

## PAKISTAN'S COUNTERTERRORISM STRATEGY: A CRITICAL OVERVIEW

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### Abstract

*This paper is an effort to critically evaluate Pakistan's counterterrorism strategy, based on both military and non-military means. The paper argues that the counterterrorism strategy of Pakistan has proved ineffective and counter-productive to combat the home-grown threat of terrorism, unleashed by militant sectarian groups, following the Takfiri ideology. Although Pakistan's Military claims that the latest on-going security operations, Zarb-e-Azb in North Waziristan and Khyber-II in Khyber Agency, have succeeded in clearing most of the area, however, the matter of fact is that the security operations have not considerably damaged the ability of terrorists, particularly the Tehrik Taliban Pakistan (TTP), to plan and execute terrorist attacks. The terrorists' network, their strength and structure have until now remained intact. The key to long-term prevention of terrorism, beyond security operations for clearing any area of the militants, is to discontinue the supply chain of terrorists. This requires the creation of a new counter-extremism religious narrative, which will help re-formulate a concrete and effective counter-terrorism strategy of Pakistan to ensure domestic peace and security.*

**Keywords:** terrorism, military operation, *Jihad*, Islamic ideology, *Zarb-e-Azab*, political instability

### Introduction

On 13<sup>th</sup> May 2015, the Ismaili Shiite community was targeted in Safoora Goth, Karachi, in one of the most organized and ruthless terrorist attacks in the history of the city, killing 43 commuters.<sup>1</sup> According to Raja Umer Khattab, an official of the Counter-Terrorism Department of Sindh Police, the militants, who were involved in the incident, were inspired by the Islamic State (IS) and wanted to establish their link with it.<sup>2</sup> Although the investigations in the case are in progress, and five suspects have been arrested, the matter of the fact is that since 9/11, Pakistan has been experiencing acute internal security problems in the form of growing anti-state and sectarian terrorism, unleashed by the domestic network of terrorist sectarian and Jihadi outfits, following the Deobandi Takfiri ideology that not only emphasizes on a strict interpretation of Islam, but also declares those Muslims non-believers who do not follow such an interpretation.

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<sup>1</sup> *Dawn*, 14 May 2015.

<sup>2</sup> *Dawn*, 2 July 2015.

It is true that the military operations in Pakistan's tribal areas have shattered the terrorist network of Al-Qaeda and the Tehrik Taliban Pakistan (TTP), however, the matter of fact is that the security operations have not considerably damaged the ability of terrorists, particularly the TTP, to plan and execute terrorist attacks. The terrorists' network, their strength and structure have so far remained intact. Moreover, these operations also have not reduced the bigger threat, which is now emanating *from* the TTP-linked urban-based militant sectarian groups. There is a need to construct an ideological counterpart to military operations in order to rein in Islamist militancy. Eradicating terrorists will not suffice in eliminating terrorism. There is also a need to uproot the jihadist ideology and replace it with a moderate, all-encompassing, pluralistic alternate.

Since the counterterrorism strategy of Pakistan has until now remained ineffective for destroying the network of domestic terrorist groups, its success mainly depends upon taking strong measures to neutralize violent extremist ideology that creates ideologically-motivated hardcore terrorists. These measures include: reforming madrasas that have become the nurseries of extremism and terrorism; establishing punitive regime by improving the criminal justice system and further strengthening the anti-terrorism regime; introducing reforms in the Federally Administered Tribal Areas (FATA); introducing reforms in the public education sector that promotes religious hatred and enemy image of neighboring countries; and the most important one is re-defining country's India-centric national security paradigm, which embarks upon seeking support from militant Jihadi groups.

Analyzing Pakistan's counter-terrorism strategy, this paper assesses the measures, which have so far taken by the Pakistani State to fight the home-based militant Jihadi and sectarian outfits, inspired by the Takfiri ideology. The paper is divided into five parts. The first part discusses the Takfiri ideology in view of various developments which occurred in the Muslim World. The second part deals with Pakistan-based militant Jihadi and sectarian groups that follow the Takfiri ideology. The third part analyzes Pakistan's counterterrorism strategy. It is then followed by an evaluation of the strategy. And the last part gives recommendations to devise an effective counterterrorism strategy of Pakistan.

### **The ideological thesis of Takfir**

Takfir is an act of a Muslim excommunicating another person or group, where the target is usually apostatized before is being killed. It means that the person or group first undergoes the process of Takfir before it is being targeted. According to Olivier Roy, 'The proponents of Takfir usually support jihad as a permanent and individual duty, for the very reason that there is no longer a true Islamic ruler or even a true ummah that could call for Jihad.'<sup>3</sup> In other words, since Jihad cannot be waged against Muslims, the act of Takfir is the first and the most important step of Jihadism, whose ideological superstructure is based on religious superiority.<sup>4</sup>

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<sup>3</sup> Olivier Roy, *Globalized Islam: The Search for a New Ummah* (Lahore: Alhamra, 2004), p.244.

<sup>4</sup>*The Nation*, 16 April, 2015.

Takfiris are highly influenced by the writings of the 13<sup>th</sup> century Hanbali theologian, Ibn Taymiyyah, who “for the first time aggressively practiced the principle of Takfir to recognize Muslim resistance against the Tartars, and [also] against those Muslims who placed obstacles in the way of Islamic resistance against the invaders.”<sup>5</sup> To him, Jihad was justified against the domestic rulers who did not obey the Shariah (Islamic Law). Later on, during the 20<sup>th</sup> century, some radical Islamists used this pretext and launched movements against their own rulers, whom they considered as westernized autocratic rulers who did not practice Islam.<sup>6</sup>

Four major developments in the Muslim World in the late 1970s and early 1980s persuaded the Islamists to assert their power in the domestic, regional and international politics. First, Iran’s Islamic Revolution in February 1979 not only toppled the pro-West Shah’s regime, and consequently, threatened the status-quo oriented Arab monarchies and Israel, but also created enthusiasm among the Islamists, even though they belonged to different and opposing sects, to bring such a revolution in their own countries. Second, the siege of Mecca’s Grand Mosque in November 1979 demonstrated resentment against the Saudi Royal family, which is also the custodian of the Holy places of Islam – Mecca and Medina. Although the rebellion was brutally suppressed, it provided zeal and ideological inspiration to the Islamists, particularly thousands of Muslim youth to wage ‘Jihad’ against an ‘atheist’ state on behalf of the ‘Muslim’ state, when in December 1979, the Soviet Union invaded Afghanistan, a third development occurred in the Muslim World that intensified the Islamists’ struggle to revive the institution of Caliphate. And finally, the assassination of Egyptian President, Anwar al-Sadat, in 1981, demonstrated a disapproval of a Muslim ruler, who made peace with an enemy state, i.e., Israel, which had occupied the territory of the Muslims.

According to Saleem Shahzad, “In this highly charged ultra-radical political atmosphere a new generation of radical Muslims was reared.”<sup>7</sup> The Afghan war provided an opportunity to these highly charged radicals to not only make themselves battle-hardened Jihadis, but also mingle with each other and get influenced by their ideas. Several thousand Pakistanis, who mostly belonged to various Deobandi madrasas, religio-political parties, such as the JI, Jamiat Ulema-e-Islam – Fazlur-Rehman Group (JUI-F) and Jamiat Ulema-e-Islam – Sami-ul-Haq Group (JUI-S), and militant Jihadi and sectarian outfits, such as, the Harkat-ul-Jihadi-i-Islami (HUJI) and the Sipah-e-Sahaba Pakistan (SSP), also waged the Afghan ‘Jihad’ along with the Arab ‘Mujahideen’. It is noted that it was the Afghan war from where Al-Qaeda had emerged, though in a very rudimentary form.

The Soviet withdrawal from Afghanistan and later disintegration in December 1991 was considered a great victory by the Islamists, who were now very enthusiastic to celebrate

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<sup>5</sup> Syed Saleem Shahzad, *Inside Al Qaeda and the Taliban: Beyond Bin Laden and 9/11* (London: Pluto, 2011), p.147.

<sup>6</sup> Naeem Ahmed, "Extremist Right-Wing Terrorist Groups" in *Beacham's Encyclopedia of Terrorism: Hostility, Conflict and Political Aggression in the 21st Century*, 2011. <http://www.trackingterrorism.org/article/right-wing-conservative-terrorist-groups> (Last accessed: 23 February, 2016).

<sup>7</sup> Syed Saleem Shahzad, *Inside Al Qaeda and the Taliban*, p.132.

the triumph as, claimed by them, they had defeated one of the super powers. However, the Gulf war (1990-91) changed the whole Islamists' discourse. Saudi Arabia and other weaker Arab states, such as, Kuwait and Jordan, sought the US' assistance to drive the Iraqi forces out of Kuwait as well ensuring their own security vis-à-vis Saddam Hussain's Iraq. The presence of American forces in the Muslim holy land was a turning point from where the Islamists took up arms not only against the West, including the US, but also against their own rulers, who were considered as the allies of the west against a Muslim country – Iraq – and, thus, were declared apostate. Later on, the 9/11 incident and as a result the US' invasion of Afghanistan, being supported by Pakistan with significant logistical assistance, set the stage, what Shahzad opines, for the division between the Muslim state and the Muslim militants.<sup>8</sup>

In terms of ideology, Al-Qaeda is the current and continued manifestation of the radical ideas of IbnTaymiyyah. The Pan-Islamism is an important part of Al-Qaeda's worldwide campaign. The main ingredients of this campaign are based on anti-Americanism and overthrowing the ruling elite of the Muslim World. In Al-Qaeda's juridical bifurcation of the world into 'Dar-ul-Harb' and 'Dar-ul-Islam', the Muslim states fall into the former category. States like Saudi Arabia, Egypt and Pakistan are the 'allies of Satan', because the ruling elite in these countries are the allies of the US.<sup>9</sup>

Shahzad views that Al-Qaeda organized the 9/11 attacks in order to provoke the US to target Afghanistan, which would follow a certain Muslim backlash and would eventually lead to a direct conflict between the Muslim World and the West. Moreover, the second objective of Al-Qaeda, Shahzad opines, was to discredit the Muslim ruling regimes by creating contradictions inherent in their political alliances with the West, and once that allegiance was exposed, Takfir would be the important weapon to isolate the Muslim rulers from their masses,<sup>10</sup> who would be enraged by the atrocities of the US-led coalition of forces against a Muslim country, Afghanistan, and later on Iraq.

### **An overview of Pakistan-based militant Deobandi Takfiri groups**

There are numerous Deobandi Takfiri militant groups operating in Pakistan. According to Ayesha Siddiq:

The Deobandi militants refer to jihadi outfits, who subscribe to and are guided by Deobandi ideology, which, in turn derives its strength from the revivalist movement started in Deoband, India by a Muslim scholar Shah Waliullah (1703-1762). The movement aimed at reforming Islamic practices with the purpose of improving the depravation and poor conditions of Muslims. One of the ideas was to stop people from Sufi practices which were seen as taking Muslims away from Islam.<sup>11</sup>

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<sup>8</sup> *Ibid.*

<sup>9</sup> Naeem Ahmed, "Extremist Right-Wing Terrorist Groups."

<sup>10</sup> Syed Saleem Shahzad, *Inside Al Qaeda and the Taliban*, p.138.

<sup>11</sup> Ayesha Siddiq, 'The New Frontiers: Militancy and Radicalism in Punjab', SISA Report no. 2 (2013), pp.5-6.

Later on, this ideology was employed in the Afghan war in the 1980s to motivate people in the name of 'Jihad' against the Soviet Union. Moreover, it was also used to counter Shiite's growing assertion, which was inspired by the Iranian Revolution, in Pakistan. Frédéric Grare views that the Wahhabi Jamaat Ulema-e-Ahl-e-Hadith (Society of the Ulema of 'the People of the Hadith') was the first Sunni sectarian organization that launched an anti-Shiite movement in Punjab after the Iranian Revolution. It not only denounced Shiism as heresy but also questioned the loyalty of the Shiites with Pakistan.<sup>12</sup> The group soon lost its importance.

Two major Pakistan-based Deobandi militant outfits, which were established in the 1980s and played a significant role in the Afghan war, were: the HUJI and the SSP. The HUJI was founded in the early 1980s by Qari Saifullah Akhtar. Belonged to the Deobandi school of thought, the HuJI describes itself as "second line of defence for every Muslim", with an aim to establish Islamic rule by waging war.<sup>13</sup> Qari's Harkat had very close links with the Afghan Taliban. Even he was a vital figure in Mufti Nizamuddin Shamzai's efforts to get bin Laden and Mullah Omar together as partners-in-jihad.<sup>14</sup>

The other militant Sunni-Deobandi outfit was the SSP, which also fought in Afghanistan, but has traditionally focused upon targeting the Shiites. It was formed in 1985 by late Maulana Haq Nawaz Jhangvi, the vice-president of Jamiat Ulema-e-Islam (JUI-F), Punjab, who was the first Pakistani cleric to demand publically that Shiites be declared a non-Muslim minority.<sup>15</sup> The main reason behind the creation of the SSP was to counter the rising influence of Shiites in Pakistan and the region, particularly after the Iranian Revolution in 1979. The SSP had also established its links with Al-Qaeda during the Afghan War.<sup>16</sup> The group has also operated as a political party and contested elections. The SSP was banned in 2002. However, it resurfaced with a new name of Ahl-e-Sunnat Wal-Jama'at (ASWJ).

Nevertheless, a dissident group emerged in the SSP in 1996 when its Central Secretary Broadcast, Riaz Basra, founded the Lashkar-e-Jhangvi (LeJ). Basra believed that the SSP had abandoned the mission of Maulana Jhangvi. The LeJ has also links with the Taliban and Al-Qaeda, and it also used Al-Qaeda terrorist camps in Afghanistan.<sup>17</sup> Siddiqa views that it is due to the sectarian ideology of the Deobandi militant groups – the SSP, LeJ and their various offshoots, such as, Harkat-ul-Mujahideen (HuM) and Harkat-ul-Ansar (HuA) – that they are viewed as a security risk.<sup>18</sup> She further views that

<sup>12</sup>Frédéric Grare, 'The Evolution of Sectarian Conflicts in Pakistan and the Ever-Changing Face of Islamic Violence', *Journal of South Asian Studies*, Vol. 30, No.1 (April 2007), p.129.

<sup>13</sup>*Harkat-ul-Jihad-i-Islami, 2012*. Available from:

<[http://www.satp.org/satporgtp/countries/india/states/jandk/terrorist\\_outfits/HuJI.htm](http://www.satp.org/satporgtp/countries/india/states/jandk/terrorist_outfits/HuJI.htm)>[Last accessed: 23 August 2015].

<sup>14</sup>*Daily Times*, 9 August 2004.

<sup>15</sup> Frédéric Grare, 'The Evolution of Sectarian Conflicts in Pakistan and the Ever-Changing Face of Islamic Violence' p.130.

<sup>16</sup> Ayesha Siddiqa, 'The New Frontiers: Militancy and Radicalism in Punjab', p.6.

<sup>17</sup> Anne Stenersen, 'Are the Afghan Taliban involved in International Terrorism', *CTC Sentinel*, Vol. 2, Issue 9, 2009, p. 12. Available from: <[www.mercury.ethz.ch/serviceengine/Files/.../CTCSentinel-Vol2Iss9.pdf](http://www.mercury.ethz.ch/serviceengine/Files/.../CTCSentinel-Vol2Iss9.pdf)>[Last accessed: 6 May 2015].

<sup>18</sup> Ayesha Siddiqa, 'The New Frontiers: Militancy and Radicalism in Punjab.'

the LeJ is considered as a lynchpin of Al-Qaeda, and this was probably one of the reasons that Pakistan's intelligence agencies created Jaish-e-Mohammad (JeM) in 2000 by dividing the HuM.<sup>19</sup> Although the JeM mainly focuses on Kashmir, it has also a broader agenda, which is to some extent close to Al-Qaeda's global vision. While speaking at a mosque in Karachi in January 2000, Maulana Masud Azhar vowed to destroy India and the United States. He said, 'We will not rest in peace until India and America are destroyed.'<sup>20</sup> He further said, 'The liberation of Kashmir is a part of our main objective of destroying India.'<sup>21</sup> Moreover, the JeM also established its links with the SSP, whose former Amir, Maulana Azam Tariq, had promised full support to the JeM.<sup>22</sup> Maulana Tariq helped JeM in establishing new mosques and recruitment centers for those desirous of fighting in Kashmir.<sup>23</sup>

The most notorious terrorist group, the TTP, which has carried out deadly attacks on the military and civilian installations and the people of Pakistan, was created by Baitullah Mehsud in December 2007. Presently led by Mullah Fazlullah, son-in-law of Tehrik-e-Nifaz-e-Shariat Mohammedi's Maulana Sufi Mohammad, the TTP is a conglomerate of various militant Jihadi and sectarian groups. The aim of the TTP is "to enforce Shariah and to unite against the NATO forces in Afghanistan and do defensive Jihad against the Pakistan army."<sup>24</sup> Although the TTP has shown its allegiance to Mullah Omar, former supreme leader of Taliban, it never merged into the organizational structure of the Afghan Taliban; rather it established a separate identity.<sup>25</sup> The TTP, today, is facing a two-pronged threat for its survival: one, the comprehensive security operation, particularly the Zarb-e-Azb (name of the sword of the Holy Prophet), in North Waziristan, and the frequent US' drone attacks have considerably shattered the strength and infrastructure of the TTP in the FATA region; and two, the major splits in the ranks of the TTP, as many commanders have joined the self-styled Islamic State (IS), which has, reportedly, shown its presence in Afghanistan and Pakistan.

The IS has its origins in the current crises in Iraq and Syria, where it built its power on the historic rivalry between Sunni and Shiite Muslims by exploiting the former's anger at the latter-dominated government, which was established after the ouster of Iraq's Saddam Hussain. However, the footprints of the terrorist outfit have emerged in Afghanistan and Pakistan as well. In case of Afghanistan, the IS has gained ground in three Afghan provinces of Nangrahar, Helmand and Ghazni by driving out the Afghan Taliban, thus, making the Afghan civil war more complex and brutal as the latter has been struggling to maintain unity in their ranks amid continuous defections to the

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<sup>19</sup> *Ibid.*

<sup>20</sup> Zahid Hussain, 'In the Shadow of Terrorism', *The Newslite* (February 2000), p.20.

<sup>21</sup> *Ibid.*

<sup>22</sup> Muhammad Amir Rana, *A to Z of Jehadi Organizations in Pakistan* (Lahore: Mashal Books, 2004), p.221.

<sup>23</sup> Imtiaz Gul, *The Unholy Alliance: Pak-Afghan Relations Under the Taliban* (Lahore: Vanguard, 2002), p.104.

<sup>24</sup> *Daily Times*, 16 December, 2007.

<sup>25</sup> Hassan Abbas, 'A Profile of Tehrik-e-Taliban Pakistan', *The CTC Sentinel*, Vol. 1, Issue 2, 2008, pp. 1-3. Available from: <<http://www.ctc.usma.edu/wp-content/uploads/2010/06/Vol1Iss2-Art1.pdf>> [Last accessed: 18 August 2015].

former.<sup>26</sup> It is with reference to this growing threat that the Afghan President, Ashraf Ghani, also sees the IS a greater threat to Afghanistan than the Taliban.<sup>27</sup>

Similarly, with reference to Pakistan, the IS foothold could also be found, though the Pakistani authorities continue to deny the presence of the terrorist group in the country. The Safoora Goth incident is a case in point. Moreover, a close link between the IS and Pakistan-based religious militant groups was established when the breakaway factions of the TTP, which have taken sanctuary in Afghanistan's Nangrahar province, also joined the IS.<sup>28</sup> In October 2014, Shahidullah Shahid, a former spokesman of the TTP who was later on killed in the US drone strike in Nangrahar province in July 2015, along with five other senior TTP leaders declared allegiance to the IS.<sup>29</sup> Unlike Al-Qaeda, the IS uses internet and social media networks to spread its ideology and attract well-educated youth from around the world.

There is another Takfiri terrorist group, known as Jundallah, which mainly operates in Pakistan's Baluchistan province. Linked with Al-Qaeda and the TTP, Jundallah, is an Iranian Baluch dissident group, which was established in 2003.<sup>30</sup> Jundallah advocates the rights of the Iranian Sunni Muslims, and has carried out several terrorist activities in the Iranian Sistan-Baluchistan province.<sup>31</sup> Although Jundallah is mainly active in Iranian Sistan-Baluchistan, 'its footprints have been traced to the Shikarpur terrorist incident, which indicates [an] expansion in its reach.'<sup>32</sup>

### **Pakistan's Counterterrorism Strategy<sup>33</sup>**

In 2014, two major events brought a significant change in Pakistan's counterterrorism strategy: one was the terrorist attack on Karachi's Jinnah International Airport on 8 June that resulted in the launching of a much-awaited security operation 'Zarb-e-Azb' against militants in North Waziristan;<sup>34</sup> and second one was the most fierce attack on the Army Public School (APS) on 16 December in which more than 150 people, including 130 school-children, were killed.<sup>35</sup> The TTP claimed the responsibility of the act. As an immediate response, the government launched the 20-point National Action Plan (NAP),

<sup>26</sup>Zahid Hussain, 'In the Shadow of Terrorism'.

<sup>27</sup>*Ibid.*

<sup>28</sup>*Ibid.*

<sup>29</sup>*The Express Tribune*, 14 October 2014.

<sup>30</sup>Raja Karthikeya, 'Jundallah a wedge between Iran, Pakistan', *Asia Times*, 7 August 2009. Available from: <[http://www.atimes.com/atimes/South\\_Asia/KH07Df04.html](http://www.atimes.com/atimes/South_Asia/KH07Df04.html)> [Last accessed: 29 June 2015].

<sup>31</sup>In May 2009 in a suicide attack inside a mosque in Zahedan, capital of Iran's Sistan-Baluchistan province, 25 people were killed and 130 injured. [Ibid]. In October 2009, in a suicide bombing in Sarbaz, Sistan-Baluchistan, 29 people, including six commanders of the Iranian Revolutionary Guards, were killed. [Manzoor Qadir, 'Pakistan mulls crackdown on Jundallah', *Daily Times*, 19 February 2012]. Similarly, in December 2010, a suicide bomber killed 41 people in Chahbar, a southeastern Iranian province of Sistan-Baluchistan. [*The Guardian*, 15 December 2010]. Moreover, in October 2012, a suicide bomber blew himself up outside a mosque in Chahbar, killing two members of the Basij (volunteer forces). [*The Tehran Times*, 19 October 2012].

<sup>32</sup>Qasim A Moini, 'A major catch', *Dawn*, 6 March 2015.

<sup>33</sup>A major portion of this section has been taken from: Naeem Ahmed, 'Pakistan: In Search of Counterterrorism Strategy?', *BISS Journal*, Vol. 36, no. 1 (January 2015), pp. 61-70.

<sup>34</sup>*Dawn*, 16 June, 2014.

<sup>35</sup>*The News International*, 17 December 2014.

which aimed for establishing the military courts; creating a special anti-terrorism force; prohibiting the armed organization and forbidding to operate the outlawed outfits under a new name; and making the National Counter-Terrorism Authority (NACTA) stronger. Notably, the military courts were given a legal cover under the 21<sup>st</sup> Constitutional Amendment Bill, which was unanimously passed by the Parliament on 6 January 2015.<sup>36</sup>

An analysis of the counterterrorism strategy of Pakistan, which it employed after joining the American-led 'war on terror' after the 9/11 incident, reveals that it has been based upon coercive measures, which comprise both military and non-military elements. As far as the military options are concerned, several security operations have been launched against local and foreign terrorists in the tribal areas, and the low intensity swift actions in the settled areas, especially the major cities to arrest important Al-Qaeda and the Taliban leaders. Besides this, the non-military options comprised legal and legislative aspects, under which various governments in Pakistan, since 9/11, have introduced anti-terrorism laws to curb the menace of terrorism carried out by domestic militant Jihadi and sectarian groups.

### **Military Elements**

The story of Pakistan's military operations in its tribal areas began when it became the part of American-led 'Operation Enduring Freedom' in Afghanistan, which demanded it to halt the penetration of militants in its tribal areas. However, Pakistan's Military, since 2002, have carried out several small and large security operations in the tribal areas. These included: al-Mizan (Justice) in South Waziristan (2002); Operation Kaloshain South Waziristan (March 2004); operation, Zalzala (Earthquake) in South Waziristan (January 2008); Sirat-e-Mustaqeem (Right Path), in Khyber Agency (June 2008); Operation Sher Dil (Lion Heart) in Bajaur (September 2008); Rah-e-Haq (True Path) in Swat (2007); Rah-e-Rast (Just Path), in Swat (May 2009); Rah-e-Nijat (Path of Salvation) in South Waziristan (October 2009); Koh-e-Sufaid (White Mountain) in Kurram Agency (July 2011); Zarb-e-Azb in North Waziristan (June 2014); and operation Khyber II in Khyber Agency (March 2015).

The main aspect of Pakistan's military operations in tribal areas is the use of full-scale vigorous military force against the militants by employing heavy artillery and fighter jets.<sup>37</sup> Although Pakistan's Military, as it claimed, has cleared most of the tribal areas of the militants, the terrorist network, which has now expanded to the major urban centers, has yet to be completely eradicated. Still, the pitched battles between the security forces and militants in the tribal region have been going on. In fact, the major cities of the country have been continuously witnessing the scourge of terrorism, mainly carried out by the militant sectarian outfits, which have links with the TTP, Al-Qaeda and the IS.

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<sup>36</sup>*The News International*, 7 January 2015.

<sup>37</sup> G. Seth Jones & C. Christine Fair, *Counterinsurgency in Pakistan*, RAND Corporation, CA, 2010, p.46. Available at: [www.rand.org/content/dam/rand/pubs/monographs/2010/RAND\\_MG982.pdf](http://www.rand.org/content/dam/rand/pubs/monographs/2010/RAND_MG982.pdf) (Last accessed: 12 February 2014).

## Non-Military Elements

Pakistan's anti-terrorism legislation, dealing with the militant Jihadi and sectarian organizations and individuals, comprise various amendments in the Anti-Terrorism Act (ATA) of 1997, and the introduction of new laws to make the anti-terrorism regime more rigid and effective. The ATA of 1997, which is the basic anti-terrorism structure of Pakistan, was promulgated to eradicate sectarian violence during the 1990s. Under the ATA, ATCs were established to ensure quick and speedy trials. However, the 1997 ATA required some amendments in the changing security scenario after the 9/11 incident. As a result, in January 2002, the Musharraf regime passed the 'Anti-Terrorism (Amendment) Ordinance 2002', that aimed at targeting "the entire terrorist group with harsh punishment, including death sentence to the persons involved in abetting terrorism."<sup>38</sup> Similarly, in November 2002, through another amendment in the 2002 Ordinance authorized the police to detain a suspect for up to a year without filing any criminal charges.<sup>39</sup> Moreover, Anti-Terrorism (2<sup>nd</sup> Amendment) Act 2004, which was promulgated in January 2005, had included further changes in the ATA 1997. As a result, "the powers of the ATCs for trying offences related to kidnapping for ransom and the use of arms or explosives, were enhanced."<sup>40</sup>

The extra-ordinary security situation, which Pakistan faced in the form of a severe backlash from the terrorists after the Red Mosque operation in Islamabad in 2007 and security operations in Swat and South Waziristan in 2009, required further amendments in the ATA 1997. As a result, in October 2009, the government promulgated Anti-Terrorism (Amendment) Ordinance that "allowed the extra-judicial confession in front of responsible investigative security personnel in the ATCs. Furthermore, the remand period was expanded from one month to three months, and the burden of proof had been shifted to the accused."<sup>41</sup> Moreover, the Ordinance was also extended to the Provincially Administered Tribal Areas (PATA).<sup>42</sup>

The deteriorating security situation in the country also compelled the government to promulgate the Regulations Action in Aid of Civil Powers – 2011 for the FATA and the PATA – in June 2011. It authorized the security forces to detain "a suspect till the continuation of action in aid of the civil power."<sup>43</sup> Moreover, the regulations also gave "a set of offences, punishable with death penalty or imprisonment for life or up to 10 years along with fine and forfeiture of property."<sup>44</sup> Under the Regulations, "internment

<sup>38</sup> Pakistan: Anti-Terrorism (Amendment) Ordinance 2002. Islamabad: The Senate. Available from: <<https://www.unodc.org/tldb/showDocument.do?documentUid=2300&node=docs&cmd=add&country=PAK>> [Last accessed: 15 August, 2015].

<sup>39</sup> *Ibid.*

<sup>40</sup> Pakistan: Anti-terrorism (Second Amendment) Act, 2004, Gazette of Pakistan, Extraordinary, Part II (2005). Islamabad: The Senate. Available from: <[https://www.unodc.org/tldb/showDocument.do?documentUid=9928&q=anti-terrorism%20in%20Pakistan&edit\\_btn=SEARCH](https://www.unodc.org/tldb/showDocument.do?documentUid=9928&q=anti-terrorism%20in%20Pakistan&edit_btn=SEARCH)> [Last accessed: 15 August, 2015].

<sup>41</sup> Khalid Khesghi, 'Anti-terror ordinance may be extended to Malakand', *The News International*, 6 November 2009.

<sup>42</sup> Yusuf Huma 2010, 'Pakistan's Anti-Terrorism Courts', *CTC Sentinel*, Vol. 3, Issue 3, p. 23. Available from: <<https://www.ctc.usma.edu/v2/wp-content/uploads/2010/08/CTCSentinel-Vol3Iss3-art1.pdf>> [25 July 2015].

<sup>43</sup> *Dawn*, 12 July 2011.

<sup>44</sup> *Ibid.*

centers were created near the Pakistan-Afghanistan border at Landi Kotal to keep persons accused of terrorism.”<sup>45</sup>

Similarly, the ‘Investigation for Fair Trial Bill, 2012’, which was passed in December 2012, authorized the security forces to intercept private communications of a suspect, engaged in preparations to carry out an act of crime or terror.<sup>46</sup> In March 2013, the National Assembly of Pakistan passed the Anti-Terrorism (Amendment) Bill 2013, which not only gave powers to the government to confiscate property of a person involved in funding terrorism, but also extended the definition of terrorism through an amendment in Section 6, ATA of 1997, according to which the threat of terrorism would now include, “intimidating and terrorizing the public, social sectors, business community and preparing or attacking the civilians, media persons, government officials, installations, security forces or law enforcement agencies.”<sup>47</sup> It also prohibited the issuance of arms licenses, credit cards and passport to the members of outlawed outfits from travelling abroad.<sup>48</sup>

In July 2014, Pakistan’s Parliament passed the Protection of Pakistan Bill - 2014, which had given more powers to the law enforcement agencies to countering terrorism. The Bill designated a person an ‘enemy alien’ if his or her identity is not determined and is involved in terrorist activity. The Bill also empowered a law enforcement official, of grade 15 or above, to shoot-on-sight a suspect, to search any place and issue non-bailable warrants against a person who has committed a scheduled offence,<sup>49</sup> which is punishable with imprisonment for up to ten years.

In the case of outlawing the terrorist organizations, since 9/11, forty-five militant groups have been outlawed in different phases. These included: LeJ and Sipah-e-Mohammad, a Shiite militant outfit (August 2001); JeM, Lashkar-e-Taiba (LeT), SSP, Tehrik-e-Ja’afaria Pakistan (TJP), Tehrik-e-Nifaz-e-Shariah Mohammadi (TNSM) and Tehrik-e-Islami (January 2002); Al-Qaeda (March 2003); Millat-i-Islamia Pakistan (former SSP), Khuddam-ul-Islam (former JeM) and Islami Tehrik-e-Pakistan (former TJP) (November 2003); Lashkar-e-Islami, Ansar-ul-Islam, Haji Namdar Group and the TTP (2008); ASWJ (former SSP) (2012); and Jama’at-ud-Dawa (JuD – former LeT) and the Haqqani Network (2015).

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<sup>45</sup> Nasir Iqbal, ‘Swat Taliban, Afghan govt nexus may give rise to terrorism, SC told’, *Dawn*, 26 March 2013.

<sup>46</sup> *The Business Recorder*, 21 December 2012.

<sup>47</sup> *Pakistan Today*, 14 March 2013.

<sup>48</sup> *The News International*, 13 March 2013.

<sup>49</sup> Scheduled offences include: “waging war or threatening the security of Pakistan; crimes against ethnic, religious and political groups or minorities, including offences based on discrimination, hatred, creed and race; use of arson, fire-bombs, suicide bombs, biological weapons, chemical weapons, nuclear arms, plastic explosives on public places, government premises, historical places, business concerns; killing, kidnapping, extortion, assault or attack of members of Parliament, judiciary, executive, media, and government employees, including the armed forces and law enforcement agencies, foreigners or internationally protected persons, welfare workers; attack on communication and interaction lines, energy facilities, aircrafts, airports, flight crew, gas or oil pipelines, national defense installations; cyber-crimes; attack on mass transport systems, maritime navigation; hostage taking; and violence transcending national boundaries.” [Pakistan: Protection of Pakistan Ordinance 2013, Gazette of Pakistan, Extraordinary, Part-I (2013). Islamabad: The Senate. Available at: [www.senate.gov.pk/uploads/documents/1407326052\\_244.pdf](http://www.senate.gov.pk/uploads/documents/1407326052_244.pdf) (Last accessed: 14 March 2015)].

Although Pakistan's anti-terrorism legislation (since 1997) is a "bold departure from the normal legal system",<sup>50</sup> it has yet to prove its effective implementation for preventing steady acts of terrorism, though the pace has slowed down because of the Zarb-e-Azb operation. The tedious aspect of the anti-terrorism regime is its failure to conduct speedy trials of the terrorists, and to ensure the enforcement of the ban on the terrorist organizations, which have re-emerged with new names, thus, revealing the weakness of the Pakistani State to establish its authority and writ.

### **A critical evaluation of Pakistan's counterterrorism strategy**

Pakistan's counterterrorism strategy, which is mainly based on coercive measures, has proved ineffective in not only countering but also eradicating the home-grown hazard of terrorism as it does not focus on counter-extremism and counter-radicalization approaches. Consequently, despite the launching of large-scale security operations, including the Zarb-e-Azb, the frequent occurrence of terrorist activities, particularly suicide bombing, has become a regular phenomenon in Pakistan. The recent one on the shrine of Shah Noorani is a case in point.<sup>51</sup>

It is true that Pakistan has dealt with the sectarian terrorist outfits, such as the SSP and LeJ, heavy-handedly "through arrests, targeted assassinations, and aggravated inter-group massacres",<sup>52</sup> several members of these banned sectarian groups have been spared because of their overlapping membership of 'good Taliban' militant groups that are engaged in the Indian-held Kashmir and Afghanistan. They are also considered as 'strategic assets' by Pakistan's Security Establishment as they pursue Pakistan's strategic interests in the region, especially vis-à-vis India and Afghanistan.<sup>53</sup> They use same training camps, resources and to a large extent follow same ideological inspiration.<sup>54</sup> These manifold linkages have made the Pakistani State's task difficult to eliminate terrorism, and thus, caused Pakistan's counterterrorism strategy less effective.

Moreover, for Pakistan the growing Indian influence in Afghanistan, particularly after the ouster of Taliban regime in 2001, is also one of the major concerns, and to deter it is its major strategic interest. This can only be done by supporting the elements which can counter India-friendly Afghan government. It is for this reason that Pakistan's Military has still been distinguishing between 'good Taliban' and 'bad Taliban' by avoiding

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<sup>50</sup> Charles H. Kennedy, 'The creation and development of Pakistan's Anti-terrorism regime, 1997-2002' in *Religious Radicalism and Security in South Asia*, eds. Satu P. Limaye, Robert G. Wirsing & Mohan Malik (Honolulu: Asia-Pacific Center for Security Studies, 2004), p.390.

<sup>51</sup> "52 killed in suicide attack on Balochistan shrine", *Dawn*, 13 November, 2016.

<sup>52</sup> Ashley J. Tellis, 'Pakistan's Record on terrorism: Conflicted Goals, Compromised Performance', *The Washington Quarterly*, Vol. 31, no. 2 (Spring 2008), p.9.

<sup>53</sup> In case of India, Pakistan's strategic interest lies in Kashmir, for which the latter uses proxy groups to engage the former in the low-intensity irregular warfare. For Afghanistan, Pakistan, since its independence in 1947, has been pursuing a policy of mitigating border issues related to the Durand Line. Pakistan considers the Durand Line an international border as it was demarcated as a result of an agreement between the British India and Amir Abdul Rehman Khan, then ruler of Afghanistan, in 1893. On the other hand, Afghanistan's argument is that with the lapse of British rule in India in 1947, the Agreement has also become null and void as it was signed by the colonial power.

<sup>54</sup> Amir Mir, 'Sectarian Monster', *South Asia Intelligence Review*, Vol. 3, no. 47 (June 2005). Available from: <<http://www.ict.org.il/Article.aspx?ID=920>> [Last accessed: 12 July, 2015].

targeting the former category, which include the Haqqani Network, in its security operations in tribal areas, in spite of enormous US' pressure.

### **Recommendations**

Although the security operations in the tribal areas may play a significant role, and need not be underestimated, as the purging of terrorists' ideologue and chief architects, like Malik Ishaq, nevertheless, a peaceful Pakistani society without extremist ideology demands countering the Islamists' narrative, which has indoctrinated the youth into the destructive Jihadist path. Until this realization is made, the extremist ideology will continue reverberating among the most vulnerable segments, i.e., the youth, of the Pakistani society. Following are some recommendations to make Pakistan's counterterrorism strategy more effective and result-oriented.

### **Reforming Madrasas**

Combating terrorism, extremism and radicalization in the Pakistani society strictly demands reforming and regulation of the madrasa sector, which constantly produces ideologically-indoctrinated radicals on sharp sectarian lines by giving an apocalyptic and limited worldview to the students. Although the madrasa reforms measures in Pakistan are not a new phenomenon,<sup>55</sup> the NAP recommends mapping the religious seminaries by creating 'a list of registered and unregistered madrasas and an audit of accounts, with the government assuming responsibility for routing foreign funding.'<sup>56</sup>

The frightening aspect of the madrasas is that they promote extremist ideology, which incites to Jihad. According to Ayesha Siddiq:

Religious seminaries are not significant due to the number of Jihadis they produce, but are central to the production of the ideology that feeds the Jihadi, even if said Jihadi is in fact educated in public schools and universities. The madressa denotes an essential power base that contributes ideology and the

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<sup>55</sup>Pakistani State started reforming the madrasa sector in the 1960s, when Jamia Islamia Bahawalpur was established in 1963 with the purpose of harmonizing modern and traditional education. However, the program failed because of the bureaucratic sluggishness. Then in 1970, the government established an Ulema academy to train and educate imams and khateebis. This program also could not take off. In the 1990s, the Benazir Bhutto's government introduced some reforms by making it compulsory for the foreign students to get no-objection certificate for studying in the Pakistani madrasas. Ms. Bhutto also suspended the zakat to madrasas. [For details see: Ayesha Siddiq, 'The madressa mix: Genesis and growth', *Dawn Special Report*, 1 March 2015]. Immediately after taking over the state apparatus in a military coup, General Pervez Musharraf realized the need of reforming madrasas. As a result, in December 1999, a working group was formed "to suggest ways and means to improve the existing madrasas and to secure fuller coordination among the madrasas and the national education system without affecting the autonomy of madrasas." Similarly in March 2001, "the cabinet decided to set up one model madrasa each in Karachi, Sukkur and Islamabad. As a result, in August 2001, an ordinance was issued to establish a Pakistan Madrasa Education Board (PMEB), for these model religious schools." [International Crisis Group Report, 'Pakistan: Madrasas, Extremism and Military', no. 36 (July 2002), p.24]. The purpose of the PMEB was to improve and secure uniformity of standards of education and to integrate the system of Islamic education imparted in Madaris within the general education system throughout the country. [*Dawn*, 10 August 2015].

<sup>56</sup> International Crisis Group Report, 'Revisiting Counter-Terrorism Strategies in Pakistan: Opportunities and Pitfalls', No.271 (July 2015), p.12.

sustained supply of a narrative into society, which in turn, feeds both radicalism and militancy in Pakistan.<sup>57</sup>

Although a number of alleged terrorists arrested for carrying out or planning terror attacks have been associated to Jihadi madrasas, the policy makers rarely give attention to their teachers and mentors who generally play the role of a facilitator and bring them in contact with the militant organizations. Therefore, in order to countering the very poisonous ideology, which gives birth to terrorism, the government needs to take serious measures for the reforming and regulations of madrasas at the earliest. In the very first place, the syllabi of madrasas need a great attention of the policy makers. In other words, what is taught in madrasas, needs to be checked and changed in order to prevent the production of ideologically-driven zealots. Second, the income sources of the madrasas also need strict scrutiny as there are reports of foreign funding to the Pakistani seminaries. According to the Punjab Police report, which it presented to the Senate Committee, at least 950 Punjab-based madrasas received hundreds of millions of rupees (millions of dollars) from Qatar, Kuwait, Saudi Arabia and fourteen other Muslim and non-Muslim countries.<sup>58</sup> Moreover, there is no audit of the madrasas' domestic sources of income as they receive generous donations in terms of Zakat (religious tax). Since there is no audit of the income, therefore, there is no mechanism to trace its use in any activities, including terrorism.

Lastly, although the NAP bans hate speeches and extremist material, the government needs to ensure its effective implementation so that it is not used for provoking to violence against any other sect.

### **Establishment of Punitive regime**

Although Pakistan's anti-terrorism regime to punish terrorists has expanded in recent years, particularly under the ATA, the scourge of terrorism has not been curbed. Therefore, there is a need of an effective anti-terrorism regime with punitive measures in order to eradicate the terrorist network and try the terrorists in courts.

First, there is a need to reform Pakistan's criminal justice system by improving the investigation and prosecution processes by allocating ample resources to the Police, as well as equipping them with modern techniques of investigation by providing rigorous trainings for enhancing their investigative capacity. The defective process of investigation and corruption in the Police, which still depends on 'eyewitness accounts' for evidence, the probability of the abuse of law increases, thus, fosters the chances of victimization of the suspect at an alarming level.<sup>59</sup>

Second, Pakistan's existing anti-terrorism regime also needs reforms as it has proved less efficient to convict an individual terrorist or organization. The lack of witness protection program causes serious security problems for the witness who often does not appear in the court. As a result, several suspect terrorists get acquitted. According to

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<sup>57</sup> Ayesha Siddiq, 'The madressa mix'.

<sup>58</sup> International Crisis Group Report, 'Revisiting Counter-Terrorism Strategies in Pakistan, pp.16-17.

<sup>59</sup> *Ibid.*, p.19.

International Crisis Report, the conviction rates remain around 5 to 10 per cent.<sup>60</sup> For this, there is also a need of establishing a robust witness protection program to ensure effective protection to the judges, witnesses and prosecutors.

Third, although the government has created an alternative special police force, known as Counter-Terrorism Force (CTF), in all provinces under the NAP on a three-year contract, there is a need to improve and strengthen the existing police structure by providing much needed resources and training to the personnel, rather than creating a parallel militarized policing system.

Lastly, since the ATCs were created in an extra-ordinary situation with the objective of ensuring speedy trials of terrorists, however, the shortage of funds and staff as well as overburdening with cases have largely affected their working conditions. Moreover, the frequent amendments in the ATA have enlarged the range of criminal acts, such as, kidnapping for ransom, arms trafficking, gang rape etc. These crimes could, otherwise, be tried in the regular courts under Pakistan Penal Code (PPC). Consequently, the burden of ATCs has further increased which has also caused the backlog of pending cases. Moreover, it has also slowed the prosecution process of high-profile terrorists, thus, affected the very efficacy of the ATA. Therefore, in order to make the ATCs more effective and result-oriented, there is a need to not only allocate adequate funds, but also lessen their burden by amending the 1997 ATA. For this, there is a need to redefine the act of terrorism by including only those acts which are larger in scale with an intention to create fear and insecurity among the people, or against the security of the State.

### **Reforms in FATA**

The tribal areas of Pakistan, especially FATA, need a great attention of policy makers. For this, there is also a need to introduce political and socio-economic reforms in the FATA region. Although in August 2009, the government announced a reform package for the FATA region,<sup>61</sup> no concrete step has so far been taken to address the grievances of the tribal people. As a first step, the government needs to extend complete political rights to the FATA region by merging it with KPK. Moreover, there is also a need to repeal the Frontier Crimes Regulation (FCR), and replace it with the Criminal Procedure Code of Pakistan. This would also then lead to the application of ATA regime on the terrorists/militants, who belong to the FATA region as they do not legally tried under the anti-terrorism laws.

### **Reforming the Education sector**

To counter the challenge of sectarian militancy, Pakistan needs reforms in its impoverished public education system. Although there is no direct link between

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<sup>60</sup> *Ibid.*

<sup>61</sup> The package included political, judicial and administrative reforms for the tribal areas, allowing political activities in Fata, setting up an appellate tribunal, curtailing arbitrary powers of political agents, giving people right to appeal and bail, excluding women and children from the territorial responsibility clause and envisaging audit of accounts by the auditor general. The package also envisaged extension of the Political Parties Order of 2002 to the tribal areas and changes in the century-old anachronistic Frontier Crimes Regulation (FCR) to make it responsive to human rights. [*Dawn*, 14 August 2009].

sectarian militancy and the education system, however, it is ascertained that Pakistan's education system has been radicalizing many young people, while failing to equip them for the job market.<sup>62</sup> According to the International Crisis Group Report, Pakistan's deeply flawed curriculum contributes to the spread of violence and extremism.<sup>63</sup> Moreover, the Report further says that Pakistan has the second highest number of out of school children in the world, with 22 per cent of those it is constitutionally obliged to educate still deprived of schooling; and expenditure on education remains the lowest in its region.<sup>64</sup>

Although after the 18<sup>th</sup> Constitutional amendment, the provinces have been empowered to devise their education policy, planning and curriculum, a lot of work still needs to be done. There is a need to revise Pakistan's national curriculum, which promotes xenophobia, religious intolerance, centralized state ideology, national cohesion at the expense of regional diversity, and popular opposition to main enemy, India, against which support for Jihadi outfits is in Pakistan's strategic interests.<sup>65</sup> Therefore, to create a tolerant and peaceful Pakistani society, the policy makers need to invest in the public school system and other education projects to counter the current militant discourse of an internal cultural and religious civil war and a clash of civilizations abroad.<sup>66</sup>

### **Re-defining strategic policy**

One of the major flaws in Pakistan's counterterrorism strategy is that it is locked into bad Taliban good Taliban dichotomy. An effective and productive counterterrorism strategy of Pakistan necessitates discarding the notion of favorites, and launching an across-the-board security operation against all the terrorist organizations that are involved in unleashing terrorist activities within and outside the country. To achieve this objective, Pakistan needs to re-define its strategic policy, which revolves around seeking the support of militant Jihadi groups, vis-à-vis its western and eastern neighbors – Afghanistan and India. It must be noted that the success of Pakistan's counter-terrorism strategy largely depends upon improving relations with India and Afghanistan by focusing more on cooperation on mutual security issues for establishing peace in the region, and expanding economic ties for the socio-economic development of the region. To achieve this objective, Pakistan needs to abandon its cherished dream that Afghanistan has to be its client state, providing its strategic depth to be used to wage low intensity war through proxies against India.

### **Conclusion**

An analysis of the current counterterrorism strategy of Pakistan exposes that it has proven less effective in combating the threat of terrorism by eradicating the terrorist network of home-grown militant Jihadi and sectarian outfits. It mainly focuses on ad hoc and reactive approaches by using both the excessive use of military force in the tribal

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<sup>62</sup>International Crisis Group Report, 'Education reforms in Pakistan', no. 257 (June 2014), p.1.

<sup>63</sup> *Ibid.*

<sup>64</sup> *Ibid.*

<sup>65</sup> *Ibid.*, p.3.

<sup>66</sup> Mohammad Waseem, 'Patterns of Conflict in Pakistan: Implications for Policy', *The Brookings Project on U.S. Relations with the Islamic World*, Working Paper, no. 5 (2011), p.19.

areas, and coercive legal framework under the ATA to contain terrorism. Moreover, the strategy has also remained less efficient in targeting religious extremism, which is deeply ingrained in the Pakistani society.

Consequently, the terrorist network has not only expanded, particularly to the urban centers of Pakistan, but also, over a period of time, become more lethal and ruthless. This is evidenced from the APS attack and the Safoora carnage, where the terrorists targeted the most vulnerable segments of the society – the school children and the minority Ismaili Shiite community in the urban centers of Peshawar and Karachi respectively.

It is high time that the government recognizes that the root cause of terrorism lies in extremist thought, particularly in the Takfiri ideology, advocated by the terrorist groups, which are associated with various Deobandi madrasas and also have links with Al-Qaeda and now the growing one of the IS. The TTP's link with the IS is the most disturbing development not only for Pakistan, but also for the whole region, as it illustrates that the Middle Eastern radical militant group is spreading out its ideological influence to South Asia, particularly Pakistan. This also means that the Pakistani Taliban have been transforming themselves from a local tribal-based group to a much more systematic and refined organization with an objective of establishing Muslim Caliphate through global Jihadism. Therefore, it is ascertained that the scourge of terrorism in Pakistan can only be eliminated if the very ideology of violent extremism and radicalism is countered.