8.2015.

⁵⁷ Interview with a representative of PIPS, 28.7.2015, Islamabad

⁵⁸ FATA Reforms Commission (March 2015): Interim Report

⁵⁹ Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad; Interview with local expert, 30.7.2015, Islamabad

As Pashtuns are located in Pakistan and Afghanistan, there are slight differences in the cultural terms and terminologies. Pashtuns living in Afghanistan pronounce this council of elders as “Jirga”, while in Pakistan it is pronounced as “Jarga”.⁶⁰

The structure and the kinds of Jargas vary according to their size and nature.⁶¹

Types according to size:

- “Maraka” (small level: family, clan, khel): This is a form of Jarga which deals with matters of small magnitude within or between families.
- “Qaumi Jarga” (large level: tribe): This is a form of Jarga which deals with matters of importance that are central to the social order of the tribes.
- “Loya Jarga” (National level): This is an important institution where tribal leaders gather in order to discuss vital national issues and make collective decisions including sovereignty, national unity, selection of a ruler, declaration of war or adopting a new constitution.⁶²

Types according to nature:

- “Qaumi” or traditional Jarga: This consists of the tribal “Masharan” or “Spingiri” (elders) called by local people for resolving their inter-tribal or intra-tribal disputes.
- “Hakomati” or political administration Jarga: This consists of the privileged Malik and is summoned by Political Administration.⁶³

The “Sarkari” or Frontier Crimes Regulation Jarga (or “Hakomati”)⁶⁴ is a conflict resolution mechanism where the parties to the dispute each nominate a member while the political agent nominates another two members.⁶⁵ Firstly, the Jarga examines the evidence within the framework of the issues. It then calls the parties and listens to both sides, gathers and re-analyses the evidence and then announces its decision. The decision is then submitted to the political administration for approval.⁶⁶

⁶⁰ Email correspondence with a representative of FATA Research Centre, 24.8.2015

⁶¹ Email correspondence with a representative of FATA Research Centre, 24.8.2015

⁶² Email correspondence with a representative of FATA Research Centre, 24.8.2015

⁶³ Email correspondence with a representative of FATA Research Centre, 24.8.2015

⁶⁴ Email correspondence with a representative of FATA Research Centre, 24.8.2015

⁶⁵ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad; CAMP – Community Appraisal & Motivation Programme (7.2011): Understanding Jirga: Legality and Legitimacy in Pakistan’s Federally Administered Tribal Areas, <http://crossasia-repository.ub.uni-heidelberg.de/3124/1/Understanding-Jirga-07-2011.pdf>, accessed 27.8.2015

⁶⁶ CAMP – Community Appraisal & Motivation Programme (7.2011): Understanding Jirga: Legality and Legitimacy in Pakistan’s Federally Administered Tribal Areas, <http://crossasia-repository.ub.uni-heidelberg.de/3124/1/Understanding-Jirga-07-2011.pdf>, accessed 27.8.2015

The traditional Jarga (Qaumi) is a meeting of a group of tribal men who have the authority to settle a dispute in a way acceptable to both sides incorporating the prevalent local customary law and institutional rituals.⁶⁷ The parties to the dispute are bound by the Jarga's decisions.⁶⁸ The "Masharan" or "Spingiri" (elders) sit in a circle, which shows the equality among the members of the Jarga. The elders try to see the matter from every perspective in order to settle the dispute.⁶⁹

At the beginning of the Jarga-process, both parties give "Wakk" (right of decision) to the "Mianjgarri" (mediators). The mediators ask for some time ("Miadh") to settle the issue or to summon Jarga. During this time, none of the parties may harm the other. These mediators then bring elders from the various parts of the area to settle the dispute and call a Jarga of Masharan. Once the involved parties submit their "Wakk" to the members of Jarga, they may not object to the decision of the Jarga and are bound by it.⁷⁰

The parties to dispute are asked by the mediators to choose any of the following three options for proceedings:

- Through Sharia: if they jointly choose Sharia then Ulemas carry out the proceedings according to Islamic jurisprudence.
- Through "Dalil" (reasoning/logic): if the parties choose reasoning then the professional "Jarga-Mar" or "Marakzan" carry out the proceedings. A sort of "Jirah" (cross-examination) is used, as is prevalent in other legal systems.
- Through "Rewaj" (customs or precedents): where customs or precedents are chosen, the "Spingiri" (grey-bearded) preside over the Jarga.⁷¹

The Jarga is widely used for:

- Dispute resolution;
- Property ("Nikat") determination;
- Determining a code of conduct; and
- Determination of duties⁷²

⁶⁷ Email correspondence with a representative of FATA Research Centre, 24.8.2015; CAMP – Community Appraisal & Motivation Programme (7.2011): Understanding Jirga: Legality and Legitimacy in Pakistan's Federally Administered Tribal Areas, <http://crossasia-repository.ub.uni-heidelberg.de/3124/1/Understanding-Jirga-07-2011.pdf>, accessed 27.8.2015

⁶⁸ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

⁶⁹ Email correspondence with a representative of FATA Research Centre, 24.8.2015

⁷⁰ Email correspondence with a representative of FATA Research Centre, 24.8.2015; Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

⁷¹ Email correspondence with a representative of FATA Research Centre, 24.8.2015

⁷² Email correspondence with a representative of FATA Research Centre, 24.8.2015

Should one or both parties defy the Jarga's order, they must pay an amount of money that has been set in advance for that particular case.⁷³

5. Security Situation in FATA

The overall situation of each agency varies to a great degree depending on what on-going military operations are taking place. In the recent past, military operations have been conducted across FATA, in almost all of the seven agencies. However, it is very important to note that, statistically, the security situations in all of the regions of FATA have either already improved or are still improving, due to the various military operations conducted in the agencies.⁷⁴ Since the start of military Operation "Zarb-e Azb", and especially in the last couple of months, the security situation has improved considerably. In summary, it can be said that past and on-going military operations have mostly cleared the areas of militants and militant attacks have decreased noticeably.⁷⁵

In some remote areas, particularly near the border to Afghanistan, there are still militant "pockets" left. However, many of these are surrounded by the Pakistani military.⁷⁶ Notwithstanding this, new problems are arising, as it seems that militants who fled into Afghanistan are regrouping in Afghanistan and planning their attacks from there.⁷⁷ At the time of conducting the interview, there were no intense military operations being conducted in FATA.⁷⁸

Zalan Communications states that with the military successfully clearing various regions of FATA from the control of militants the confidence of the people has been restored in the military. The military regained the status it previously used to enjoy. This is especially so following the military's victories during Operation "Zarb-e Azb" where the military, particularly with General Raheel Sharif as Chief of Army Staff, grew in popularity.⁷⁹ At the time of this report, the people trust the military to protect them and keep them safe.⁸⁰

⁷³ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

⁷⁴ Interview with a representative of PIPS, 28.7.2015, Islamabad; Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad

⁷⁵ Email correspondence with a representative of FATA Research Centre, 24.8.2015

⁷⁶ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad; Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad

⁷⁷ Interview with a representative of PIPS, 28.7.2015, Islamabad; The Washington Post (14.4.2015): Foreign fighters are spilling into Afghanistan, helping the Taliban, https://www.washingtonpost.com/world/asia_pacific/foreign-fighters-are-spilling-into-afghanistan-helping-the-taliban/2015/04/14/91ee9378-748f-404e-996a-cb651d0307b4_story.html, accessed 24.8.2015

⁷⁸ Interview with a representative of PIPS, 28.7.2015, Islamabad

⁷⁹ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

⁸⁰ Interview with a representative of PIPS, 28.7.2015, Islamabad; Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad

Notwithstanding this growing trust, some Pashtuns have serious grievances against the Pakistani military as they suffered unnecessarily during various military operations conducted in their areas. However, proper compensation and development schemes in FATA would go a long way to placate those aggrieved by the military.⁸¹

The relocation of an entire clan within FATA is highly unlikely at present. This is because no other tribe will provide their own land to accommodate another clan. However, it is possible for a family to move elsewhere in Pakistan.⁸²

While, almost all the agencies in FATA have parts that are safe and others that remain dangerous, generally speaking, according to the local expert, one could rank those areas as follows:⁸³

- Most of Bajaur, Mohmand, Kurram Agency around Parachinar and the main highway through Khyber are the safest areas in FATA.
- This is followed by Lower Orakzai, the rest of Kurram Agency and parts of South Waziristan and North Waziristan where IDPs have returned.
- Upper Orakzai, Tirah Valley in Khyber Agency and some parts of North Waziristan are still closed to the public as either there is an on-going military operation there or the area is suspected to be under the control of militants.⁸⁴

Security Overview First Quarter 2015																		
Nature of Attacks		Incidents	Bajaur		Mohmand		Khyber		Orakzai		Kurram		NWA		SWA		Total	
			K	I	K	I	K	I	K	I	K	I	K	I	K	I		
Target killings		5	2	1	0	0	2	2	0	0	1	0	0	0	0	0	5	3
Terrorist Attacks (Bomb Blasts)	on Civilians	11	1	1	0	0	0	0	3	9	1	17	0	0	0	0	5	27
	on Military	17	0	0	1	5	16	15	0	0	11	7	1	0	0	12	29	39
	on Peace Lashkar	3	0	0	0	4	6	9	0	0	0	0	0	0	0	0	6	13
Cross Border Attacks	Shellings	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Guerilla Activities	2	0	0	0	0	0	0	0	0	18	6	0	0	0	0	18	6
Kidnappings		2	0	0	0	0	0	0	0	0	0	0	0	0	8	0	8	0
Clashes Between Militant Groups		1	0	0	0	0	7	5	0	0	0	0	0	0	0	0	7	5
Military Operation	Search Operations	36	10	2	12	0	0	0	0	0	5	0	5	0	0	0	32	2
	Aerial Strikes	17	0	0	0	0	279	75	0	0	0	0	100	0	0	0	379	75
	Artillery Shellings	1	0	0	0	0	0	0	0	0	16	0	0	0	0	0	16	0
Curfews		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Drones Attacks		5	0	0	0	0	0	0	0	0	0	0	38	23	0	0	38	23
Lashkar Operations		0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL		100	13	4	13	9	310	106	3	9	52	30	144	23	8	12	543	193

FATA Research Centre: Security Overview First Quarter 2015⁸⁵

⁸¹ Email correspondence with a representative of FATA Research Centre, 24.8.2015

⁸² Email correspondence with local expert, 1.9.2015

⁸³ Email correspondence with local expert, 1.9.2015

⁸⁴ Email correspondence with local expert, 1.9.2015

⁸⁵ FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

Province : FATA From : January 1, 2015 TO : April 1, 2015						
District/regional report						
S.No	District	Attacks	Killed	Injured	Responsible group	Damages/ Target
1	Bajaur Agency	5	11	2	Nil TTP	Health/polio workers Militants Pro-government tribesmen Security forces/law enforcement
2	Khyber Agency	32	361	79	Lashkar-e-Islam Local Taliban Nil TTP	Civilians Health/polio workers Lashkar-e-Islam Militants Pro-government tribesmen Security forces/law enforcement Tribesmen TTP
3	Kurram Agency	16	56	28	Drones LeJ Nil TTP	Civilians FC/army/police convoys Health/polio workers Militants Security forces/law enforcement Shia religious scholars/community TTP
4	Mohmand Agency	7	14	7	Jamatul Ahrar Nil TTP	Educational institutions Health/polio workers Militants Pro-government tribesmen Security forces/law enforcement
5	North Waziristan Agency	7	124	8	Drones Nil TTP	Militants Security check posts Security forces/law enforcement
6	Orakzai Agency	6	9	16	TTP	Civilians Educational institutions Security check posts Security forces/law enforcement Worship places/shrines/imambargahs
7	South Waziristan Agency	5	40	27	Nil TTP	Civilians FC/army/police convoys Militants Security forces/law enforcement Tribesmen
Total		78	615	167		

PIPS: FATA district/regional report 1 January 2015 – 1 April 2015⁸⁶

Province : FATA From : July 28, 2015 TO : August 28, 2015						
District/regional report						
S.No	District	Attacks	Killed	Injured	Responsible group	Damages/ Target
1	Bajaur Agency	3	1	4	TTP	Security forces/law enforcement Tribal elders
2	FR Regions	2	10	0	TTP	Security check posts
3	Khyber Agency	6	25	6	Lashkar-e-Islam Nil Tawheedul Islam TTP Unknown militants	Civilians Militants Political leaders/workers Security forces/law enforcement
4	Kurram Agency	2	11	0	TTP	Educational institutions Security forces/law enforcement
5	North Waziristan Agency	8	191	0	Drones Nil TTP splinter Sajna group	Militants Security forces/law enforcement
6	Orakzai Agency	1	1	0	Nil	Militants
7	South Waziristan Agency	6	22	6	TTP TTP splinter Sajna group	Civilians Security check posts Security forces/law enforcement
Total		28	261	16		

PIPS: FATA district/regional report 28 July 2015 – 28 August 2015⁸⁷

5.1. Bajaur Agency

Bajaur is located in the far north of FATA and it shares a 52 km border with Afghanistan. Accordingly, it can be viewed as a vulnerable area for cross-border attacks.⁸⁸

⁸⁶ PIPS – PAK Institute for Peace Studies (28.8.2015): FATA district/regional report, http://www.san-pips.com/app/database/submit_reports.php?category=viol_dis, accessed 28.8.2015

⁸⁷ PIPS – PAK Institute for Peace Studies (28.8.2015): FATA district/regional report, http://www.san-pips.com/app/database/submit_reports.php?category=viol_dis, accessed 28.8.2015

⁸⁸ FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

On 6 August 2008, military Operation “Sher Dil” (lion heart) was launched in Bajaur Agency.⁸⁹ The security situation in this agency has improved due to the successful completion of the military operation.⁹⁰

As a result of this military operation, a total of 350,000 people were displaced from this agency alone. Nearly all of them have returned to Bajaur agency except for 295 families who are still living in dire conditions in Jalozai IDP camp near Peshawar. These people originate from bordering areas where the villages had been completely destroyed and have yet to be rebuilt. Recently, people have started to reconstruct the buildings using their own means. However, according to local experts, in general people are “happy” to be back as the businesses in Bajaur are opening again and flourishing.⁹¹ In addition to the military operation, the government has responded to counter militancy by creating “Lashkars”, a civil militia comprised of local civilians that is mostly supported by the government of Pakistan.⁹²

Bajaur agency has stabilised much faster than other agencies as it is located closer to developed areas and has higher levels of education.⁹³ Normal life has been restored to some extent and schools and medical institutions have also reopened.⁹⁴ Attacks by militants still occur sporadically and they find shelter in this agency, especially in the Mamund area.⁹⁵ Journalists are able to visit Bajaur Agency.⁹⁶

Bajaur Agency				
Nature of Attacks		Incidents	Killed	Injured
Target Killing		2	2	1
Terrorist Attacks	On Civilians	2	1	1
	On Military	2	0	0
	On Peace Lashkar	0	0	0
Cross Border Attacks	Shellings	0	0	0
	Guerilla Activities	0	0	0
Kidnapping		0	0	0
Clashes b/w Militant Groups		0	0	0
TOTAL		6	3	2
			5	

FATA Research Centre: January 2015 - March 2015⁹⁷

⁸⁹ Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad; Interview with representatives of Zalan Communications, 29.7.2015, Islamabad; Email correspondence with local expert, 1.9.2015

⁹⁰ Email correspondence with local expert, 1.9.2015

⁹¹ Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad; Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

⁹² Email correspondence with a representative of FATA Research Centre, 24.8.2015; see also FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

⁹³ Interview with local expert, 30.7.2015, Islamabad; Email correspondence with local expert, 1.9.2015

⁹⁴ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

⁹⁵ Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad

⁹⁶ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

⁹⁷ FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

5.2. Mohmand Agency

Mohmand Agency borders Bajaur Agency in the north, Khyber Agency in the south, Malakand and Charsadda districts in the east, and Peshawar District in the southeast. This agency is more integrated into the mainland of Pakistan when compared with other agencies but has been treated similarly to the rest of FATA by the government.⁹⁸

The situation in Mohmand Agency is very similar to that in Bajaur Agency. Thus, the military clearing operations that took place in 2011 and 2012 in Mohmand Agency also pushed militants into Afghanistan.⁹⁹ In this agency, the Pakistani security forces also made use of civil militias in their fight against the militants.¹⁰⁰ Yet there remain militant hideouts in this agency despite many militants having been captured.¹⁰¹ A splinter group of the main TTP, namely Jamat-ul-Ahrar, which at the time of writing is led by Omar Khaled Khurasani, has been conducting anti-State activities in the agency.¹⁰²

In this agency, while displacement has taken place, the majority of the people have returned to their homes.¹⁰³ Life has also returned to normal in this agency and the business sector is growing.¹⁰⁴ Journalists are able to visit Mohmand Agency.¹⁰⁵

Mohmand Agency				
Nature of Attacks		Incidents	Killed	Injured
Target Killing		0	0	0
Terrorist Attacks	On Civilians	2	0	0
	On Military	3	1	5
	On Peace Lashkar	1	0	4
Cross Border Attacks	Shellings	0	0	0
	Guerilla Activities	0	0	0
Kidnapping		1	0	0
Clashes b/w Militant Groups		0	0	0
TOTAL		7	1	9
			10	

FATA Research Centre: January 2015 - March 2015¹⁰⁶

⁹⁸ FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

⁹⁹ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad; FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

¹⁰⁰ FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

¹⁰¹ Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad

¹⁰² Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad; Email correspondence with a representative of FATA Research Centre, 24.8.2015; FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

¹⁰³ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

¹⁰⁴ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad; FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

¹⁰⁵ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

¹⁰⁶ FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

5.3. Khyber Agency

Khyber Agency borders Afghanistan in the west, Orakzai Agency in the south, Kurram Agency in the southwest and Peshawar in the east. The agency's geographic location and Khyber Pass – part of the agency that connects the Indo-Pak sub-continent with Afghanistan and Central Asia – make Khyber Agency very important strategically.¹⁰⁷ The trade route is safe and any security issues remain away from the route because of the military presence.¹⁰⁸

The first military operations launched in Khyber Agency were Operation “Daraghlam” and Operation “Bia Daraghlam” in 2008-09.¹⁰⁹ Recently in Khyber Agency, there have been two phases of military operations, namely “Khyber-1” and “Khyber-2”.¹¹⁰ Operation “Khyber-1” commenced on 16 October 2014 after the militants fled from North Waziristan to Khyber Agency in the wake of Operation “Zarb-e Azb”. The militants were chased to Bara subdivision of Khyber Agency. In March 2015, the military launched the second phase of its operation, which was completed in July 2015 with the government declaring a victory over the militants. Nonetheless, Mangal Bagh, the leader of the insurgency (Lashkar-e Islam fighters), is still alive and has gone into hiding somewhere in areas of the Af-Pak region.¹¹¹

The security situation has improved in Khyber Agency. It remains somewhat tense but only because of the military presence in Bara Tehsil. The other two Tehsils, Landi Kotal and Jamrud, are fairly safe.¹¹²

Multiple organisations, among them “Amr bi-l-Maruf wa Nahy an al-Munkar” (meaning “promotion of good and prevention of vice”), “Lashkar-e Islam” (which was forced to Afghanistan but mounted periodic attacks from across the border), “Ansar al-Islam” and other sections of TTP are active in this agency. Four military operations that were conducted in this area have been largely successful.¹¹³ Most of the militants fled to Afghanistan to its remote and rugged area, which is an ideal safe haven for the militants.¹¹⁴

¹⁰⁷ FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015, Interview with local expert, 30.7.2015, Islamabad

¹⁰⁸ Interview with local expert, 30.7.2015, Islamabad

¹⁰⁹ Email correspondence with local expert, 1.9.2015

¹¹⁰ Email correspondence with local expert, 1.9.2015; Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

¹¹¹ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

¹¹² Interview with local expert, 30.7.2015, Islamabad; Email correspondence with local expert, 1.9.2015

¹¹³ Email correspondence with a representative of FATA Research Centre, 24.8.2015

¹¹⁴ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad; The Washington Post (14.4.2015): Foreign fighters are spilling into Afghanistan, helping the Taliban, https://www.washingtonpost.com/world/asia_pacific/foreign-fighters-are-spilling-into-afghanistan-helping-the-taliban/2015/04/14/91ee9378-748f-404e-996a-cb651d0307b4_story.html, accessed 24.8.2015

Khyber Agency				
Nature of Attacks		Incidents	Killed	Injured
Target Killing		2	2	2
Terrorist Attacks	On Civilians	1	0	0
	On Military	5	16	15
	On Peace Lashkar	2	6	9
Cross Border Attacks	Shellings	0	0	0
	Guerilla Activities	0	0	0
Kidnapping		0	0	0
Clashes b/w Militant Groups		1	7	5
TOTAL		11	31	31
			62	

FATA Research Centre: January 2015 - March 2015¹¹⁵

5.3.1. Tirah Valley

Tirah Valley is a small region located in Khyber Agency and is part of Bara subdivision.¹¹⁶ In this region, there is a Taliban hide-out which extends to the eastern Afghan provinces. Tirah Valley is an ideal location for the militants as it is secluded, consists of tough mountainous terrain and is located near to the well-known and historic Khyber Pass that connects Pakistan's Peshawar to Jalalabad in Eastern Afghanistan. The Pakistani military has been conducting military operations, namely "Khyber-2", in this area to clear it from militants such as Mangal Bagh-led Lashkar-e Islam fighters and the fighters of the TTP.¹¹⁷

5.4. Kurram Agency

Kurram Agency borders Afghanistan in the north and west, Orakzai Agency and Khyber Agency in the east, Hangu in the southeast and North Waziristan Agency in the south.

This area is predominantly Shia and the Sunni are a minority here. According to the local expert, the level of education in Kurram is better than in the other agencies of FATA. Parachinar and the surrounding areas (not the whole agency) have a more formal governing approach and many people want the agency to be part of Khyber Pakhtunkhwa.¹¹⁸

In 2009, Operation "Koh-e Safaid" was launched in Kurram Agency and in parts of Orakzai Agency.¹¹⁹ The overall situation in Kurram Agency is slightly different since the sectarian violence between the Shia groups and Sunni groups here is the main issue. Sectarian

¹¹⁵ FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

¹¹⁶ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad; FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

¹¹⁷ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad; The Nation (26.6.2014): Tirah valley, a prime location for militants, <http://nation.com.pk/national/26-Jun-2014/tirah-valley-a-prime-location-for-militants>, accessed 12.8.2015

¹¹⁸ Interview with local expert, 30.7.2015, Islamabad; Email correspondence with local expert, 1.9.2015

¹¹⁹ Email correspondence with local expert, 1.9.2015

problems have been problematic for a long time in this area and there are reports that the Taliban supported the Sunni and that foreign countries such as Iran have been supporting Shia groups.¹²⁰

From 2007 to 2012, fighting between the two sects was very intense but lately the situation has improved as representatives of the Haqqani Network, Sunni sect and Shia sect, and the Pakistani government have held peace talks and resolved the problem. In southern Kurram Agency, militants are still active and it has been suggested that IS is also active there.¹²¹ However, it has been stated by another local expert that the situation in Kurram Agency has been restored to normal daily life and that the military is still present in this agency.¹²² Another local expert stated that the situation in this agency is as stable as in many other parts of Pakistan.¹²³

Journalists must be very careful about what they report on Kurram Agency as it is regarded as a sensitive topic. Yet there are some reports that provide little relevant information. Journalists have been kidnapped and killed in this agency.¹²⁴

Kurram Agency				
Nature of Attacks		Incidents	Killed	Injured
Target Killing		1	1	0
Terrorist Attacks	On Civilians	3	1	17
	On Military	5	11	7
	On Peace Lashkar	0	0	0
Cross Border Attacks	Shellings	0	0	0
	Guerilla Activities	2	18	6
Kidnapping		0	0	0
Clashes b/w Militant Groups		0	0	0
TOTAL		11	31	30
			61	

FATA Research Centre: January 2015 - March 2015¹²⁵

5.5. Orakzai Agency

This agency shares its borders with Khyber Agency in the north, FR Kohat in the east, Kohat and Hangu districts in the south, and Kurram Agency in the west.¹²⁶

¹²⁰ Email correspondence with a representative of FATA Research Centre, 17.8.2015

¹²¹ Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad

¹²² Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

¹²³ Email correspondence with local expert, 1.9.2015

¹²⁴ Email correspondence with a representative of FATA Research Centre, 24.8.2015

¹²⁵ FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

¹²⁶ FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

In 2009, Operation “Khwakh Ba De Sham” was launched in Orakzai Agency.¹²⁷ Orakzai Agency is divided administratively into “Upper Orakzai” and “Lower Orakzai”.¹²⁸

Militants have restricted control of this agency and the military received some resistance in several areas. Most militants fled and those that stayed now remain in small pockets only.¹²⁹ There is still a military presence in Orakzai Agency and in Upper Orakzai only sporadic clashes could be seen between the militants and the military. Lower Orakzai has been cleared of militants and the military has established a strong presence there.¹³⁰ In this agency, sectarian conflict between Sunni and Shia Muslims exists but not to the same extent as in Kurram Agency.¹³¹ The level of education and commercialisation is higher in Orakzai Agency than compared to South Waziristan agency and other agencies although Parachinar (a town in Kurram Agency) and Bajaur also have high education levels compared to the rest of FATA. However, 60 percent of the population resides in Upper Orakzai with the remaining 40 percent in Lower Orakzai. Orakzai had little infrastructure so there has not been much damage.¹³² Another interesting fact that the local expert mentioned is that the Shia allow women to vote and even Sunnis have allowed it in the Orakzai Agency.¹³³

Upper Orakzai Agency has been closed down for the public and the military presence remains there. The IDPs originating from this area have been displaced for six years. Nobody knows what the actual situation is at present and there is uncertainty as to what will happen once the military has left Upper Orakzai.¹³⁴

In Lower Orakzai, the Shia population is the reason for stability and they never had problems of militants controlling their areas. Nevertheless, they have still suffered to some extent, as militants operated in their areas. Once the militants started spreading, the military arrived, cleared Lower Orakzai of militants and helped the Shia population. At lower levels, there has been sectarian violence from both sides (Sunni vs. Shia) from before the start of militant activity. This part of the agency is open and stable, however, the military controls who may enter or leave the area and accordingly permission is required from the military to enter Lower Orakzai.¹³⁵

¹²⁷ Email correspondence with local expert, 1.9.2015

¹²⁸ Interview with local expert, 30.7.2015; Email correspondence with a representative of FATA Research Centre, 24.8.2015

¹²⁹ Email correspondence with a representative of FATA Research Centre, 24.8.2015

¹³⁰ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

¹³¹ FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

¹³² Interview with local expert, 30.7.2015, Islamabad; Email correspondence with local expert, 1.9.2015

¹³³ Interview with local expert, 30.7.2015, Islamabad; Email correspondence with local expert, 1.9.2015

¹³⁴ Interview with local expert, 30.7.2015, Islamabad

¹³⁵ Interview with local expert, 30.7.2015, Islamabad

Orakzai Agency				
Nature of Attacks		Incidents	Killed	Injured
Target Killing		0	0	0
Terrorist Attacks	On Civilians	3	3	9
	On Military	0	0	0
	On Peace Lashkar	0	0	0
Cross Border Attacks	Shellings	0	0	0
	Guerilla Activities	0	0	0
Kidnapping		0	0	0
Clashes b/w Militant Groups		0	0	0
TOTAL		3	3	9
				12

FATA Research Centre: January 2015 - March 2015¹³⁶

5.6. North Waziristan Agency

North Waziristan borders Kurram Agency and Hangu district in the north, Karak and Bannu districts in the east, South Waziristan Agency in the south, and Afghanistan in the west.¹³⁷

Since June 2014, the “Zarb-e Azb” military operation against militants has been on-going in North Waziristan. The main group of Tehrik-eTaliban Pakistan (TTP) was located in this agency in great concentration but have now fled as a result of the military operation. Some militants disguised themselves as IDPs and managed to escape the military operations safely while others fled to Afghanistan.¹³⁸

There are approximately 70,000 - 80,000 Pakistani refugees in Afghanistan.¹³⁹ Many tribal people prefer taking refuge in Afghanistan instead of being part of the rest of the IDPs seeking shelter in Khyber Pakhtunkhwa.¹⁴⁰

The military is supposed to demarcate an area as a conflict zone in advance to military operations. This must be done to allow residents to pack their belongings and flee the area. However, in the case of North Waziristan, people were not given enough time to evacuate. Jarga members who held talks with the government authorities at the governor’s house in Peshawar were assured by the government that military operation would not be launched within a period of three weeks – a time permitted to allow the people to convince the militants to leave the area. The military reneged on these assurances and launched the operation while the Jarga members were still returning from the meeting with the authorities. This

¹³⁶ FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

¹³⁷ FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

¹³⁸ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

¹³⁹ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

¹⁴⁰ DAWN (26.5.2014): Panic-gripped Waziristan tribesmen fleeing to Afghanistan, <http://www.dawn.com/news/1108616>, accessed 12.8.2015

clearly illustrates the different areas of power of the military and the government and shows that the political authorities have little to no influence on military operations.¹⁴¹

The military claims to be in control of the agency by stating that 90 percent of the area has been cleared of militants except for small pockets where military operations are on-going. These claims cannot be verified by independent sources as the area is not open for the public and journalists are not allowed to enter the agency.¹⁴² There are still attacks on security posts.¹⁴³

North Waziristan Agency				
Nature of Attacks		Incidents	Killed	Injured
Target Killing		0	0	0
Terrorist Attacks	On Civilians	0	0	0
	On Military	1	1	0
	On Peace Lashkar	0	0	0
Cross Border Attacks	Shellings	0	0	0
	Guerilla Activities	0	0	0
Kidnapping		0	0	0
Clashes b/w Militant Groups		0	0	0
TOTAL		1	1	0
			1	

FATA Research Centre: January 2015 - March 2015¹⁴⁴

5.7. South Waziristan Agency

South Waziristan shares its northern border with North Waziristan, Bannu and Lakki Marwat districts in the northeast, the Tribal area adjoining Tank, Tank district and Dera Ismail Khan district in the east, Zhob District of Balochistan Province and the tribal areas adjoining Dera Ismail Khan district in the south, and Afghanistan in the west.

In 2002, the first military operation, “al-Mezan”, was commenced in South Waziristan.¹⁴⁵ Some years later, in 2008, another military operation, “Zalzala” was launched in South Waziristan.¹⁴⁶ In 2009, a further military operation was also launched, namely “Rah-e Nijat”.¹⁴⁷ Since then, the military has established its presence in this agency. The militant group Mullah Nazir is active in the agency and there have been sporadic clashes between

¹⁴¹ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

¹⁴² Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

¹⁴³ Interview with local expert, 30.7.2015, Islamabad

¹⁴⁴ FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

¹⁴⁵ Email correspondence with local expert, 1.9.2015

¹⁴⁶ Email correspondence with local expert, 1.9.2015

¹⁴⁷ Email correspondence with local expert, 1.9.2015

the militants and the military. According Zalan Communications, apart from these, the situation in South Waziristan is not tense.¹⁴⁸

South Waziristan Agency				
Nature of Attacks		Incidents	Killed	Injured
Target Killing		0	0	0
Terrorist Attacks	On Civilians	0	0	0
	On Military	1	0	12
	On Peace Lashkar	0	0	0
Cross Border Attacks	Shellings	0	0	0
	Guerilla Activities	0	0	0
Kidnapping		1	8	0
Clashes b/w Militant Groups		0	0	0
TOTAL		2	8	12
			20	

FATA Research Centre: January 2015 - March 2015¹⁴⁹

5.8. Militancy in FATA

Partly because of the different administration of FATA as compared to the rest of the country, the people of FATA have developed a sense of frustration and deprivation. A “gap” between the government and the tribal people was created and they felt marginalised and left out. The frustrations and lack of perspective of the people are large contributors to the comparatively high militancy in FATA.¹⁵⁰

The representatives of Zalan Communications stressed that there is a clear distinction between the powers of the military and the government. The people feel that the government has failed them and they are weary to trust it. This atmosphere of hopelessness is exploited by the militants and they give the people the feeling that they can fulfil their promises. Thus, there is a great need to restore the peoples’ confidence in the political institutions.¹⁵¹

In terms of propaganda, militants can easily lure, especially young men, into militant groups. Young men voluntarily join because they will receive free weapons and training. They also seem to think that by joining these groups their social standing will rise as they have status and are part of a cause.¹⁵²

¹⁴⁸ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

¹⁴⁹ FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

¹⁵⁰ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

¹⁵¹ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

¹⁵² Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad

There is a need for the people to be involved and engaged in the administrative and political process. According to a representative of Zalan, one way of doing so would be to give the people the right to vote. In this way, a sense of belonging is created for the people.¹⁵³

There are clear indications that the main actors of militancy are weakening. Many militants have fled Pakistan and are seeking sanctuary in Afghanistan. Furthermore, most of the militants that remain in FATA are in flight as their hideouts and sanctuaries are being destroyed by the various military operations. Drone attacks against the militants have confined their movement to their hideouts. Differences within the ranks of the militants have also come to the surface. Another important factor is that they are running out of funds, as they cannot conduct campaigns openly and publicly anymore. The recent official declaration of Mullah Omar's death was a major blow for both the Afghan and Pakistan Taliban, which may have an adverse effect on their activities on both sides of the border.¹⁵⁴

Although several groups such as the TTP, have been weakened, a new, potentially strong group is emerging, namely al-Qaida in the Indian Subcontinent (AQIS) led by Asim Umar.¹⁵⁵

Militancy During First Quarter 2015																	
Nature of Attacks	Incidents	Bajaur		Mohmand		Khyber		Orakzai		Kurram		NWA		SWA		Total	
		K	I	K	I	K	I	K	I	K	I	K	I	K	I	K	I
Target Killing	5	2	1	0	0	2	2	0	0	1	0	0	0	0	0	5	3
Terrorist Attacks	On Civilians	11	1	1	0	0	0	3	9	1	17	0	0	0	0	5	27
	On Military	17	0	0	1	5	16	15	0	0	11	7	1	0	0	29	39
	On Peace Lashkar	3	0	0	0	4	6	9	0	0	0	0	0	0	0	6	13
Cross Border Attacks	Shellings	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
	Guerilla Activities	2	0	0	0	0	0	0	0	0	18	6	0	0	0	18	6
Kidnapping	2	0	0	0	0	0	0	0	0	0	0	0	0	8	0	8	0
Clashes b/w Militant Groups	1	0	0	0	0	7	5	0	0	0	0	0	0	0	0	7	5
TOTAL	41	3	2	1	9	31	31	3	9	31	30	1	0	8	12	78	93

FATA Research Centre: Militancy during First Quarter¹⁵⁶

5.9. Tribal Peoples' view on militancy

When the Taliban regime was overthrown in Kabul, there was great sympathy for it across Pakistan, especially in the Pashtun parts, as the members of the Taliban were seen as fellow Muslims and Pashtuns that have been wronged by the "infidel aggressors" under the

¹⁵³ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

¹⁵⁴ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

¹⁵⁵ Interview with a representative of PIPS, 28.7.2015, Islamabad; RSIS – S. Rajaratnam School of International Studies (11.2014), Counter Terrorist Trends and Analysis, <http://www.rsis.edu.sg/wp-content/uploads/2014/07/CTTA-November14.pdf>, accessed 14.8.2015

¹⁵⁶ FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

leadership of the United States of America. This coincided with the darkest period in the history of FATA due to a complete absence of law and order and a non-existent effort by the administration to address the problem. It was in that environment that the locals welcomed the Taliban when it emerged in FATA around 2003. The Taliban started by eradicating all the local gangs that had hurt the people, endearing it immediately to them. The government at the time was seen as ineffective in preventing the spread of “Talibanisation” in FATA and the subsequent agreements between the Pakistani state and the Taliban after half-hearted military operations further raised the status of the Taliban among the local people in FATA. Furthermore, the proclamation by the United States of America that the Taliban was its main enemy further boosted its status among the locals.¹⁵⁷

This all changed drastically when the Taliban effectively took control of FATA and started subjecting the locals to its law. The “heroes” turned out to be “barbaric villains”, the likes of which the people of FATA had never seen before. Most of their acts did not conform to the standards stipulated by Islam and hence people slowly and gradually came to realize that the Taliban activity was not “Islamic” at all and that its struggle was more for power and money than the “glory of Islam”.¹⁵⁸

5.10. Haqqanis

The Haqqani Network is an Afghan Taliban organisation mainly based in North Waziristan.¹⁵⁹ A distinction must be made between the Haqqani Network and members of the Haqqani clan.¹⁶⁰ Jalal-ud-Din Haqqani, the founder of the Haqqani Network, was proclaimed dead by the Afghan government immediately following its announcement on 30 July 2015 that the spiritual leader of the Afghan Taliban, Mullah Omar, had died. Siraj-ud-Din Haqqani, son of Jalal-ud-Din Haqqani, commonly known as Khalifa, has already taken command of the Haqqani Network.¹⁶¹

5.11. IS or Daesh threat

The Pakistani government has adopted a hard stance on IS elements, which can be seen by the various arrests made in connection with IS sympathisers.¹⁶² Furthermore, the Pakistani

¹⁵⁷ Email correspondence with a representative of FATA Research Centre, 24.8.2015

¹⁵⁸ Email correspondence with a representative of FATA Research Centre, 24.8.2015

¹⁵⁹ FRC – FATA Research Centre (2015): Security Report First Quarter, <http://frc.com.pk/wp-content/uploads/2015/06/Security-Report-2015.pdf>, accessed 25.8.2015

¹⁶⁰ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

¹⁶¹ Email correspondence with a representative of Zalan Communications, 7.8.2015

¹⁶² Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad; see also Reuters (21.1.2015): Pakistan arrests local Islamic State commander: sources, <http://www.reuters.com/article/2015/01/21/us-pakistan-is-idUSKBN0KU1E720150121>, accessed 24.8.2015; DAWN (2.7.2015): IS-inspired suspected militants arrested in Peshawar, <http://www.dawn.com/news/1191888>, accessed 24.8.2015

government officially banned the IS, or “Daesh” how the Government decided to call them.¹⁶³ Some militants in Pakistan have proclaimed their allegiance to al-Baghdadi but there are also local militants who reject the IS ideology. The TTP has warned IS not to interfere with its territory. At the time of the interview, IS was still in its first phase and so far does not have the support from civilians who fear IS militants. IS is trying hard to gain the support of the local population by creating big incentives. These attempts have failed thus far. This failure is also a result of the competition IS faces with local ethnic groups, due to its Arab background. Nevertheless, a few people have joined IS as financial incentives exist to do so.¹⁶⁴

5.12. De-radicalisation programmes

The state, or more specifically the Pakistani military, offers and runs several de-radicalisation programmes in Pakistan. These centres are located in Swat, Khyber Agency, Bajaur Agency and Khyber Pakhtunkhwa.¹⁶⁵

The first de-radicalisation and rehabilitation programme was established during Operation “Rah-e Rast” in 2009, after many juveniles were detained or had surrendered. This programme consists of three different parts, namely Project “Saboon”, Project “Mishal” and Project “Sparlay” and was funded by the Khyber Pakhtunkhwa government. Project “Saboon” concentrates on the rehabilitation of juveniles while project “Mishal” focuses on adult detainees. The third project, Project “Sparlay”, assists family members of detained persons.¹⁶⁶

Another example of a de-radicalisation programme is Project “Navi Saher” in Bajaur Agency, which is for adult detainees. In addition, a programme for women was established in Swat called Female Emancipation and Skill Training (Feast).¹⁶⁷ The Pakistani military and international aid groups provide the funding for “Mishal”, “Saboon” and some other rehabilitation centres in Swat.¹⁶⁸

¹⁶³ DAWN (10.7.2015): Govt to use Daesh, not IS, as terror group’s name, <http://www.dawn.com/news/1193522>, accessed 15.9.2015; The News International (27.8.2015): Pakistan officially bans Daesh, <http://www.thenews.com.pk/article-195549-Pakistan-officially-bans-Daesh>, accessed 15.9.2015

¹⁶⁴ Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad

¹⁶⁵ Interview with a representative of PIPS, 28.7.2015, Islamabad; FRC – FATA Research Centre (1.2014): TIGAH A Journal of Peace and Development Volume IV, <http://frc.com.pk/reports/tigah-a-journal-of-peace-and-development-volume-iv-jan-2014/>, accessed 19.8.2015

¹⁶⁶ FRC – FATA Research Centre (1.2014): TIGAH A Journal of Peace and Development Volume IV, <http://frc.com.pk/reports/tigah-a-journal-of-peace-and-development-volume-iv-jan-2014/>, accessed 19.8.2015

¹⁶⁷ FRC – FATA Research Centre (15.1.2014): De-radicalization and Emancipation of the Ex-militants through Rehabilitation, <http://frc.com.pk/articles/de-radicalization-and-emancipation-of-the-ex-militants-through-rehabilitation/>, accessed 19.8.2015

¹⁶⁸ FRC – FATA Research Centre (1.2014): TIGAH A Journal of Peace and Development Volume IV, <http://frc.com.pk/reports/tigah-a-journal-of-peace-and-development-volume-iv-jan-2014/>, accessed 19.8.2015

A screening procedure is in place to separate hard-core fighters from the rest of the militants who are classified as “helpers”. Those arrested militants who do not classify as hard-core fighters are placed in these schools or rehabilitation centres.¹⁶⁹ The main aims of these centres are to “ideologically cleanse” the detainees of the militants’ radical teachings and to provide them with educational and vocational skills.¹⁷⁰

The New York Post stated in November 2014 that since the beginning of the de-radicalisation programme in 2009, Pakistan has reformed 2,500 Taliban fighters.¹⁷¹ However, according to representatives of FATA Research Centre, there is no specific data available indicating the success or failure of the de-radicalisation programmes. Additionally, they stated that more needs to be done in this regard and that this has not been a priority for the Pakistani government.¹⁷²

5.13. Forced Recruitment

The term “forced recruitment” refers to a situation where an individual, usually a young man, or his family are approached by militants and forced to join the group under various threats.¹⁷³

However, all the local experts who were interviewed on this topic unanimously stated that they have never heard of such a practice and that it is only “propaganda”.¹⁷⁴ Most of the interview partners were surprised to hear of such claims.¹⁷⁵ On the contrary, they stated that such a practice would harm the reputation of the groups and would be counterproductive as the media in Pakistan would publish these stories as “propaganda” to portray these militants in a bad light. As there are enough people who voluntarily join the militant groups, there is no need for such a practice.¹⁷⁶ There are also many religious schools and classes which people attend freely.¹⁷⁷

¹⁶⁹ FRC – FATA Research Centre (15.1.2014): De-radicalization and Emancipation of the Ex-militants through Rehabilitation, <http://frc.com.pk/articles/de-radicalization-and-emancipation-of-the-ex-militants-through-rehabilitation/>, accessed 19.8.2015; FRC – FATA Research Centre (1.2014): TIGAH A Journal of Peace and Development Volume IV, <http://frc.com.pk/reports/tigah-a-journal-of-peace-and-development-volume-iv-jan-2014/>, accessed 19.8.2015

¹⁷⁰ FRC – FATA Research Centre (1.2014): TIGAH A Journal of Peace and Development Volume IV, <http://frc.com.pk/reports/tigah-a-journal-of-peace-and-development-volume-iv-jan-2014/>, accessed 19.8.2015

¹⁷¹ New York Post (16.11.2014): Pakistani boot camps want to ‘re-program’ ISIS terrorists, <http://nypost.com/2014/11/16/pakistani-boot-camps-want-to-re-program-isis-terrorists/>, accessed 8.9.2015

¹⁷² Email correspondence with a representative of FATA Research Centre, 10.9.2015

¹⁷³ Los Angeles Times (10.8.2009): Pakistani Taliban prey on youths to bolster forces, <http://articles.latimes.com/2009/aug/10/world/fq-taliban-boys10>, accessed 15.9.2015

¹⁷⁴ Interview with local expert, 30.7.2015, Islamabad; Interview with a representative of PIPS, 28.7.2015, Islamabad; Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad

¹⁷⁵ Interview with a representative of PIPS, 28.7.2015, Islamabad; Interview with local expert, 30.7.2015, Islamabad; Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad

¹⁷⁶ Islamabad; Interview with local expert, 30.7.2015, Islamabad; Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad; Email correspondence with a representative of FATA Research Centre, 9.9.2015

¹⁷⁷ Interview with a representative of PIPS, 28.7.2015, Islamabad

It was even suggested that members leave the group freely without fearing persecution from the group. People often change organisations based on the possibility of better opportunities. Even if one disagrees with the rest of the group, one can leave the group and have a peaceful life.¹⁷⁸ However, for very high-ranking members of an organisation, it might be more difficult to leave, as they have knowledge of the group's secrets and strategies. Should they express the wish to leave, they will likely be accused of espionage and will be seen as a security threat. There are instances of people who have left their organisation and are now living in Peshawar, Quetta and Islamabad. Cases even exist of people fleeing to the Middle East. For someone to be placed on the militants' hit-list, he must be a high profile person.¹⁷⁹

One of the local experts mentioned that while during the period when the Taliban enjoyed full control of a certain region, forced recruitments might have been possible, the expert nevertheless had never heard of such an occurrence.¹⁸⁰

However, there are instances where boys or young men voluntarily join the militant group against the wishes of their parents who then try to bring their son home. The militants, not wanting their member to leave, are protective but nonetheless give the member choice to leave. Often the members are reluctant to leave such a group for fear of the repercussions of their wrongful acts, particularly as they will no longer enjoy the protection of the group.¹⁸¹

5.14. Threat letters, extortion and kidnapping

Due to the fierce crackdown on militant activity and their funding channels, militant groups cannot openly and publicly advertise their campaigns anymore and are running out of funds. They are increasingly forced to rely on criminal activities to gain funding. These include kidnapping, extortion, drug smuggling, smuggling and petty theft.¹⁸²

The practice of sending threat letters is generally uncommon among the lower middle and lower classes and usually only high profile politicians, journalists and members of NGOs who are publicly active against militant groups receive threat letters. Here again, the local experts interviewed are of the opinion that a "low-profile" person will not receive a threat letter.

¹⁷⁸ Interview with a representative of PIPS, 28.7.2015, Islamabad

¹⁷⁹ Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad

¹⁸⁰ Interview with local expert, 30.7.2015, Islamabad

¹⁸¹ Interview with representatives of FRC, 30.7.2015, Islamabad

¹⁸² International Crisis Group (22.7.2015): Revisiting Counter-terrorism Strategies in Pakistan: Opportunities and Pitfalls, http://www.ecoi.net/file_upload/1002_1437645706_271-revisiting-counter-terrorism-strategies-in-pakistan-opportunities-and-pitfalls.pdf, accessed 19.8.2015; Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

Sending threat letters to “potential” supporters is, according to the experts, counter-productive as the militant groups need these very people to support them.¹⁸³

One of the local experts stated that “[f]ree speech is possible in Pakistan and one does not immediately become a target”. Furthermore, according to experts, people who speak their minds are generally tolerated and will not immediately receive threat letters.¹⁸⁴

The first step that should be taken once a threat letter has been received is to report it to the police immediately. The police may then be able to offer protection. If this is still insufficient, then one can move to a bigger city and work elsewhere. There are even several NGOs who provide support for targeted people and place them in safe houses.¹⁸⁵

A much bigger problem seems to be the practice of extortion through which criminals and/or militants obtain money by making use of threats and intimidation.¹⁸⁶ There are many reports of militants extorting money from the wealthy and it is quite obvious that only people with sufficient means will be targeted in this manner.¹⁸⁷ It is also common for criminals to pretend to be militants and exploit the fear of the people in order to obtain money more easily.¹⁸⁸

If one becomes a victim of extortion, one should, again, contact the police immediately and resist extortion.¹⁸⁹ There are media reports where the police arrested the extortionists.¹⁹⁰

Militants also make use of kidnappings for ransom demands in order to get funds. Sometimes the victims are released once the demands have been met.¹⁹¹ In 2008, Pakistan’s ambassador to Afghanistan, Tariq Aziz-ud-Din, was kidnapped by the Taliban militants as they drove from Peshawar towards the Afghan border. Three months later, he was released by the militants.¹⁹²

¹⁸³ Interview with a representative of PIPS, 28.7.2015, Islamabad; Interview with local expert, 30.7.2015, Islamabad; Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad

¹⁸⁴ Interview with a representative of PIPS, 28.7.2015, Islamabad

¹⁸⁵ Interview with a representative of PIPS, 28.7.2015, Islamabad

¹⁸⁶ Interview with a representative of PIPS, 28.7.2015, Islamabad

¹⁸⁷ Interview with a representative of PIPS, 28.7.2015, Islamabad

¹⁸⁸ Dailymail (24.2.2015): Pakistan police arrest schoolgirl over 'Taliban' extortion calls, <http://www.dailymail.co.uk/wires/afp/article-2967421/Pakistan-police-arrest-schoolgirl-Taliban-extortion-calls.html>, accessed 17.8.2015

¹⁸⁹ Interview with a representative of PIPS, 28.7.2015, Islamabad; DAWN (4.12.2013): Menace of extortion, <http://www.dawn.com/news/1060326>, accessed 18.8.2015

¹⁹⁰ Dailymail (24.2.2015): Pakistan police arrest schoolgirl over 'Taliban' extortion calls, <http://www.dailymail.co.uk/wires/afp/article-2967421/Pakistan-police-arrest-schoolgirl-Taliban-extortion-calls.html>, accessed 17.8.2015; The Express Tribune (3.8.2015): Police arrest foreign-based gang involved in extortion, killings of doctors in Karachi, <http://tribune.com.pk/story/931687/police-arrest-foreign-based-gang-involved-in-extortion-killings-of-doctors-in-karachi/>, accessed 19.8.2015

¹⁹¹ Interview with a representative of PIPS, 28.7.2015, Islamabad; CBSNews (17.5.2008): Kidnapped Pakistani Ambassador Freed, <http://www.cbsnews.com/news/kidnapped-pakistani-ambassador-freed/>, accessed 18.8.2015

¹⁹² Interview with a representative of PIPS, 28.7.2015, Islamabad; CBSNews (17.5.2008): Kidnapped Pakistani Ambassador Freed, <http://www.cbsnews.com/news/kidnapped-pakistani-ambassador-freed/>, accessed 18.8.2015

Extortionists and kidnappers usually make use of untraceable or stolen SIM cards for their illegal activities. The government has attempted to take countermeasures against such crimes by deactivating mobile telephone SIM cards registered under fake identities. Mobile phone users were ordered to provide their biometric data to mobile phone companies in order for their data to be linked to their SIM card.¹⁹³

6. Life in Tribal areas

According to the interviewed experts, life in the villages of tribal areas is not segregated. Each person in the village is related in some way to the other and thus all are members of the same clan. Therefore, it is not uncommon for girls and boys to talk to each other. Furthermore, women do not necessarily cover their faces when they are in their villages although, if they travel to other areas, they would usually do so.¹⁹⁴ Girls also go to school depending on the agency and the willingness to send girls to school has increased.¹⁹⁵

6.1. Illegal love affairs

Especially in FATA, pre-marital relationships are prohibited. Local experts say that the occurrence of a pre-marital relationship is rather rare. Experts report further that being caught in a secret love affair does not happen easily. However, were it to emerge that a couple was having a pre-marital relationship, both of them would be punished i.e. killed, as both participants in the pre-marital relationship would be dishonouring their families.¹⁹⁶ The whole family and tribe would then expect that they be punished and killed by their fathers or brothers.¹⁹⁷

7. Educational Institutions in FATA

According to the census of 1998, the official literacy rate for males and females differs greatly and is 17 percent and 3 percent respectively. According to a local expert of FATA, the official statistics released from the government should be carefully handled without too much reliance being placed on them. He assumes that the actual literacy rate for both is much higher.¹⁹⁸ An estimated literacy rate has been calculated by the government based on the

¹⁹³ Interview with a representative of PIPS, 28.7.2015, Islamabad; International Crisis Group (22.7.2015): Revisiting Counter-terrorism Strategies in Pakistan: Opportunities and Pitfalls, http://www.ecoi.net/file_upload/1002_1437645706_271-revisiting-counter-terrorism-strategies-in-pakistan-opportunities-and-pitfalls.pdf, accessed 19.8.2015; The Guardian (3.3.2015): Pakistan's mobile phone owners told: be fingerprinted or lose your sim card, <http://www.theguardian.com/world/2015/mar/03/pakistan-fingerprint-mobile-phone-users>, accessed 19.8.2015

¹⁹⁴ Interview with representatives of FRC, 30.7.2015, Islamabad; Interview with local expert, 30.7.2015, Islamabad

¹⁹⁵ Interview with local expert, 30.7.2015, Islamabad

¹⁹⁶ Interview with representatives of FRC, 30.7.2015, Islamabad; Interview with local expert, 30.7.2015, Islamabad

¹⁹⁷ Interview with local expert, 30.7.2015, Islamabad

¹⁹⁸ Interview with local expert, 30.7.2015, Islamabad

1998 census, which is also unreliable.¹⁹⁹ For FATA, these estimates amount to an overall literacy rate of 24.05 percent, while the male literacy rate is 36.66 percent and the female is 10.50 percent.²⁰⁰

In FATA, there are approximately 5,620 educational institutions including mosque schools and 1,700 “ghost schools” which exist only on paper.²⁰¹ In the government’s annual report, the number of Government Educational Institutions is slightly higher, namely 5,686.²⁰² The majority of the actual schools, around 2,100, lack essential infrastructure such as water facilities, seating arrangements, fans, toilets and boundary walls. Another problem is the lack of qualified teachers, who in this area are very scarce and difficult to keep. There are no hostel facilities for female teachers. Another big problem is the lack of transportation systems and communication infrastructure.²⁰³

According to Zalan Communications, roughly 1 million children are enrolled in these educational institutions.²⁰⁴ The official government estimates put the overall enrolment in Government Institutions at 804,706.²⁰⁵ Due to the frequent military operations being conducted, these learners are often faced with disturbances in their educational careers. Once the children and their families are displaced and have to settle and start living in IDP camps, their education is de-prioritised. NGO-run IDP camps offer education programmes for displaced children, although this is not necessarily the case in IDP camps run by the government. Thus, in many instances, children are deprived of their constitutionally-enshrined basic right to education.²⁰⁶

8. Organizations in Pakistan

SACH is an organization focusing on community services with a multidisciplinary approach. This entails psychosocial counselling and legal aid, capacity building through training and sensitization, and advocacy. Its target audience are victims or survivors of traumatic human

¹⁹⁹ Interview with local expert, 30.7.2015, Islamabad

²⁰⁰ Education Management Information System (7.2014): Annual Statistical Report 2013-2014 of Governmental Educational Institutions, <http://fata.gov.pk/cp/uploads/downloads/1414747027545336be62d49.pdf>, accessed 12.8.2015

²⁰¹ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

²⁰² Education Management Information System (7.2014): Annual Statistical Report 2013-2014 of Governmental Educational Institutions, <http://fata.gov.pk/cp/uploads/downloads/1414747027545336be62d49.pdf>, accessed 12.8.2015.

²⁰³ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

²⁰⁴ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

²⁰⁵ Education Management Information System (7.2014): Annual Statistical Report 2013-2014 of Governmental Educational Institutions, <http://fata.gov.pk/cp/uploads/downloads/1414747027545336be62d49.pdf>, accessed 12.8.2015

²⁰⁶ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad; Constitution of the Islamic Republic of Pakistan, 1973 As Amended by The Constitution Twenty First Amendment Act, 2015 <http://pakistanconstitutionlaw.com/>, accessed 10.8.2015

rights abuses and their families, as well as stakeholders, including, for example, police, prison staff, lawyers, healthcare professionals, paramedics, community representatives and the local governments.²⁰⁷

SACH services include: subsistence allowance, medical care or psychotherapy and consultation, psycho-social support, shelter homes, capacity building training, legal assistance, livelihood training, and basic education assistance.²⁰⁸

SACH runs three refugee camps that are situated in Peshawar, Haripur and Kohat.²⁰⁹

SACH has special consultative status with the Economic and Social Council of the United Nations (ECOSOC), and works closely with the Afghanistan Independent Human Rights Commission (AIHRC). Awareness of the organization is promoted by word of mouth, through former employees or refugees, or by referral through agencies.²¹⁰

SACH initially started voluntary services with UNCHR and is now an Implementing Partner of UNHCR. Consequently, SACH has been assisting refugees since 2002. SACH – in cooperation with the UNHCR Branch office of Islamabad - has been implementing community services programmes, along with integrated services between July 2006 and December 2013. In Khyber Pakhtunkhwa, SACH has been an implementing partner of UNHCR's sub-office in Peshawar since 2009 for its Protection & Legal Activities for Afghan refugees and asylum seekers program.²¹¹

There is an on-going project concerning Afghan refugees being run by SACH in Khyber Pakhtunkhwa. Around 30 to 40 cases are handled annually. The aim of this project is to support Afghan refugees with legal, social and health support. The legal support team, which consists of 15 lawyers, is financed through UNHCR and the U.S. Department of State. The Pakistani government does not financially support this initiative as Afghan refugees are considered foreigners and thus do not enjoy the privileges of Pakistani citizens. Pakistani citizens, however, would receive legal representation from the Pakistani government. Those cases are carefully selected through outreach work at the camps and entail a diverse range of problems, although they often concern incidents of mass arrests. SACH has a large network and also cooperates with various police stations. Sometimes, the police will decide against filing a First Information Report (FIR), as they are aware that these Afghan refugees

²⁰⁷ Interview with representatives of SACH, 27.7.2015, Islamabad

²⁰⁸ Interview with representatives of SACH, 27.7.2015, Islamabad

²⁰⁹ Interview with representatives of SACH, 27.7.2015, Islamabad

²¹⁰ Interview with representatives of SACH, 27.7.2015, Islamabad

²¹¹ Interview with representatives of SACH, 27.7.2015, Islamabad

are involved in SACH-run projects. If a FIR has indeed been filed against a refugee, the aforementioned lawyers will represent the accused in cases at court.²¹²

Other cases dealt with by the SACH include the sale and purchase of property by Afghan refugees through Pakistani citizens.²¹³ Typically, once the Afghans want to sell their property, for example, as the situation in Afghanistan has improved for them and they want to return to Afghanistan, problems arise.²¹⁴ SACH gets involved and attempts to resolve the conflict peacefully. The number of these types of cases is around 20 – 25 per week.²¹⁵

The NGO WHI-DI was founded in 2013 by Prof. Dr. Lubna Hassan who is an experienced gynaecologist and also has vast experience in public health. WHI-DI takes part in capacity-building of marginalized communities, and believes in community- and locally-led development.²¹⁶ WHI-DI also offers training seminars among other things, such as the training seminar for doctors of the Department of Population Welfare. A variety of topics related to women's health, including the safe use of different contraception methods for patients with health complications, were covered.²¹⁷

The Ministry of States and Frontier Regions (SAFRON) is proactive in regards to Afghan refugees.²¹⁸



Pakistan Red Crescent Society in Islamabad

²¹² Interview with representatives of SACH, 27.7.2015, Islamabad

²¹³ Interview with representatives of SACH, 27.7.2015, Islamabad

²¹⁴ Interview with representatives of SACH, 27.7.2015, Islamabad; see also UNHCR – United Nations High Commissioner for Refugees (28.8.2015): 50,000 Afghan refugees from Pakistan returned this year under UNHCR voluntary programme, <http://www.unhcr.org/55e018386.html>, accessed 28.8.2015

²¹⁵ Interview with representatives of SACH, 27.7.2015, Islamabad

²¹⁶ Interview with local expert, 30.7.2015, Islamabad

²¹⁷ WHI-DI (undated): Training Seminar, <http://www.whidi.org/about.html>, accessed 1.9.2015

²¹⁸ Email correspondence with representatives of SACH, 7.8.2015

9. Afghan Refugees in Pakistan

A large number of Afghan refugees first arrived decades ago in 1979 during the Soviet invasion of Afghanistan.²¹⁹ At least two generations of families were born on Pakistani soil.²²⁰ Therefore, it is extremely difficult to estimate accurately the total number of Afghan refugees in Pakistan.²²¹ UNHCR states that as of 31 October 2015 there were 1,543,556 registered refugees in Pakistan.²²² Further estimates suggest that an additional 1.3 million Afghan refugees live in Pakistan without a PoR-Card.²²³

9.1. Geographic distribution of refugees in Pakistan

According to a report by the Repatriation Cell of the “Commissionerate of Afghan Refugees” (CAR),²²⁴ 639,073 registered Afghan refugees, or 114,096 families, live in refugee camps in Khyber Pakhtunkhwa. 70 cluster camps are operating under 29 administration camps in 15 districts of Khyber Pakhtunkhwa. The largest number of refugees (195,052) live in Peshawar in 19 cluster camps, followed by Haripur and Nowshera, with 84,485 and 71,148 refugees respectively.²²⁵

More than three decades of war and conflict have forced millions of Afghans into Pakistan. The majority of Afghan refugees who have fled the Soviet invasion of Afghanistan since 1979 were considered *prima facie* refugees fleeing conflict and persecution. These refugees were living in or outside refugee camps all over Pakistan. During these three decades, a large number had also repatriated back to Afghanistan during different phases following the withdrawal of the Soviets in 1989.²²⁶ Although more than 2 million Afghans had repatriated in the 1990s, the conflict among the Mujahideen and the Taliban in Afghanistan led to further population movements into Pakistan.²²⁷

²¹⁹ Interview with a representative of PIPS, 28.7.2015, Islamabad; Islamabad; Interview with representatives of SACH, 27.7.2015, Islamabad

²²⁰ Interview with a representative of PIPS, 28.7.2015, Islamabad; Interview with a representative of the Afghan embassy, 30.7.2015

²²¹ Interview with a representative of PIPS, 28.7.2015, Islamabad

²²² UNHCR – United Nations High Commissioner for Refugees (31.10.2015): Pakistan Factsheet, <http://unhcrpk.org/wp-content/uploads/2013/12/Pakistan-fact-sheet-October-2015.pdf>, accessed 22.1.2016; see also Interview with representatives of SACH, 27.7.2015, Islamabad;

²²³ Reuters (16.6.2015): Number of Afghan refugees returning home from Pakistan surges – UNHCR, <http://in.reuters.com/article/2015/07/16/refugees-pakistan-afghanistan-idINKCN0PQ25Z20150716>, accessed 7.8.2015; Interview with a representative of PIPS, 28.7.2015, Islamabad

²²⁴ The Commissionerate Afghan Refugees (undated): Welcome to CAR, Khyber Pakhtunkhwa, <http://kpkcar.org/>, accessed 21.8.2015

²²⁵ DAWN (3.3.2015): Over 600,000 registered Afghan refugees in KP, <http://www.dawn.com/news/1167103>, accessed 21.8.2015

²²⁶ UNHCR – United Nations High Commissioner for Refugees (undated): Registration of Afghans in Pakistan 2007, <http://www.unhcr.org/464dca012.pdf>, accessed 20.8.2015

²²⁷ Interview with representatives of SACH, 27.7.2015, Islamabad; Interview with a representative of PIPS, 28.7.2015, Islamabad; see also UNHCR – United Nations High Commissioner for Refugees (undated): Registration of Afghans in Pakistan 2007, <http://www.unhcr.org/464dca012.pdf>, accessed 20.8.2015

“In the absence of a systematic process for the issuance of documentation to all Afghans in Pakistan”,²²⁸ a national census of Pakistan was conducted 1998²²⁹ in an attempt to enumerate them. Given the size of the Afghan population in Pakistan, this became an increasingly complex task.²³⁰ In 2002, after the fall of the Taliban regime, more than 3 million Afghans repatriated within the framework of the UNHCR-assisted voluntary repatriation program. In order to “temporarily regulate and manage Afghans in Pakistan and its linkage to repatriation and reintegration inside Afghanistan”.²³¹ UNHCR and the Pakistani government decided to conduct a census of Afghans in Pakistan as well as their registration. In December 2004, a Memorandum of Understanding (MoU) was signed agreeing on conducting a detailed census of Afghans who had arrived after 1 December 1979 and were then living in Pakistan.²³² This led to an unprecedented countrywide census of Afghans, carried out by Pakistan’s Population Census Organization (PCO).²³³

9.2. Proof of Registration (PoR) Card

The PoR-Card is an important identification card that provides for the legal stay of registered Afghans in Pakistan.²³⁴ PoR-Card holder cannot be arrested under the 1949 Foreigners Act.²³⁵ The Pakistani government is responsible for the registration and issue of these PoR-Cards.²³⁶

Between 2006 and 2007, the Pakistani government carried out a registration exercise of Afghan citizens living in Pakistan and issued registered Afghans PoR-Cards,²³⁷ which afforded them *de facto* temporary protection.²³⁸ PoR-Cards issued to Afghans in 2006-07, which were initially valid until the end of 2009²³⁹, were extended by the Government of

²²⁸ UNHCR – United Nations High Commissioner for Refugees (undated): Registration of Afghans in Pakistan 2007, <http://www.unhcr.org/464dca012.pdf>, accessed 20.8.2015

²²⁹ Interview with local expert, 30.7.2015, Islamabad; see also UNHCR – United Nations High Commissioner for Refugees (undated): Registration of Afghans in Pakistan 2007, <http://www.unhcr.org/464dca012.pdf>, accessed 20.8.2015

²³⁰ UNHCR – United Nations High Commissioner for Refugees (undated): Registration of Afghans in Pakistan 2007, <http://www.unhcr.org/464dca012.pdf>, accessed 20.8.2015

²³¹ UNHCR – United Nations High Commissioner for Refugees (undated): Registration of Afghans in Pakistan 2007, <http://www.unhcr.org/464dca012.pdf>, accessed 20.8.2015

²³² UNHCR – United Nations High Commissioner for Refugees (undated): Registration of Afghans in Pakistan 2007, <http://www.unhcr.org/464dca012.pdf>, accessed 20.8.2015

²³³ UNHCR – United Nations High Commissioner for Refugees (undated): Registration of Afghans in Pakistan 2007, <http://www.unhcr.org/464dca012.pdf>, accessed 20.8.2015

²³⁴ DAWN (6.12.2014): Afghan refugees told to get their registration cards renewed, <http://www.dawn.com/news/1149145>, accessed 25.8.2015

²³⁵ Pakistan Observer (2.3.2014): PoR card holder Afghan refugees cannot be arrested, <http://pakobserver.net/201403/02/detailnews.asp?id=235106>, accessed 10.8.2015

²³⁶ Austrian Federal Asylum Agency (6.2013): Report on Fact Finding Mission – Pakistan, Religious Minorities, http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-06.pdf, accessed 1.9.2015

²³⁷ UNHCR – United Nations High Commissioner for Refugees (16.2.2007): Registration of Afghans in Pakistan, <http://www.unhcr.org/45d58a692.html>, accessed 22.1.2016

²³⁸ UNHCR – United Nations High Commissioner for Refugees (undated): Registration of Afghans in Pakistan 2007, <http://www.unhcr.org/464dca012.pdf>, accessed 20.8.2015

²³⁹ UNHCR – United Nations High Commissioner for Refugees (16.2.2007): Registration of Afghans in Pakistan, <http://www.unhcr.org/45d58a692.html>, accessed 22.1.2016

Pakistan until 31 December 2012.²⁴⁰ Following this first comprehensive registration of Afghans living in Pakistan, UNHCR considered PoR cardholders (and not undocumented Afghans) as prima facie refugees. Undocumented Afghans, who were not registered do not have the legal right to reside in Pakistan. Afghans who arrived after the aforementioned census of Afghans in 2005 were not given the opportunity to register with the Pakistani government and therefore automatically fall into the undocumented category.²⁴¹

The existing PoR-Cards had expired as of 31 December 2012; and in July 2013, the Government of Pakistan announced the extension of the Tripartite Commission Agreement governing the voluntary return of Afghans and the validity of the PoR-Cards until the end of 2015.²⁴² In February 2014, the renewal process was launched at six PoR-Card modification centres in Karachi, Lahore, Peshawar, Haripur, Rawalpindi and Quetta.²⁴³ The validity of the cards was extended in batches, with a new validation date of 31 December 2015.²⁴⁴

An agreement between the Pakistani and the Afghani government is in place, upon which undocumented Afghan refugees will be registered. This process should be launched sometime in August 2015.²⁴⁵ Eleven of these registration centres will be in Khyber Pakhtunkhwa, four in Peshawar, one in Nowshera, Haripur, Mansehra Kohat, Hangu, Mardan and Dir respectively.²⁴⁶

According to a source close to the talks, a high level meeting behind closed doors between the tripartite lead to an unofficial discussion regarding the PoR-Cards. The meeting concerns the extension of the PoR-Cards which are set to expire by 31 December 2015. According to the source, new cards will be issued for Afghans. Further, the Afghani government will issue passports and the Pakistani government will issue visas in return.²⁴⁷ During a tripartite meeting in Kabul, the Afghan government had asked the Pakistani government to allow

²⁴⁰ UNHCR – United Nations High Commissioner for Refugees (26.2.2014): NADRA to issue renewed PoR cards to 1.6 million Afghan refugees, <http://www.unhcr.org/cgi-bin/txis/vtx/refdaily?pass=52fc6fbd5&id=530ed2ea5>, accessed 22.1.2016

²⁴¹ HRW - Human Rights Watch (18.11.2015): "What Are You Doing Here?", <https://www.hrw.org/report/2015/11/18/what-are-you-doing-here/police-abuses-against-afghans-pakistan>, accessed 22.1.2015

²⁴² UNHCR – United Nations High Commissioner for Refugees (26.2.2014): NADRA to issue renewed PoR cards to 1.6 million Afghan refugees, <http://www.unhcr.org/cgi-bin/txis/vtx/refdaily?pass=52fc6fbd5&id=530ed2ea5>, accessed 10.8.2015

²⁴³ DAWN (6.12.2015): Afghan refugees told to get their registration cards renewed, <http://www.dawn.com/news/1149145>, accessed 25.8.2015

²⁴⁴ Interview with a representative of the Afghan embassy, 30.7.2015, Interview with a representative of PIPS, 28.7.2015, Islamabad; Interview with representatives of SACH, 27.7.2015, Islamabad

²⁴⁵ Interview with a representative of the Afghan embassy, 30.7.2015, Islamabad

²⁴⁶ DAWN (20.6.2015): Registration of illegal Afghans begins next month, <http://www.dawn.com/news/1189356>, accessed 20.8.2015

²⁴⁷ Interview with representatives of SACH, 27.7.2015, Islamabad; see also The Express Tribune (23.8.2015): Tripartite meeting: Kabul seeks 2 more years for Afghan refugees in Pakistan, <http://tribune.com.pk/story/943129/tripartite-meeting-kabul-seeks-2-more-years-for-afghan-refugees-in-pakistan/>, accessed 25.8.2015

registered refugees, some 1.5 million Afghans, to stay in Pakistan for two more years.²⁴⁸ An official decision regarding a renewal date for the PoR-Cards is expected sometime in October 2015.²⁴⁹

It is not possible for a PoR-Card holder to open a bank account in Pakistan. According to a confidential source, the Afghan Embassy in Pakistan is supportive and issues passports, which allows people to open a bank account.²⁵⁰ In accordance with their status, it is not possible for them to work in Pakistan legally.²⁵¹ Accordingly, most find jobs in the informal sector,²⁵² for example, in the transportation and gemstone-processing business.²⁵³ Nonetheless, there have been some exceptions where a work permit has been granted. This practice, however, is not prevalent in the refugee population.²⁵⁴

All Afghan refugees are registered with NADRA. Databases exist with the exact data and fingerprints of all Afghan refugees for whom a PoR-Card was and will be issued. UNHCR has “read-only” access to the database for verification purposes.²⁵⁵

9.3. National Database and Registration Authority (NADRA)

NADRA was primarily established in 1998 as a National Database Organization (NDO) under the control of the Ministry of Interior. In 2000, the then-NDO, along with the Directorate General of Registration (DGR), merged into NADRA, which is an independent corporate body.²⁵⁶

Furthermore, NARA²⁵⁷ and NADRA have merged²⁵⁸ and NADRA is an implementing partner of UNHCR. NADRA issues documents (for example, birth certificates) in six centres in Pakistan. According to SACH, NADRA is a competent partner. NADRA is also working in other countries, such as Sudan, Kenya, and Nigeria, on similar issues.²⁵⁹ Furthermore,

²⁴⁸ The Express Tribune (23.8.2015): Tripartite meeting: Kabul seeks 2 more years for Afghan refugees in Pakistan, <http://tribune.com.pk/story/943129/tripartite-meeting-kabul-seeks-2-more-years-for-afghan-refugees-in-pakistan/>, accessed 25.8.2015

²⁴⁹ Interview with representatives of SACH, 27.7.2015, Islamabad; see also UNHCR – United Nations High Commissioner for Refugees (22.8.2015): Afghanistan, Pakistan, UNHCR welcome new policies on Afghan refugees in Pakistan and returnees to Afghanistan, <http://www.unhcr.org/55dddc4a6.html>, accessed 27.8.2015

²⁵⁰ Confidential source, 30.7.2015, Islamabad

²⁵¹ Interview with representatives of SACH, 27.7.2015, Islamabad

²⁵² Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

²⁵³ Interview with representatives of SACH, 27.7.2015, Islamabad

²⁵⁴ Email correspondence with representatives of SACH, 7.8.2015

²⁵⁵ Austrian Federal Asylum Agency (6.2013): Report on Fact Finding Mission – Pakistan, Religious Minorities, http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-06.pdf, accessed 1.9.2015

²⁵⁶ NADRA - National Database & Registration Authority (undated): Profile, <https://www.nadra.gov.pk/index.php/about-us>, accessed 20.8.2015

²⁵⁷ National Alien Registration Authority

²⁵⁸ The Express Tribune (19.5.2015): Govt on verge of cracking Safoora carnage case: Nisar, <http://tribune.com.pk/story/888665/govt-on-verge-of-cracking-safoora-carnage-case-nisar/>, accessed 25.8.2015

²⁵⁹ Interview with representatives of SACH, 27.7.2015, Islamabad

NADRA has great co-operation with SACH, as SACH has been allowed to work in certain areas.²⁶⁰

9.4. Other documents: birth certificates etc.

The PoR card is an important identity document for Afghans, providing them with a legal right of stay in Pakistan and protection against detention and deportation.²⁶¹ According to section 4 of the Pakistani Citizenship Act 1951, every child born in Pakistan is eligible for Pakistani Citizenship. Section 4 states the following:

“Citizenship by birth — Every person born in Pakistan after the commencement of this Act shall be a citizen of Pakistan by birth:

Provided that a person shall not be such a citizen by virtue of this section if at the time of his birth:

- (a) His father possesses such immunity from suit and legal process as is accorded to an envoy of an external sovereign power accredited in Pakistan and is not a citizen of Pakistan; or
- (b) His father is an enemy alien and the birth occurs in a place then under occupation by the enemy”.²⁶²

However, this provision was interpreted differently by the High Court in Peshawar, which found that children born in Pakistan only receive Pakistani citizenship if their father at birth was a Pakistani citizen.²⁶³ The Government of Pakistan has, *inter alia*, issued birth certificates for 800,000 Afghan refugee children.²⁶⁴

9.5. Subsistence allowance

A temporary subsistence allowance is designated for refugees and it is vital to be registered as such.²⁶⁵ The designated amount per person for the subsistence allowance is US\$100 per month. However, it also depends on the size of the family.²⁶⁶

²⁶⁰ Interview with representatives of SACH, 27.7.2015, Islamabad

²⁶¹ UNHCR – United Nations High Commissioner for Refugees (26.2.2014): NADRA to issue renewed PoR cards to 1.6 million Afghan refugees, <http://www.unhcr.org/cgi-bin/texis/vtx/refdaily?pass=52fc6fbd5&id=530ed2ea5>, accessed 22.1.2016

²⁶² The Pakistan Citizenship Act, 1951 (II OF 1951), <http://www.refworld.org/pdfid/3ae6b4ffa.pdf>, accessed 13.8.2015

²⁶³ Email correspondence with a representative of SACH, 11.11.2015; see also Interview with representatives of SACH, 27.7.2015, Islamabad

²⁶⁴ UNHCR – United Nations High Commissioner for Refugees (undated): 2015 UNHCR country operations profile – Pakistan, <http://www.unhcr.org/pages/49e487016.html>, accessed 7.8.2015

²⁶⁵ Interview with representatives of SACH, 27.7.2015, Islamabad

²⁶⁶ Interview with representatives of SACH, 27.7.2015, Islamabad

The Pakistani government offers financial assistance, even with other registered refugees. Support for refugees also takes place through the European Union and UNHCR.²⁶⁷

9.6. Deportations, forced returns and returnees

Illegal Afghan refugees have been deported in the past.²⁶⁸ Following the attack on an Army Public School in Peshawar in December 2014, the Pakistani government launched a downright crackdown against Afghan refugees.²⁶⁹ The rate of so-called “spontaneous returns” by the Pakistani authorities of undocumented Afghans has increased from an average of 59 a day in 2014 to 651 in 2015.²⁷⁰ In the aftermath of the aforementioned attack, a National Action Plan (NAP) was drafted.²⁷¹

This led to mass arrests where 1,000 people were arrested, the majority of whom did not have any documents in their possession.²⁷² Complaints were made concerning alleged harassment by the police. Even people with valid visas and passports were complaining.²⁷³ As many as 139,000 Afghans have returned from Pakistan since the beginning of the year 2015.²⁷⁴ According to UNHCR, 3.8 million registered Afghans were assisted by UNHCR on their return to Afghanistan since 2002.²⁷⁵

SACH stated that a modern system of border monitoring on the border to Afghanistan has been established at the border crossing point of Torkham. The goal is to prevent deportations by the government and persuade their drivers to send the people back to Pakistan as people that are forcefully deported will most likely attempt return to Pakistan.²⁷⁶

²⁶⁷ Interview with a representative of PIPS, 28.7.2015, Islamabad

²⁶⁸ Interview with a representative of PIPS, 28.7.2015, Islamabad

²⁶⁹ Interview with representatives of SACH, 27.7.2015, Islamabad; see also DAWN (20.1.2015): Afghans demand repatriation under UNHCR, <http://www.dawn.com/news/1158216>, accessed 10.8.2015 and The Express Tribune (23.3.2015): 55,000 Afghan refugees have returned home since beginning of 2015, <http://tribune.com.pk/story/857705/55000-afghan-refugees-have-returned-home-since-beginning-of-2015/>, accessed 25.8.2015

²⁷⁰ The Express Tribune (23.3.2015): 55,000 Afghan refugees have returned home since beginning of 2015, <http://tribune.com.pk/story/857705/55000-afghan-refugees-have-returned-home-since-beginning-of-2015/>, accessed 25.8.2015

²⁷¹ Interview with a representative of PIPS, 28.7.2015, Islamabad; see also The Express Tribune (30.3.2015): Peshawar attack aftermath: Pakistan's safety riding on 'unfeasible' action plan, <http://tribune.com.pk/story/861066/counter-terrorism-pakistans-safety-riding-on-unfeasible-action-plan/>, accessed 25.8.2015; NACTA - National Counter Terrorism Authority (undated): National Action Plan, http://nacta.gov.pk/Download_s/Presentations/National_Action_Plan_NACTA_Pakistan.pdf, accessed 15.9.2015; The Express Tribune (25.12.2014): Fight against terrorism: Defining moment, <http://tribune.com.pk/story/811947/fight-against-terrorism-defining-moment/>, accessed 27.8.2015; Interview with a representative of the Afghan embassy, 30.7.2015, Islamabad

²⁷² Interview with representatives of SACH, 27.7.2015, Islamabad

²⁷³ Interview with a representative of the Afghan embassy, 30.7.2015, Islamabad

²⁷⁴ Reuters (16.6.2015): Number of Afghan refugees returning home from Pakistan surges – UNHCR, <http://in.reuters.com/article/2015/07/16/refugees-pakistan-afghanistan-idINKCN0PQ25Z20150716>, accessed 7.8.2015

²⁷⁵ UNHCR – United Nations High Commissioner for Refugees (undated): 2015 UNHCR country operations profile – Pakistan, <http://www.unhcr.org/pages/49e487016.html>, accessed 7.8.2015

²⁷⁶ Interview with representatives of SACH, 27.7.2015, Islamabad

Many Afghans returned to Afghanistan after the September 11 2001 attacks.²⁷⁷ Some have returned because their personal situation and the overall situation in Afghanistan have improved.²⁷⁸ Thus far, in 2015, 50,433 registered refugees returned under UNHCR's largest and longest running voluntary repatriation programme. The majority, 34 percent, returned to the northern region of Afghanistan, followed by the 31 percent who went to the central regions while 19 percent of the Afghan refugees returned to the eastern region. Only 9 percent of the total returns were to the southeast while returns to the southern regions remain the lowest at 5 percent, where security remains a challenge.²⁷⁹

9.7. Discrimination

SACH stated:

The people are not discriminated against purely because they are Afghans. All refugees face similar problems. That is the environment of the country and the mind-set of the people.²⁸⁰

According to PIPS, Afghans are not usually discriminated against.²⁸¹ Afghan refugees speak Pashtu, meaning that Afghan refugees are normally not faced with language problems in their host communities.²⁸² As Pashtuns live everywhere in Pakistan,²⁸³ they are able to speak the same language as Afghan refugees, which is spoken in the areas where the latter have settled.²⁸⁴

Pashtu is the language that is spoken on both sides of the Durand Line i.e. on both sides of the Pakistan-Afghanistan border. Some Afghans even settle in Karachi where Urdu is spoken. Nevertheless, Afghan refugees mainly settle in areas where Pashtu is the most spoken language and where Pashtun communities already exist.²⁸⁵ After a while, they learn to speak Urdu as well, especially their children who learn Urdu extremely quickly.²⁸⁶

²⁷⁷ Interview with a representative of PIPS, 28.7.2015, Islamabad

²⁷⁸ Interview with representatives of SACH, 27.7.2015, Islamabad; see also UNHCR – United Nations High Commissioner for Refugees (28.8.2015): 50,000 Afghan refugees from Pakistan returned this year under UNHCR voluntary programme, <http://www.unhcr.org/55e018386.html>, accessed 28.8.2015

²⁷⁹ UNHCR – United Nations High Commissioner for Refugees (28.8.2015): 50,000 Afghan refugees from Pakistan returned this year under UNHCR voluntary programme, <http://www.unhcr.org/55e018386.html>, accessed 28.8.2015

²⁸⁰ Interview with representatives of SACH, 27.7.2015, Islamabad

²⁸¹ Interview with a representative of PIPS, 28.7.2015, Islamabad

²⁸² Email correspondence with a representative of Zalan, 10.8.2015; Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

²⁸³ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

²⁸⁴ Email correspondence with a representative of Zalan, 10.8.2015

²⁸⁵ Email correspondence with a representative of Zalan, 10.8.2015

²⁸⁶ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

In Peshawar, for example, Dari speakers, who are former Afghan refugees themselves, discriminate against newly arrived Afghans.²⁸⁷

Karachi is known as a commercial hub of Pakistan. 68,000 Afghan refugees are registered with NADRA in Karachi. They have informal jobs in various fields, including in transport, construction, carpet weaving and selling.²⁸⁸ Afghan refugees in possession of a PoR-Card work in Pakistan. Even illegal refugees work here.²⁸⁹ They do not face harassment in their daily lives. Nevertheless, after the December 2014 attack in Peshawar on a school, raids were conducted to remove Afghans. On 8 January 2015, many Afghan refugees were removed from Karachi by Rangers.²⁹⁰

Khyber Pakhtunkhwa hosts the largest population of refugees per area, with 52 percent of refugees settling both in urban and rural areas of the province; followed by the provinces of Azad Jammu and Kashmir with 25 percent and Punjab with 23 percent.²⁹¹

10. Internally Displaced Persons (IDPs)

At the time of conducting the interview, around 277,000 families are IDPs from all over FATA.²⁹² As of 27 August 2015, UN OCHA states that 212,263 families remain displaced.²⁹³ According to the local expert the government is responsible for registering IDPs in Pakistan and overall did a good job.²⁹⁴

Approximately 2 percent of IDPs live in camps.²⁹⁵ Poor people live in the IDPs camps, whereas those that are wealthier are able either to live with relatives or rent a house.²⁹⁶ For example, the district of Bannu in Khyber Pakhtunkhwa hosts a great number of IDPs (approximately 0.5 million, with 1.5 million people already residing there).²⁹⁷ Some form of

²⁸⁷ Interview with a representative of PIPS, 28.7.2015, Islamabad

²⁸⁸ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

²⁸⁹ Interview with a representative of PIPS, 28.7.2015, Islamabad

²⁹⁰ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

²⁹¹ DAWN (9.7.2015): 42,000 Afghan refugees return home this year: UNHCR, <http://www.dawn.com/news/1193397>, accessed 10.8.2015

²⁹² Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

²⁹³ UNOCHA – United Nations Office for the Coordination of Humanitarian Affairs (31.8.2015): Pakistan: FATA Return Weekly Snapshot (from 21 August - 27 August 2015), https://www.humanitarianresponse.info/en/system/files/documents/files/ocha_pakistan_weekly_return_snapshot_27_aug_2015.pdf, accessed 7.9.2015

²⁹⁴ Interview with local expert, 30.7.2015, Islamabad; Email correspondence with local expert, 1.9.2015

²⁹⁵ UNOCHA – United Nations Office for the Coordination of Humanitarian Affairs (30.4.2015): UNHCR KP and FATA IDP Statistics (As of 30.4.2015), https://www.humanitarianresponse.info/en/system/files/documents/files/april_2015-idp_fact_sheet_30-apr-2015.pdf, accessed 27.8.2015

²⁹⁶ Interview with a representative of PIPS, 28.7.2015, Islamabad

²⁹⁷ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

relief in the camps is provided to the IDPs by the military, the federal government and NGOs. For example, registered IDPs receive PKR 5,600 (approximately 70 US-Dollar) monthly.²⁹⁸ More than 30 percent of the IDPs have not registered themselves as such.²⁹⁹

The IDPs are a big burden and create problems for their host communities. Among the problems, the following were mentioned:

- environmental issues (for example, waste);
- a doubling of housing prices; and
- an increase in food prices.³⁰⁰

An example of such a burden can be seen when IDPs receive treatment at the Khalifa hospital of the district of Bannu in Khyber Pakhtunkhwa where many people are in distress. This causes the quality of the treatment to become an issue.³⁰¹

Zalan Communications runs a helpline for IDPs, where they can complain and state their grievances. Reoccurring issues were mentioned and relevant questions were asked. Among others, these were the main issues:

- the government offers different packages with respect to financial support: PKR 25,000 and PKR 12,000. This money is for their daily expenses. The prerequisite is that one has to be registered as an IDP;
- pregnancy problems; and
- traumatised people.³⁰²

In addition, so called “grievance desks” in drop-in centres exist. In those centres, grievances regarding registration are recorded.³⁰³

As mentioned above, IDPs face a vast number of problems with education being a low priority. Nevertheless, NGOs and the Pakistani government provide an informal education set-up for IDPs. Most IDPs do not live in camps and their children are enrolled in schools. There have been some temporary arrangements by the government and some NGOs and humanitarian agencies but not to a satisfactory level.³⁰⁴

²⁹⁸ Interview with a representative of PIPS, 28.7.2015, Islamabad

²⁹⁹ Interview with a representative of PIPS, 28.7.2015, Islamabad

³⁰⁰ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

³⁰¹ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

³⁰² Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

³⁰³ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

³⁰⁴ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

Language problems do not exist as Pashtuns reside throughout the relevant areas.³⁰⁵ Consequently, various dialects of Pashtu are being spoken in the camps. Furthermore, as tribal areas have less interaction with Urdu, very little of it is spoken in Waziristan. In some IDP-camps people are being taught Urdu.³⁰⁶

According to a representative of PIPS, Pashtuns and Punjabis reside in equal numbers in Islamabad. A great number of security force members in Islamabad are Pashtuns. Representatives of PIPS explained that Pashtuns are considered as hard workers and are often preferred over other Pakistanis, particularly with regard to construction work. The representative explained: "Pashtuns are hard workers and in demand in Pakistan". Furthermore, in Rawalpindi, there are increasing numbers of Pashtuns and the demographics of the city are changing.³⁰⁷

10.1.IDP-Returnees

The Pakistani government has set a deadline of two years within which all IDPs of all FATA agencies must return. They have begun the returns of IDPs to Khyber and North Waziristan.³⁰⁸

When coming from North Waziristan, IDPs are registered at Sidgai.³⁰⁹ The people of North Waziristan were required by the government to reaffirm their allegiance to the Constitution, Frontier Crimes Regulation, as well as local customs, by signing a "Social Agreement North Waziristan 2015".³¹⁰ Furthermore, each Agency's IDPs will sign their own social agreement but they are all similar to one another, i.e. tribes have to take responsibility that they will cooperate with the military in tackling militancy in the region.³¹¹

In Mohmand Agency, displacement also took place although the majority of people have now returned. Usually military operations are announced. However, this was not the case in North Waziristan.³¹² (see chapter 5.6. North Waziristan Agency)

The government provided monetary packages for transport and return. 58,531 families have received the transport package of PKR 10,000 and 58,044 families have received the return package of PKR 25,000.³¹³

³⁰⁵ Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

³⁰⁶ Interview with a representative of PIPS, 28.7.2015, Islamabad

³⁰⁷ Interview with a representative of PIPS, 28.7.2015, Islamabad

³⁰⁸ Interview with local expert, 30.7.2015, Islamabad; Email correspondence with local expert, 1.9.2015

³⁰⁹ Email correspondence with a representative of Zalan, 10.8.2015

³¹⁰ DAWN (30.3.2015): Loyalty undertaking rankles IDPs returning to Waziristan, <http://www.dawn.com/news/1172786>, accessed 12.8.2015

³¹¹ Interview with local expert, 30.7.2015, Islamabad; Email correspondence with local expert, 1.9.2015

³¹² Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

According to UN OCHA, a total of 84,343 registered families returned by 31 August 2015. During the week of 21 August and 27 August 2015, 4,149 registered families returned to Khyber Agency.³¹⁴ During the week of 14 August and 20 August 2015, 28,151 registered families returned to their respective agencies: 6,960 to Khyber Agency and 21,191 to North Waziristan Agency.³¹⁵ Further, during the week of 7 August and 13 August, 2,695 registered families returned to their respective agencies: 2,081 to Khyber Agency and 614 to North Waziristan Agency. The returns for the IDPs of South Waziristan is planned to start on 31 August 2015.³¹⁶ 21 percent of the returnees are female-headed households.³¹⁷

According to local experts, people are now “happy” as they have established businesses elsewhere, which are flourishing, and life is returning to “normal” in Bajaur and Mohmand Agency.³¹⁸

According to the local expert, security is one reason for IDPs not returning although it is not the only one. Two further reasons exist: Firstly, some areas have not been cleared of IEDs and other “booby-traps” set up by militants. Secondly, since infrastructure has been destroyed in their points of origin, residents cannot be sent back to rubble. Accordingly, IDPs will be returned when some level of restoration and development has taken place. Returnees are expected to build their own homes and markets with some compensation from the government, although how fairly that is done is another issue. The government and the

³¹³ UNOCHA – United Nations Office for the Coordination of Humanitarian Affairs (31.8.2015): Pakistan: FATA Return Weekly Snapshot (from 21 August - 27 August 2015), https://www.humanitarianresponse.info/en/system/files/documents/files/ocha_pakistan_weekly_return_snapshot_27_aug_2015.pdf, accessed 7.9.2015

³¹⁴ UNOCHA – United Nations Office for the Coordination of Humanitarian Affairs (31.8.2015): Pakistan: FATA Return Weekly Snapshot (from 21 August - 27 August 2015), https://www.humanitarianresponse.info/en/system/files/documents/files/ocha_pakistan_weekly_return_snapshot_27_aug_2015.pdf, accessed 7.9.2015

³¹⁵ UNOCHA – United Nations Office for the Coordination of Humanitarian Affairs (24.8.2015): Pakistan: FATA Return Weekly Snapshot (from 14 August - 20 August 2015), http://reliefweb.int/sites/reliefweb.int/files/resources/ocha_pakistan_weekly_return_snapshot_20_aug_2015.pdf, accessed 7.9.2015

³¹⁶ UNOCHA – United Nations Office for the Coordination of Humanitarian Affairs (17.8.2015): Pakistan: FATA Return Weekly Snapshot (from 7 August - 13 August 2015), <http://reliefweb.int/report/pakistan/pakistan-fata-return-weekly-snapshot-7-august-13-august-2015>, accessed 27.8.2015

³¹⁷ UNOCHA – United Nations Office for the Coordination of Humanitarian Affairs (31.8.2015): Pakistan: FATA Return Weekly Snapshot (from 21 August - 27 August 2015), https://www.humanitarianresponse.info/en/system/files/documents/files/ocha_pakistan_weekly_return_snapshot_27_aug_2015.pdf, accessed 7.9.2015; UNOCHA – United Nations Office for the Coordination of Humanitarian Affairs (31.8.2015): Pakistan: FATA Return Weekly Snapshot (from 21 August - 27 August 2015), https://www.humanitarianresponse.info/en/system/files/documents/files/ocha_pakistan_weekly_return_snapshot_27_aug_2015.pdf, accessed 7.9.2015; UNOCHA – United Nations Office for the Coordination of Humanitarian Affairs (24.8.2015): Pakistan: FATA Return Weekly Snapshot (from 14 August - 20 August 2015), http://reliefweb.int/sites/reliefweb.int/files/resources/ocha_pakistan_weekly_return_snapshot_20_aug_2015.pdf, accessed 7.9.2015; UNOCHA – United Nations Office for the Coordination of Humanitarian Affairs (17.8.2015): Pakistan: FATA Return Weekly Snapshot (from 7 August - 13 August 2015), <http://reliefweb.int/report/pakistan/pakistan-fata-return-weekly-snapshot-7-august-13-august-2015>, accessed 27.8.2015

³¹⁸ Interview with representatives of FATA Research Centre, 30.7.2015, Islamabad; Interview with representatives of Zalan Communications, 29.7.2015, Islamabad

military are in the process of rebuilding schools, hospitals, roads and other government offices.³¹⁹

11. Minorities

Overall, sectarian violence has statistically declined in the past 1.5 years.³²⁰ After the Peshawar school incident, a new national action plan that will, *inter alia*, not allow hate speech has been enforced by the government.³²¹

Members of the Sikh community live in some agencies in FATA, such as Khyber Agency and Orakzai Agency. Furthermore, the situation in different agencies differs: Minorities in one agency will be the majority in another.³²² This is the case, for example, in Kurram Agency, which is predominately inhabited by Shia.³²³ The Shia, being a minority sect in Pakistan, tend to be very united and there is no significant in-fighting among them, be it in Kurram or elsewhere in the country, although some differences of opinion remain regarding how best to secure Shia interest in Pakistan.³²⁴

11.1. Shia

The main groups within the Shias of Pakistan are Tehreek-e Nifaz-e Fiqh-e Jafria (TNFJ) led by Hamid Ali Shah Mousavi of Ali Masjid Rawalpindi, Tehreek-e Jafria (TeJ) AKA Tehreek-e Islami (Tel), led by Allama Sajid Naqvi and the relatively newly formed Majlis-e Wahdat-ul-Muslimeen (MWM), led by Allama Nasir Abbas and Ameen Shaheedi. The differences between these groups are political rather than ideological. The leadership of these groups have differences with one other and all of them aspire to be the main leader of the Shia sect in Pakistan. No violence among these groups has been reported thus far. The first among these groups, TNJF, is reported to be locally funded by Shias and has no known financial support from Iran. However, as with Shias elsewhere in the world, they take their ideological guidance from Iran. The other two groups mentioned above receive both financial assistance and ideological guidance from Iran and, as such, have to face the wrath of Sunni sectarian groups, allegedly backed by the Pakistani establishment.³²⁵

³¹⁹ Interview with local expert, 30.7.2015, Islamabad; Email correspondence with local expert, 1.9.2015

³²⁰ Interview with a representative of PIPS, 28.7.2015, Islamabad

³²¹ Interview with a representative of PIPS, 28.7.2015, Islamabad

³²² Interview with local expert, 30.7.2015, Islamabad

³²³ Interview with local expert, 30.7.2015, Islamabad

³²⁴ Email correspondence with a representative of FATA Research Centre, 28.8.2015

³²⁵ Email correspondence with a representative of FATA Research Centre, 28.8.2015

11.1.1. Hazara

Sectarian tension in Hazara town – an area of Quetta - exists.³²⁶ It is important to note that sectarian violence has been reduced, although chances of violent outbreak still exist.³²⁷ Hazara are considered Pakistanis. They are in danger because they are easily recognizable, as their dress code and facial features distinguish them. They tend to be highly educated and are Shiites. Overall, more than 20 percent of the population in Pakistan is Shia.³²⁸ Many Hazara with financial means move to Islamabad.³²⁹

Targeted killings exist and those who have been particularly targeted include pilgrims, religious places and worshipping places. The government is taking steps to provide security, which has led to a reduction in sectarian incidents. According to a representative of PIPS, “Sunni leaders and Shia leaders kill each other”.³³⁰



Members of the Shia faith expressing their religious beliefs³³¹

11.2. Ahmadiyya

The Report on the Fact Finding Mission to Pakistan 2013 of the Austrian Federal Asylum Agency and the chapter on religious minorities in “regiones et res publicae” contain a more detailed overview of the background and situation of the Ahmadiyya community in Pakistan. In this chapter, the emphasis is merely placed on updating current situation of the Ahmadis.³³²

³²⁶ Interview with a representative of PIPS, 28.7.2015, Islamabad

³²⁷ Interview with a representative of PIPS, 28.7.2015, Islamabad

³²⁸ Interview with a representative of PIPS, 28.7.2015, Islamabad

³²⁹ Interview with a representative of PIPS, 28.7.2015, Islamabad

³³⁰ Interview with a representative of PIPS, 28.7.2015, Islamabad

³³¹ The name of Ali is displayed to show that they are Shiites.

³³² Austrian Federal Asylum Agency (6.2013): Report on Fact Finding Mission – Pakistan, Religious Minorities, http://www.ecoi.net/file_upload/1729_1374674206_ffm-bericht-pakistan-2013-06.pdf, accessed 1.9.2015; Schrott, Martina (10.2014): Religious minorities. In: Taucher/Vogl/Webinger: regiones et res publicae. Pakistan – Challenges & Perspectives, [http://www.bfa.gv.at/files/broschueren/Buch%20komplett%20\(Onlineversion\)%206,23MB.pdf](http://www.bfa.gv.at/files/broschueren/Buch%20komplett%20(Onlineversion)%206,23MB.pdf), accessed 21.8.2015

A local expert stated that Ahmadis – as all other minorities – are being targeted. Nevertheless, the situation is improving slightly.³³³

According to representatives of the Ahmadiyya community, 248 Ahmadis have been killed because of their faith since the promulgation of Ordinance XX of 1984. This includes targeted killings as well as large-scale attacks on places of worship. Less than 5 percent of the assailants have been prosecuted by the authorities.³³⁴ In 2014, eleven Ahmadis were killed for their faith and two Ahmadiyya mosques were demolished. Furthermore, a riot in 2014 in Gjurawala led to an arson attack in which three Ahmadi females, including a 7-month old were killed.³³⁵

11.2.1. Blasphemy law

Pakistani criminal law imposes penalties for blasphemy. § 295 C, entitled “Insulting the Prophet”, provides for the death sentence, although this has never been carried out for blasphemy. However, lengthy incarceration can be imposed as a penalty. For instance, a sentence of up to life imprisonment can be handed down for contravention of § 295 B, regulating desecration of the Koran, and a sentence of up to 10 years can be imposed for contravention of § 295 A, entitled “Injuring religious feelings”.³³⁶

Lower courts and higher courts often interpret the anti-Ahmadi laws very extensively. For instance, the Supreme Court, in its judgement in 1993, found that an Ahmadi who displays any commitment to the Islamic Creed commits blasphemy against the holy prophet. With such loose definitions of “blasphemy” and the approach of the Supreme Court, many Ahmadis have felt the harshness of the blasphemy laws.³³⁷ Nevertheless, according to representatives of the Ahmadiyya community, fair judges do exist in Pakistan, which has led to the acquittals of certain Ahmadis.³³⁸

³³³ Interview with local expert, 30.7.2015, Islamabad

³³⁴ Interview with representatives of Ahmadiyya community, 29.7.2015, Islamabad.

³³⁵ The Persecution of Ahmadis (31.12.2014): Report on the persecution of Ahmadis in Pakistan, <https://www.persecutionofahmadis.org/wp-content/uploads/2010/03/Persecution-of-Ahmadis-in-Pakistan-2014.pdf>, accessed 1.9.2015

³³⁶ Schrott, Martina (10.2014): Religious minorities. In: Taucher/Vogl/Webinger: regiones et res publicae. Pakistan – Challenges & Perspectives, [http://www.bfa.gv.at/files/broschueren/Buch%20komplett%20\(Onlineversion\)%206.23MB.pdf](http://www.bfa.gv.at/files/broschueren/Buch%20komplett%20(Onlineversion)%206.23MB.pdf), accessed 21.8.2015

³³⁷ The Persecution of Ahmadis (31.12.2014): Report on the persecution of Ahmadis in Pakistan, <https://www.persecutionofahmadis.org/wp-content/uploads/2010/03/Persecution-of-Ahmadis-in-Pakistan-2014.pdf>, accessed 1.9.2015

³³⁸ Interview with representatives of Ahmadiyya community, 29.7.2015, Islamabad; see also, for example: Supreme Court Pakistan (19.6.2014): S.M.C. NO. 1 OF 2014 ETC., http://www.supremecourt.gov.pk/web/user_files/File/smc_1_2014.pdf, accessed 1.9.2015

According to representatives of and a report published by the Ahmadiyya community, religious-based arrests and persecution are on-going. Many Ahmadis have faced charges under the Ahmadi-specific laws, blasphemy laws and other laws on faith-related issues.³³⁹

Updated Statistics of the Police Cases
registered against Ahmadis on religious grounds, in Pakistan
 (From April 1984 to Dec 31, 2014)

NO.	Description of cases	Total number of cases
1	Number of Ahmadis booked for displaying Kalima, i.e. <i>“There is none worthy of worship except Allah, Muhammad is the Messenger of Allah”</i>	765
2	Number of Ahmadis booked for calling <i>Azan</i> , call to prayers	38
3	Number of Ahmadis booked for ‘posing’ as Muslims	447
4	Number of Ahmadis booked for using Islamic epithets	161
5	Number of Ahmadis booked for offering prayers	93
6	Number of Ahmadis booked for preaching	796
7	Number of Ahmadis booked for celebrating Ahmadiyya Centenary in 1989	27
8	Number of Ahmadis booked for celebrating 100 years’ anniversary of the eclipses of sun & moon that occurred in 1894 as a sign for the Promised Mahdi, i.e. Founder of the Ahmadiyya Community	50
9	Number of Ahmadis booked for distributing a pamphlet ‘ <i>Ek Harf-e-Nasihana</i> ’ i.e. ‘A Word of Advice’ commenting upon anti-Ahmadiyya Ordinance XX	27
10	Number of Ahmadis booked for distributing “ <i>Mubahala</i> ” pamphlet, i.e. A challenge to the opponents for prayer duel	148
11	Number of Ahmadis booked for allegedly defiling the Holy Quran	45
12	Various other cases against Ahmadis on religious grounds	1065
13	Number of Ahmadis charged under the “Blasphemy Law”, i.e. PPC 295-C	303
14	Former Supreme Head of the Community while living in London was charged in his absence in sixteen cases.	16
15	Present Supreme Head of the Community while living in London	2
16	The entire population of Rabwah i.e. Ahmadiyya headquarters in Pakistan was charged under section PPC 298-C on 15-12-1989, and again on June 8, 2008. (Population of Rabwah is approximately sixty thousand.)	
17	A case against the entire Ahmadi population of Ahmadis in Kotli, was registered for taking up repairs and improvement in their mosque in 2008	

Report on the persecution of Ahmadis in Pakistan³⁴⁰

A Mullah was recently convicted and sentenced to imprisonment for delivering hate speech against the Ahmadiyya community.³⁴¹ Similarly, the anti-terrorism court sentenced a prayer leader to five years in jail for using a hate speech at a public gathering. The prosecution was

³³⁹ Interview with representatives of Ahmadiyya community, 29.7.2015, Islamabad; see also Persecution (31.12.2014): Report on the persecution of Ahmadis in Pakistan, <https://www.persecutionofahmadis.org/wp-content/uploads/2010/03/Persecution-of-Ahmadis-in-Pakistan-2014.pdf>, accessed 1.9.2015

³⁴⁰ The Persecution of Ahmadis (31.12.2014): Report on the persecution of Ahmadis in Pakistan, <https://www.persecutionofahmadis.org/wp-content/uploads/2010/03/Persecution-of-Ahmadis-in-Pakistan-2014.pdf>, accessed 1.9.2015

³⁴¹ Interview with representatives of Ahmadiyya community, 29.7.2015, Islamabad; see also DAWN (20.5.2015): Prayer leader gets 10-year jail for hate speech, <http://www.dawn.com/news/1183023>, accessed 18.8.2015

initially brought under Section 9 of the Anti-Terrorism Act. The prosecution stated that the prayer leader was inciting people against a certain religious sect, and that he was arrested at the time that the alleged crime was committed. Furthermore, an official stated that this year, 21 people have been convicted and sentenced for hate speech.³⁴²

11.2.2. Publications and display

Ordinance XX of 1984, which was enacted as law, imposes a ban on all Ahmadiyya publications. Furthermore, the community's daily paper was banned for four years. The press of the community is confronted with obstacles. For instance, Ahmadis are not allowed to use Arabic words like "Inshallah" (God willing) etc. or to reprint Quranic verses. Furthermore, Ahmadi publications have to be hidden and cannot be displayed, even in Ahmadi homes.³⁴³

11.2.3. Education

There have been cases in which Ahmadi students have encountered problems in public institutions of higher learning and professional education. There are cases where students changed schools for reasons of confidentiality. Occasionally, students leave school following incidents where teachers and non-Ahmadi students incite hatred and even violence takes place.³⁴⁴ Often, religious bigots, together with local mullahs, cause problems for Ahmadi teachers in schools and in public. Sometimes, students join in the anti-Ahmadi sentiment towards those teachers. They implement a social boycott against the Ahmadi teacher and write fabricated complaints to authorities, to which further enquiries follow and false and fake witnesses are used.³⁴⁵

12. Medical treatment in Pakistan

One of the interviewed doctors of the Rawalpindi Leprosy hospital stated that in principle all medical problems could be solved in Pakistan.³⁴⁶

³⁴² DAWN (20.5.2015): Prayer leader gets 10-year jail for hate speech, <http://www.dawn.com/news/1183023>, accessed 18.8.2015

³⁴³ Schrott, Martina (10.2014): Religious minorities. In: Taucher/Vogl/Webinger: regiones et res publicae. Pakistan – Challenges & Perspectives, [http://www.bfa.gv.at/files/broschueren/Buch%20komplett%20\(Onlineversion\)%206,23MB.pdf](http://www.bfa.gv.at/files/broschueren/Buch%20komplett%20(Onlineversion)%206,23MB.pdf), accessed 21.8.2015; Interview with representatives of Ahmadiyya community, 29.7.2015, Islamabad

³⁴⁴ Interview with representatives of Ahmadiyya community, 29.7.2015, Islamabad

³⁴⁵ The Persecution of Ahmadis (31.12.2014): Report on the persecution of Ahmadis in Pakistan, <https://www.persecutionofahmadis.org/wp-content/uploads/2010/03/Persecution-of-Ahmadis-in-Pakistan-2014.pdf>, accessed 1.9.2015

³⁴⁶ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi



Centre for Liver Diseases & Organ Transplant and a Diabetic Centre at Pakistan Institute for Medical Sciences

A three-tier medical system exists in Pakistan:

1. Basic Health Units in villages, as well as rural health centres;
2. Tehsil (district)-level, where hospitals exist. These are so called Tehsil headquarter hospitals and district headquarter hospitals; and
3. Tertiary care hospital: these are university hospitals, teaching hospitals, and general hospitals.³⁴⁷



Pakistan Institute for Medical Sciences

The standard of medical care depends heavily on the clan of the patient. If the clan is actively supportive, then it is possible to find the best treatment option(s). It is important to be proactive in Pakistan when it comes to these treatment options, more so than in other countries. The clan or the family is responsible, among other things, for research into the

³⁴⁷ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

different options for the costs of an operation, the location for the operation and so on. Furthermore, the patients occupy far less time in hospital beds in Pakistan. It is important that the family of the patient cares for the patient, as patient care is not extensive at Pakistani hospitals, as there is insufficient staff and the beds have to be made available for further patients. Relatives must care for the patient and the family is trained by the nurse. Furthermore, sanitation of the patient is the family's job. The cohesion of the family in Pakistan is very strong.³⁴⁸ Insurance programs that are common in Western countries, such as medical insurance schemes are only available to a limited extent.³⁴⁹



Rawalpindi Institute of Cardiology

All medical check-ups/examinations are possible at a professional physician. For example, patients with diabetes will be referred to the relevant clinics, at which they will receive treatment and even insulin free of charge. As open fireplaces are common in Pakistan, there are many more burn units in hospitals. According to the representative of the Rawalpindi Leprosy Hospital, treatment for scars resulting from burns is available. In principle, every treatment is possible and locatable. Nonetheless, services are not being actively offered.³⁵⁰

Furthermore, medical tools have developed in Pakistan. Medical resources that were impossible to obtain in the past can now be acquired in the country. A Rawalpindi Leprosy Hospital Representative told us that “[n]othing is being imported – everything is available in Pakistan”.³⁵¹

³⁴⁸ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

³⁴⁹ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

³⁵⁰ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

³⁵¹ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

According to the representative, the number of medical facilities varies in the different areas of Pakistan. In this regard, the province of Punjab is better equipped than other provinces. Balochistan, for example, has fewer medical institutions. The northern areas are more isolated with regard to medical facilities and their availability. Accordingly, supply gaps exist.³⁵²

The best institutions for treatment are offered by the military. They are very well organized and the quality is very high. Civilians can also receive treatment there, although it is not free of charge.³⁵³

Public hospitals do not have sufficient capacity for the population in Pakistan. Many medical issues cannot be treated free of charge. For instance, patients receive a list of things that are needed for the medical procedure, which can be obtained at so called “chemist shops” that can be found around hospitals. The products are sterile, and usually patients themselves have to obtain them and pay for the products. Sometimes, depending how well organized a hospital is, it provides patients with the products or supports the patients in obtaining them.³⁵⁴



Pharmacy and chemist stores near P.I.M.S in Islamabad

³⁵² Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

³⁵³ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

³⁵⁴ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

12.1. Quality of education and medical staff

The majority of medical staff who work at private hospitals also moonlight at a public hospital. According to the interviewed medical expert, “[t]he government is engaged in regulating the situation.” In Punjab, the medical personnel is being monitored, as so-called “ghost departments” in hospitals have existed. The situation in that regard however has improved.³⁵⁵

12.1.1. Physicians

A great number of private and public universities exist, while State institutions possess higher quality as higher grades are required to gain admission. *Numerus clausus* restrictions exist in Pakistan.³⁵⁶

12.1.2. Nurses

The profession of a nurse is one that is derided, which is problematic. The government has raised wages to increase the number of nurses. Many nurses belong to the Christian minority.³⁵⁷

The quality of professional training differs. Regardless of the standard of training, all schools are overcrowded. Medical studies are completed with a Bachelor’s degree.³⁵⁸

³⁵⁵ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

³⁵⁶ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

³⁵⁷ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

³⁵⁸ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

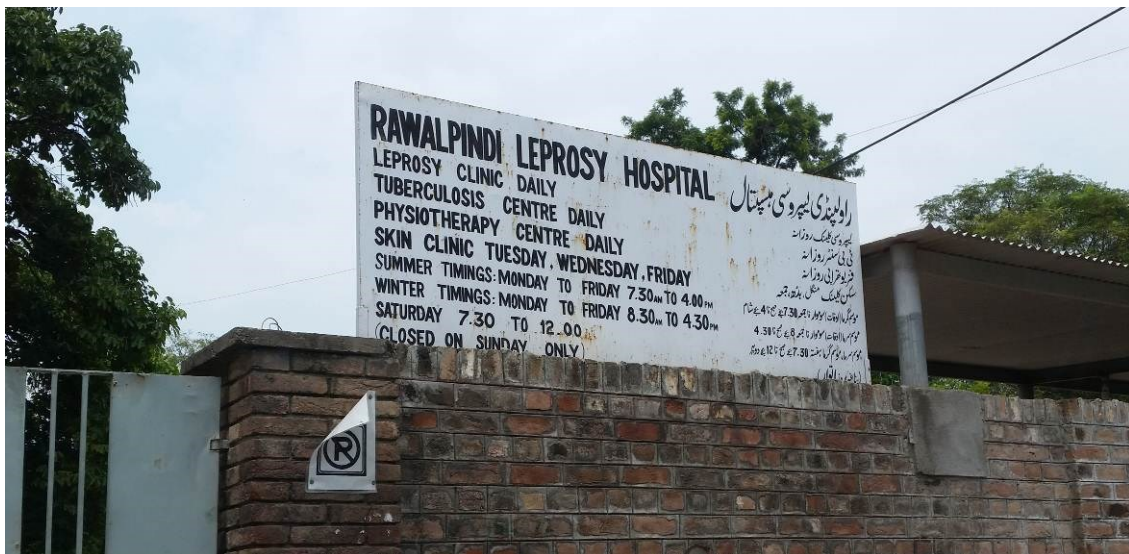


Nurses at P.I.M.S

12.1.3. Paramedical education

According to a representative of Rawalpindi Leprosy Hospital, professional training in paramedical studies³⁵⁹ is excellent. Graduates are very competent in their practical work, and they often work in “lady health units” as assistant nurses.³⁶⁰

12.2. Rawalpindi Leprosy Hospital



Rawalpindi Leprosy Hospital

³⁵⁹ Services and professions which assist medical professionals.

³⁶⁰ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

The Rawalpindi Leprosy Hospital has 97 beds, and tuberculosis (TB) control was added to the list of services provided. Leprosy and TB stem from the same pathogen. This means the hospital functions as a diagnostic centre for TB as well. A laboratory, an X-ray machine and the TB treatment is all free of charge. The district of Rawalpindi supplies the hospital with medication, and in return, the hospital provides the district of Rawalpindi with statistical data.³⁶¹

While multi-resistant TB exists, Pakistan has centres for treatment thereof. A “Memorandum of Understanding” with the government is in place that has brought national TB programs to life. The treatment of TB is 6 months with 4 types of antibiotics, and the treatment of multi-resistant TB is 22 months with up to 6-7 antibiotics.

The treatment of leprosy has completely changed, as it was observed that if treated in the early stages of the disease, the damage to the nerves could be controlled. However, the true challenge lies in improving the quality of the health system. A control programme or system run the State is needed. Pakistan has taken a unique approach in this regard: the number of people infected with TB is high, whereas the number of people infected with leprosy was low. 500 people are infected with leprosy every year, whereas 400,000 new cases of TB are reported annually. In response, Pakistan decided to merge the treatment of leprosy and TB and integrate primary eye care into leprosy treatment as leprosy attacks the eyes. This approach has been followed since 1994.³⁶²

The focus of the Rawalpindi Leprosy Hospital is the Northern half of the country. This is composed of Punjab, Kashmir, Khyber Pakhtunkhwa and Gilgit Baltistan. The *modus operandi* of the hospital is that a particular staff member is responsible for a particular area. On days where no leprosy treatments are scheduled, the person assists at the Basic Health Units (BHU) of the area. The employees work on the Tier 1 scale (see: Chapter 11). According to a representative of the Rawalpindi Leprosy Hospital, the programme is very good as many diseases are discovered on this level, and patients are referred to designated physicians or hospitals.³⁶³

12.2.1. Skin clinic

In 1978, a skin clinic was established without the support of the government. The skin clinic is not free of charge. However, the treatment costs as much as a person in need can afford. The same system is in place for physiotherapy treatment. The cost for a treatment card is

³⁶¹ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

³⁶² Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

³⁶³ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

PKR 200. The treatment card is valid for one year, and the patient can come as often as needed. The drugs have to be bought by the patients but they do not have to pay a treatment fee. The drugs can be purchased at the pharmacy owned by the hospital. The drugs are cheaper than at pharmacies outside the hospital and often consist of a generic version. Furthermore, they also produce ointments. The training of physicians enjoys an important role as they can direct whether the treatment is cheaper or more expensive.³⁶⁴

In Pakistan, dermatology is strongly connected to cosmetology, which in turn is connected to beautiful skin and skin bleaching. It is important to note that this is not the case with this particular skin clinic. The clinic is for people who are not able to afford treatment. In contrast to this clinic, the clientele of a dermatologist tend to be from the upper third of Pakistani society.³⁶⁵

In 2013, approximately 600 leprosy patients, 1,800 skin patients, 550 TB patients, 800 patients for physical therapy and around 230,000 eye patients have benefited from the services of the Rawalpindi Leprosy Hospital and the Aid to Leprosy patients. The main donors are the German leprosy and Tuberculosis Relief Association, the Christoffel Blindenmission Germany and Light for the World Austria. The Hospital also receives contributions from private local and foreign donors.³⁶⁶

³⁶⁴ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

³⁶⁵ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

³⁶⁶ Interview with a representative of the Rawalpindi Leprosy Hospital, 31.7.2015, Rawalpindi

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