

Scenario 176

PAKISTAN AFFAIRS IN 2014

MASS FAMINE IN THAR [SINDH]:

On 7th March 2014, the CJP Tasaduq Hussain Jilani took *suo motu* notice of the famine-like situation following severe drought in Tharparkar claiming lives of 41 children in the district. A 3-member bench of the SC, comprising the Chief Justice, Justice Khilji Arif Hussain and Justice Shiekh Azmat Saeed started hearing the case on 10th March instant. The concerned high ranking officials were summoned to the court.

Meanwhile, as the death toll of the children was more than hundred, the Pak-Army dispatched relief goods to the site with its paramedical staff.

The PPP's provincial government eventually galvanized into action; the Chief Minister Sindh Syed Qaim Ali geared up relief works for affected Thar people and announced compensation of Rs: 2,00,000 each for the heir of victims. The Commissioner Mirpurkhas District, Health DG, Director Livestock, Deputy Commissioner and Senior Superintendent Police [SSP] of Tharparkar district were removed from their posts for their 'negligence'; though no action was proposed against any of them.

Meanwhile, the local media had reported 125 deaths because of malnutrition in that calamity hit area, which solely depends on rainwater for drinking as well as irrigation purposes; but, the Sindh government's official figure claimed death of only 43 kids and that too mainly because of pneumonia and diarrhoea.

PPP Sindh's leader Sindh Taj Haider, later made Advisor to the CM Sindh too, confirmed that none of the children admitted in the Mithi hospital was suffering from malnutrition, adding they were suffering from pneumonia, meningitis, and diarrhoea. However, he admitted that general malnutrition among the children in the area did affect their immunity to such diseases.

Taj Haider in his report claimed that huge stock of qualitative wheat was made available by Sindh government and the work for supplying wheat

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and provision of free of cost health facilities to the famine victims had been started. At least eight mobile medical teams were already working in the field and as many more doctors were being sent by SIUT Chief from Karachi, besides the doctors sent by the Pakistan Medical Association [PMA] to provide prompt medical treatment to the needy patients in Thar.

The Sindh government later decided to establish Medical Camp at each *Taluka* [sub-divisional unit] Hospital of Tharparkar for which doctors and Paramedics from Provincial Health Department were dispatched to the affected areas, besides sending out of medicines and nutrition supplements etc.

15 veterinary mobile vaccination teams of Livestock Department and 8 veterinary doctors from NGO Thar Deep were operating in drought affected areas, attending 50,000 animals per day, besides 500,000 more vaccine vials had been called to be reached there within a week. Besides, many truck loads of fodder were distributed in the affected areas – but all steps taken after the **SC's suo moto notice**.

Another report from the Mithi Taluka Hospital reflected that, in fact, 121 humans had died during that drought in Tharparkar in three months; 32 children died in February alone and it was due to malnutrition. The district has four other talukas, with over 2,000 villages spread across the largest desert region in the country. The effects of drought in these areas are normally not known to the administration and the media both.

38 children died of malnutrition in that taluka hospital in December 2013, and there were 42 deaths in January 2014; there were five deaths in March till then when the SC took notice. Local representatives of the World Health Organisation [WHO] were reluctant to share their findings and had refused to comment on the deaths.

The sudden visit of CM Sindh Syed Qaim Ali to take stock of the situation indicated its severity when he said that **"as per media reports; some 60 children died in the last two months – and no one told me."**

The provincial government usually declares a state of drought in Thar by September or October when there is low rainfall during and after the monsoon season. However, with moderate to low rainfall occurring until late September 2013, the Sindh government pushed the announcement forward and provision of relief was thus delayed.

The Deputy Commissioner Thar admitted that there was a problem to contend with, but deflected responsibility from his administration, saying:

*"...we have seen statistics in the past which show that such incidents happen during droughts. However, local administration and health officials described the situation as **'normal during drought.'**"*

The people expected that the CM would announce special package and compensation for families whose children had died but he did not even mention how the subsidized wheat distribution programme would go.

As many as 60,000 wheat bags, 25 kg each, were slated for distribution in the district. The process used to start in November or December each year to continue for at least three months until spring. Additionally, the government owed Rs:60 million to transporters responsible for ferrying wheat across the desert region. The locals pointed out that distribution was not done in 2012 due to those pending payments.

"The quantity of wheat to be distributed is too little and too late," the locals added; the chief minister shook his head as token of receipt.

Locals had seen the numbers of cattle, camels and peacocks whittled down during that drought in year 2013-14. The chief minister suspended local livestock officials for their failure to control the situation; however, to the chagrin of the Tharis, CM Shah imposed ban on the sale of cattle from Thar to other districts for a period of 15 days in view of the deteriorating health of the animals.

The Thar district, which is otherwise famous for one of the largest coal deposits in the world, was in the grip of the worst food crisis since years. The victims of the starvation and resulting malnutrition were children ranging from the ages of two to 10. The PPP government and the CM Syed Qaim Ali, had been ruling the Sindh province since six years in continuation but had done nothing to alleviate the poverty of the people, particularly of Thar, one of the poorest regions in Sindh, where neither food nor water was available for them – the situation continues even till today.

When the food shortage crisis started in December 2013; the local media had been reporting on the painful situation regularly with pictures of malnourished children and their harassed mothers but the PPP's Sindh government, especially the bureaucracy, did not take notice of the grim

situation in Thar while the death toll was rising alarmingly. The chief minister admitted that the fault lied with the local administration.

The CM Sindh though suspended some officers responsible for the negligence but these were all lame excuses and he wanted to save his own position. When the Supreme Court [SC] took *suo motu* notice about the situation, Malik Riaz, the real estate tycoon, released Rs:200 million for the relief of the poor and affected people of Thar immediately.

Some kind-hearted persons in Karachi also provided food and water to the affected families but the Sindh government, whose ministers mostly come from feudal backgrounds, were immune to the sufferings of Thar's people; they hardly bothered about the problems of their voters.

The said lot of feudal ministers, in a parallel move, advised young Bilawal Zardari to celebrate the Sindh Cultural Festival a month earlier while children were dying in large numbers in Thar because their parents had no food, water or other grains to save their lives. **Rs:250 million state funds PLUS huge donations were spent to commemorate the said Sindh Festival.**

It was all done with the aim to build a political image for Bilawal Zardari. Even the festival was not devoid of corruption and public money was spent lavishly with no tangible result – who cares for miserable deaths in Thar.

The situation in Thar, as it prevailed then and even till ending 2016, had never been adequately discussed on the parliamentary floors to condemn neglect on the part of the Sindh government; no one asked Qaim Ali Shah to resign as he himself was not able to make proper decisions.

PM Nawaz Sharif had taken notice of the starvation and deprivation level of Thar but could not get enforce the bare minimum standards of governance there to alleviate the sufferings of poor people. In the neighbouring India, whenever such a situation occurs, the government takes proper action by sending huge amounts of food grains to save the people from hunger and malnutrition but, in Pakistan, the government awakes only when the calamity has struck and people have died in large numbers.

There are MNAs, MPAs and mighty ministers from the area but only visit the poor people after five years with tall lists of promises – had they ever shown their responsibility to take care or plan for the development of their constituencies. Never; they are sitting in Karachi or Islamabad, tak-

ing development funds in their respective areas' name and celebrate their functions. In such famine situations, the suspension of low cadre officers are normally suspended and nothing beyond that.

The drought in Thar was not a new phenomenon — it occurs after two to three years due to climate change but in 2013-14 it was severe. Winter rains did not take place while the winter season was also biting, affecting agricultural growth.

Since the Sindh government did not take any timely action, the situation became worse resulting in the deaths of a large number of children. This was how democracy worked in PPP regime especially in Sindh – though the PML[N] also remained indifferent through their tenures.

On 21st December 2015; the Supreme Court [SC] disposed of the said *suo motu* case when the provincial government claimed it had provided adequate medical facilities to the affected families.

A three-member bench, headed by Chief Justice Anwar Zaheer Jamali, had resumed hearing of *suo motu* proceedings seeking inquiry into those deaths. Former CJP Iftikhar Chaudhry had also written a letter to the SC, stating that the situation was tantamount to denial of fundamental rights of citizens of Tharparkar under Article 9 and 14 of the Constitution, as according to the media no adequate arrangements were made to save the lives of human beings as well as livestock.

The media reports pointed out that about 175,000 families were affected; thus the civil society urged the SC to initiate proceeding to enforce fundamental rights on that count.

During proceedings, the Special Health Secretary informed the judges that the situation in the drought-hit areas was completely under the control; the medicines were provided to the basic health centres. The Secretary maintained that over 12,000 patients had been attended and admitted to the government hospitals in the region affected by the drought during the previous eight months.

Taking the Health Secretary's report on record, the apex court's bench disposed of the *suo motu* case.

Referring to the '**Dawn**' dated **7th September 2014**: Punjab's IG Prisons Mian Farooq Nazeer said that:

"There are about 6,000 condemned prisoners in Punjab and the appeals of 60pc of these prisoners are pending with high courts, while the cases of 30pc of them are going on in the Supreme Court while there are 400 to 500 prisoners whose appeals have been rejected by the president.

Such prisoners do develop psychological issues but most of them are not related to jails as they can't remain detached from the society and the problems that their families face."

Most professionals in Criminal Justice Systems maintain that a life sentence is harsher punishment as compared to a death sentence. The countries which have abolished death sentence, like Turkey, have replaced it with life imprisonment, jailed till death, which is more severe form of torture. After about three year's time, the convicts started crying and urged the authorities to hang them if they had to remain in death cells till death.

In some countries where the death penalty stands abolished there the life imprisonment is limited to either 14 years or 25 years at the most. Remaining in jail till actual death is in-human by all means.

According to a research carried out by the International Centre of Prison Studies [ICPS] in 2012, Pakistan had 97 prisons and the combined prisoner population in them was 75,568. As per 2013's report of the Amnesty International, there were over 8,500 prisoners on death row in Pakistan, one of the largest death-row populations in the world, and the number was increasing by every day as the state had halted the process of executions.

Referring to *Kamran Khan's TV talk show* at '**Dunya News**' dated **25th November 2015**; till that day only 290 persons could be taken to gallows for hanging till death after December 2014's government withdrawal of '**executions halted.**' With that pace of progress it would require another twenty years to clear the backlog of the death convicts in Pakistani prisons.

Since 2013's DIK jailbreak, it became a routine practice to block the routes leading to the prison within a radius of around a kilometre and stop all vehicular movement during the night. Keeping the prison secure

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has been believed to be an uphill task since then as several of the localities in the outskirts turn into no-go areas after sunset.

Security arrangements in place for Khyber PK's three central prisons at Bannu, DI Khan and Haripur, known for housing the militants and other suspects charged under the Anti-Terrorism Act [ATA] had turned into a nightmare for the authorities after the two high profile jailbreaks at Bannu and DI Khan in April 2012 and July 2013, respectively.

Pakistan's existing jails are old and not meant for hardened militants. The country does not have any high security prison of international standards. The jailers have placed a three-layer security arrangement in their premises and keep closely coordinating with the army. Militants arrested in various cases were lodged in different prisons.

In Peshawar, only 35 suspects belonging to different outfits, such as TTP and religious factions were kept during whole 2014; around 15 prisoners were shifted from Bannu Jail. In 2013, an ATC awarded life imprisonment to a prison doctor and a police official for abetting in helping escape two prisoners – but it was one time punishment in decades.

The population in Pakistani prisons is almost five times more than the capacity with the prisoners in the barracks in the evenings at closing time not even being able to turn if they lie alongside each other in the tight space. So most just sit or squat on the floor until they can be let out in the morning. This goes against prison rule no 745, which states that each inmate must get at least 18 square metres in a barrack and 31 square metres in a cell, if placed there.

Overcrowding in prisons leads to other serious problems such as hygiene, sanitation and the spreading of contagious diseases such as tuberculosis, Hepatitis C, HIV and skin infections.

Of the 17 prisons visited by a Survey & Study group, seven had detained under trial prisoners [UTP]s and convicted ones in the same barracks; five of the prisons had not segregated juvenile prisoners from the adult prisoners; 12 prisons in Sindh had not segregated repeat offenders from UTPs and four prisons had not segregated civil prisoners from persons imprisoned for a criminal offence. Fifteen UTPs were not segregated from prisoners suffering from infectious diseases, too.

However, women prisons are under – populated in Pakistan. After doing six months in prison here, the women, according to an amendment in the criminal laws, shall be released on bail. Meanwhile, Youthful Offend-

ers Industrial Schools (YOIS) are most often just a barrack built near the adult prisoners' barracks leaving them vulnerable to bullying.

District Badin's open jail, an idea conceived in 1958 for some 500 prisoners, was to be built without walls, locks, bars or gates on 2,800 acres of farmland. It was a place to allow sufficient space to the 'good behaviour' prisoners who had served one-third of their sentences there to prove to the authorities that they were capable of resisting temptations of running away and hence could be trusted.

The prisoners were provided various job-related skills such as farming, bee-keeping, fishery, poultry, gardening, etc, there under a stress-free environment. There was also an option of calling over family members of the prisoners to allow them to spend time with them to make up for the lost time between them while they were in jail.

After Badin, open jails were to be set up in Thatta, Haripur, Multan, Jhang and Faisalabad but the pilot project itself failed due to lack of funds.

There is an entire economy inside every big Jail; your happiness inside depends on how much money you have and whether you have any political association. ***"You want drugs? Alcohol? Women? No problem, if you have money. The jail staff can arrange everything."***

Not paying money is not an option. When an inmate is both poor and without political association, jail staff tend to intimidate and break them down. ***"There were people whose families took on loans, just so their loved ones would be spared from the harassment."*** All research studies lead to the same conclusion.

Then there are those who willingly return to a prison, because they end up doing booming business from within. ***Many inmates are hired for robbery or murder jobs, which they fulfil by greasing the guards' palms with a share of their earnings.***

A hard fact that there is greater advantage in committing crime this way: on paper, they are physically in prison and cannot possibly have committed the crime in question.

"The entire jail knows what robbery or killing will be committed in the city the next day. Once, an inmate committed a robbery

and returned back to the jail by evening. But a few weeks later, a newbie comes to the jail.

*When he tells what he had been charged with, the inmates laugh: it happens to be the same robbery that their fellow inmate had committed earlier day. The newbie is framed by the police to declare that **robbery successfully investigated.**"*

Some inmates treat private hospitals as their jails. A former jailer [Razak Zuberi] tells that:

"A political leader was charged with murder in mid 2014 — apparently he was drunk, and he shot someone. He was brought to Karachi from Hyderabad.

***But the man did not have to spend a night inside the prison.** His paperwork showed that he needed medical treatment, and he was shifted to a private hospital. Two rooms were booked, one for the prisoner and another for the jail staff that had come with him. At night, the accused would often leave the hospital premises, go home or even for dinner.*

Then there were some gangsters of Kala Pul. When they were first brought to the prisons, they brought a four-wheel drive with them and gave it to the jailer. Almost every night, they were allowed to return home, party all night and be back before morning."

Some jailers were notorious for their cruelty. One legend is that of **Zulm ka Baadshah** (King of Oppression). *"But this man suffered a bad end. He was hit by a trailer near Sohrab Goth in a road traffic accident. His body was not found in a single piece."*

Another jailer whose tales ring around Central Jail is **Jin Chacha**: a flamboyant man, he would drink like a mule and would go around screaming and assaulting all whom he laid his eyes on. His trademark move was to bite people. One account held:

"Everything that is available outside the prison is available inside as well: drugs, alcohol, women, even betting. Everything is happening out in the open.

The sad part is that the police are themselves involved in all these trades. Everyone is doing the same thing inside the prison, but some people are being punished for it. There is something wrong with the law, it has double standards."

Walking into the **Karachi Central Jail** one doesn't feel like it conforms to the stereotype image of what a jail is 'supposed' to look. Instead of plain white walls and bars, there are manicured lawns, murals painted on the walls, art studios, music rooms, a large mosque, a salon in the women's section, cells that resemble dormitories, inmates participating in recreational activities and a large open-air kitchen that served food that tastes better than that sold at most popular *dhabas*.

An officer named Nusrat Manghan, the Inspector General Prisons Sindh had introduced arts into the jail curriculum. There is a studio where inmates paint, while others teach, their work is often exhibited and sold as well.

The Karachi Central Jail also launched its own magazine, **The Prison Review**, in early 2014. They organised poetry recitals as well, in both Sindhi and Urdu. Then they were in the process of holding a drama for which rehearsals were underway; and they were also holding music lessons. The IG Prisons held that:

"It's impossible to completely eliminate drugs from entering the prison. Their job is to bring them; our job is to catch them. It's an on-going process. The rate of confiscation is high but obviously it's not 100pc. That's not humanly possible."

A major riot took place in Hyderabad's Central Jail in March 2011 resulting in death and injury to prisoners and prison staff. Inmates involved, who later appeared before a judicial commission, mentioned that drugs were sold to prisoners with the support of the prison authorities and prisoners claimed that cannabis was cultivated inside the prison. The main reason behind riots was mismanagement. If jailers keep everything properly managed, there would be no trouble.

In 2012, the Sindh Chief of *Lashkar e Jhangvi* [LeJ] Naeem Bukhari was caught with his companions. Hafiz Qasim Rasheed, who was also a high-profile target-killing suspect with over 100 murders to his credit, was arrested and a hand grenade, Kalashnikov, pistol and hit-list were recovered from his possession. The list contained names of police officers he had allegedly murdered because they created problems for his family

when they came to visit him in jail during his incarceration. The IGP stated that:

"We have lost many of our people this way. This happens everywhere. Prison officials and guards are always under threat — by the mafia, gangs, terrorists — especially by those who belong to habitual and professional gangs. The pressure on the staff regarding this insecurity is always there."

TALIBAN – PML[N] TALKS FANTASY:

During ending 2013, the situation in Pakistan started changing with respect to militant activities of the Pakistani Taliban. In Islamabad, the PML[N] government remained busy in negotiating moves along with Imran Khan and politico religious leadership on its right hands.

However, the America was not happy with such development, its first and foremost wish was that the Pakistan Army should immediate start operation against the militants in Northern Waziristan including the Haqqani net-work.

As the US was drifting into the disappointment day by day, they got matured its diplomacy on another front – totally unexpected and surprising for the whole world. The main message was for Pakistan that it may go alone in the region. See the following details appeared in UK's daily '**Independent**' dated **25th November 2013:**

An agreement in Geneva between Iranian President Hassan Rouhani and the so-called P5+1 – the permanent members of the UN Security Council along with Germany got finally signed. It also emerged that it was the fruit of secret diplomacy between Iranian officials and a senior Obama administration official, Deputy Secretary of State William Burns.

The said nuclear deal has already jolted strategic alliances in the Middle East region including unlikely bedfellows Israel and Saudi Arabia. The US and Iran had no diplomatic relations since the Iranian crisis of 1979 in which 52 Americans were kept hostages for 444 days [*and Iran had not bothered about US pressure*].

The agreement would run for six months while negotiations continue on a comprehensive final deal but both sides were able to de-

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clare victory. Foreign ministers from the five of the world's most powerful nations – most nuclear powers themselves – had flown to Geneva on 22nd November [2013] amid hopes and it took two more days to finally nail the accord.

The agreement provided for Iran to freeze its uranium enrichment programme would not go to the levels of 'weapons grade'; not beyond 5 per cent - which would provide reactor fuel for the six month period.

[Iran had already mastered the critical technology of uranium enrichment up to 20% grade - to build a bomb, the uranium would have to be enriched to 90% plus.]

Tehran also agreed to halt construction of its heavy water plutonium reactor at Arak which, on completion next year, could provide a second pathway towards a nuclear bomb. Iran, however, always insisted that its nuclear programme was purely civilian.

Iran also agreed to more intrusive inspections by the UN watchdog, the IAEA, some \$7bn in international sanctions are to be lifted, including on gold and precious metals and aviation spare parts.

However, US officials noted that this decision was "reversible", depending on Iran's compliance, and that sanctions imposed on the oil and banking sector would not be affected at this stage. The deal specifically addressed the central problem of mistrust between the West and Iran. Mr Obama said that:

".....the burden is on Iran to prove that its nuclear programme will be exclusively for peaceful purposes."

Mr Obama meanwhile faces internal criticism from Congress that he has given away too much too soon.]

PM Nawaz Sharif on **29th January 2014** set up a 4-member committee, with Irfan Siddiqui, Rahimullah Yusufzai, Rustam Shah Mohmand and Major Amir as its members, to oversee the peace parleys, quashing speculation of an imminent military operation against Taliban.

The TTP reiterated its offer of peace talks with Pakistan government, putting forward its charter of demands mainly concentrating upon **'implementation of Shariah'** but astonishingly **did not clarify whether it**

had dropped its condition for the government to withdraw its support to the United States.

TTP spokesman Shahidullah Shahid, however, demanded that there should be a meaningful dialogue. **Earlier, on 13th November 2013, TTP Chief Mullah Fazlullah had categorically denied any possibility of peace talks with Pakistan government.**

*[From 2003 to 2007, splinter militant groups had killed 4,346 civilians and soldiers of the Pak-Army – the groups joined hands to become one entity and called Taliban. This emergence of the TTP took place in December 2007 after **Lal Mosque Operation** in July that year; initially consisting of 13 militant groups under the command of Baitullah Mehsud.*

The TTP was outlawed by the PPP government on 25th August 2008 because earlier in that year Baitullah Mehsud had met the Al-Qaeda leader, Ayman al-Zawahiri, in South Waziristan to reach an accord to substantially increase the number of terrorist attacks.

After the Baitullah-Zawahiri meeting, there was an abrupt rise in the number of fatalities and, till ending 2013, more than 40,000 men, women and children were mercilessly slaughtered in Pak-Afghan territories.

Baitullah Mehsud was killed in a drone strike on 5th August 2009.

Baitullah's successor, Hakeemullah Mehsud, was also eliminated in a similar drone attack on 1st November 2013; more than 40 extremist outfits had joined the TTP till then.]

The Pakistani Taliban nominated the names of five political and religious leaders to mediate peace talks with government negotiators. The names included PTI's Chief Imran Khan, Maulana Samiul Haq, former chief cleric of the *Lal Masjid* in Islamabad Maulana Abdul Aziz, Prof M Ibrahim of JI, and Mufti Kifayatullah, a former lawmaker of the JUI-F from Mansehra.

TTP affirmed more than once that the said five 'mediators' would facilitate peace talks between the government team and the TTP. The names were finalized after a meeting of TTP's central *shura* (council) held at an undisclosed location.

Prof Ibrahim and Maulana Abdul Aziz had confirmed that they were contacted by the TTP to act on their behalf. Meanwhile, PTI Chief Imran Khan sent a message from his official Twitter account that the **'TTP should select their own Taliban representatives for peace talks'**.

Later, Maulana Fazlur Rehman of the JUI had announced that Mufti Kafayatullah would not act on behalf of the Taliban. The TTP's high command, however, announced that **'the remaining three nominated members are enough to go ahead on their behalf.'**

On 6th February 2014; the dialogue finally got underway in government Guest House Islamabad and yielded a clumsily worded joint statement incorporating the points put across by the two sides. The government team insisted that the dialogue must be within the confines of the constitution and then thoughtlessly added that its scope would be **"limited to the insurgency affected areas."**

That treacherous formulation clearly signalled that Islamabad could eventually be willing to cede control of the tribal regions to the TTP as it did in Swat in 2009.

The suggestion was appreciated by the Taliban and they, after having 2-day meeting of their *Shura* under Deputy Amir, Sheikh Khalid Haqqani, floated their 15-point agenda for talks; **nevertheless, the TTP had won the glory of political legitimacy.**

The TTP's demands included:

- (i) *the termination of drone strikes;*
- (ii) *the introduction of Shariah in the courts;*
- (iii) *Islamic education in public and private schools;*
- (iv) *the release of TTP and foreign Taliban prisoners;*
- (v) *reparation for property damage by drone attacks;*
- (vi) *handover control of the tribal areas to local forces;*
- (vii) *withdrawal of the army from the tribal agencies and the closure of check posts;*
- (viii) *criminal cases against the Taliban be ended;*
- (ix) *the release of government and TTP prisoners;*
- (x) *non-discriminatory rights between the rich and the poor;*
- (xi) *jobs for the victims of drone strikes;*
- (xii) *amnesty for Taliban commanders wanted by the government;*
- (xiii) *termination of relations with the US as well as support for its war against terrorism;*

- (xiv) *replacement of parliamentary democracy by an Islamic system and, finally;*
- (xv) *the abolition of interest (riba) in the banking system.*

The initial demands of the Taliban delegation were largely procedural. It wanted clarification of whether the government's negotiating team was empowered to make decisions. For the talks to succeed, the Taliban negotiators also needed access to Gen Rahil Sharif, Pakistan's Army Chief and the DG ISI.

The Taliban included numerous groups and factions which were increasingly splintered. There were signs of division even amongst members of the delegation. Maulana Abdul Aziz tried to depart on question of imposing Sharia law in Pakistan.

[Maulana Abdul Aziz, the chief cleric of the Lal Masjid in Islamabad, had catapulted to fame in July 2007 when the then military government had decided to cleanse the mosque complex – which included the Jamia Hafsa, the world's largest seminary for women – of Al-Qaeda inspired extremists who had terrorised the city. Maulana Aziz abandoned hundreds of his associates to their fate and fled the scene disguised as a burqa-clad woman.

On the very first day, Maulane Aziz addressed a press conference and ruled out any negotiations within the parameters of the constitution; only the Quran and the Sunnah could be the basic law. TTP's Shahidullah Shahid supported him and told the media on 7th February that:

"Maulana Aziz is not wrong in his stance. The war we are fighting is for the enforcement of Shariah ... and the talks with the government are for the same objective."

PPP's senator Farhatullah Babar was found sceptical that the government was going to surrender its authority to the Taliban in tribal areas in exchange for the group ending attacks in urban centres like Lahore & Karachi.

The response of the TTP to the PML[N] government's softness was that it should be given control of the tribal agencies accompanied by the withdrawal of the army from FATA – of course, leading to the extension of its writ over the entire country. A week later, the TTP's political *shura* finally demanded a direct meeting with the government committee and the group of FOUR left for North Waziristan for further talks.

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It is on record that from 29th January till 14th February 2014, there have been 35 terrorist attacks which resulted in 134 fatalities. The TTP claimed responsibility for 13th February's car bomb attack in Karachi that killed 13 policemen. A self-respecting government could have abandoned the dialogue but the PML[N] went more frightened; as Maulana Aziz had told Bloomberg News that **'the TTP has 500 female suicide bombers waiting for further orders'**.

THE EARLIER ACCORDS FAILED:

For most think tanks, the peace talks were bound to fail in all respects.

However, it was not the first time that Pakistani Taliban were going to grasp negotiations with the Pakistan government; previously there were numerous efforts in that regard. Even before the emergence of TTP, Islamabad entered into numerous peace deals with its main factions — both written and unwritten. However, it remains a fact that invariably in all peace deals, the Taliban surfaced as more effective & strong militants and the deals could not last beyond a few months.

Violence flared up more and the Taliban then demanded even further concessions from the government. The only exception was of the Swat Deal, known as **Rah e Haq**, where an aggressive military operation against the Taliban was launched after the peace deal failed. In that case, the Mullah Fazlullah - led faction of Taliban left the Swat Valley.

Going a little back; When the US led coalition forces started operation in Pak-Afghan areas after Nine Eleven of 2001, Pakistan's military ruler Gen Musharraf took decision to deploy Pak-Army in the tribal areas to apprehend fleeing Al-Qaida elements, infiltrating into the tribal areas and onwards into Pakistan.

The movement of Pak army was seen as an extension of the US and NATO troop-plans. Within no time there was a complete breakdown of law and order, local tribesmen and armed forces were locked in deadly conflicts.

Since then there have been numerous peace accords in place between the Taliban and the successive Pakistan governments. However, all proved a blatant failure because, invariably through all accords, the Taliban gained time to reinforce themselves and then launching more fatal attacks on Pak-Army or the other state installations.

Apart from the three major peace agreements in Shakai, Srarogha and Swat, Pakistan entered into various unwritten peace deals with diverse militant groups in the tribal areas. One controversial agreement was with the North Waziristan-based commander Hafiz Gul Bahadar, who was mainly involved in cross-border attacks into Afghanistan.

The Pakistani government and Bahadar's faction had basically agreed that in exchange for not attacking Pakistani interests, Islamabad would not target Bahadar. Bahadar's fighters moved around freely in North Waziristan till much later.

A similar, but more covert deal was reportedly reached with another militant commander Faqir Muhammad in Bajaur Agency after Operation Sherdil in August 2008.

Authorities also entered into an unwritten agreement with *Lashkar e Islam* in Khyber Agency after **Operation Sirat e Mustaqeem** in June 2008. Similar to the two agreements in Waziristan, Khyber authorities agreed to compensate the militants for property damage during the operation, as well as release several individuals held on charges of having ties to militants. Yet the agreement was quickly violated, and troops remained present in Khyber where they continued to conduct operations.

More details of such peace accords were:

The Shakai Peace Agreement, April 2004:

Shakai peace agreement was signed with Nek Muhammad Wazir in April 2004, after Gen Musharraf's government sustained heavy losses during the military operation launched in March the same year. Nek Muhammad was later killed in June 2004 by a US drone.

Srarogha Peace Agreement, February 2005:

In February 2005, Gen Musharraf's government signed a peace agreement **with Baitullah Mehsud** in Srarogha, South Waziristan Agency. The deal specified that government would not target Baitullah Mehsud or his supporters and would compensate militants for homes razed or damaged during military operations.

In return, the agreement warranted that Taliban would cease attacking Pakistani installations and personnel and refuse shelter to foreign mili-

tants. The Mehsud militants were not asked to lay down their weapons or surrender their foreign nationality companions.

The North Waziristan Peace Agreement, 5th September 2006:

The historic 16 clause North Waziristan Peace Accord was announced in Miranshah on 5th September 2006. It was an agreement between Gen Musharraf's government and tribal residents of Waziristan area to mutually cease hostilities in North Waziristan of FATA. The agreement went effective till the pro-Taliban militants suddenly killed 50 Pakistanis including soldiers and police. The attacks were believed to be retaliation for the Lal Masjid Islamabad attacks by Pakistan Army in July 2007.

Initial reports characterized the accord as an agreement with the Taliban. However, the Government of Pakistan had strenuously denied it. The North Waziristan Peace Accord consisted of 16 clauses and 4 sub-clauses. The major points included were:

- *The Government agrees to stop air and ground attacks against militants in Waziristan.*
- *Militants are to cease cross-border movement into and out of Afghanistan.*
- *Foreigners (understood to mean foreign Jihadists) in North Waziristan will have to leave Pakistan but **"those who cannot leave will be allowed to live peacefully, respecting the law of the land and the agreement"**.*
- *Area check-points and border patrols will be manned by a tribal force. Pakistan Army forces will withdraw from control points.*
- *No parallel administration will be established in the area. The law of the Government shall remain in force.*
- *The Government agrees to follow local customs and traditions in resolving issues.*
- *Tribal leaders will ensure that no one attacks law enforcement personnel or damages state property.*
- *Tribesmen will not carry heavy weapons. Small arms are allowed.*
- *Militants will not enter agencies adjacent to this agency (of North Waziristan).*
- *Both sides will return any captured weapons, vehicles, and communication devices.*
- *The Government will release captured militants and will not arrest them again.*
- *The Government will pay compensation for property damage and deaths of innocent civilians in the area.*

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Gen Musharraf had said that *"...this treaty is not to deal with the Taliban. It is actually to fight the Taliban."*

While Imran Khan had stated that: *"Waziristan has been a disaster; there's a disgraceful withdrawal; the Pakistan Army has been defeated."*

Commenting immediately after the accord, Abdullah Farhad, the local Taliban spokesman, said there were no foreign fighters in the area, and if there were, the Government should have provided evidence of their existence. The western press with one editorial described it as *"...the humiliating terms of surrender by Pakistan to the Taliban and al Qaeda"*.

Another column termed it as an *"unconditional surrender of Waziristan by Pakistan; the deal is a boon to the terrorists and a humiliation for the Pakistani government."*

One newspaper quoted a retired Pakistani General as saying it was a ***"tactical retreat - since initiated, all of the deals have failed, precipitating a resurgence of Taliban hostilities."***

Some commentators had seen the Waziristan accord as giving de facto sovereignty to rebel factions in the region, or at least some form of autonomy or quasi-independence. This perspective, as well as actions taken by these organizations had led to the use of names such as the **"Islamic State of Waziristan"** to describe the rebel organizations that wielded power in Waziristan.

The Swat Peace Agreement, 21st May 2008:

After the ***Lal Masjid*** episode in Islamabad in July 2007 which had lasting effects on militancy in Pakistan, Fazlullah's struggle for the implementation of *Shariah* took a violent form in Swat Valley. On 21st May 2008, the Khyber PK government reached a 16-point peace agreement [*at par with the North Waziristan Accord of September 2006*] with the Swat Taliban to bring an end to violence in the valley.

Malakand Accord of 15th February 2009:

The Khyber PK's provincial government had agreed to allow for the implementation of *Sharia* law in the entire Malakand Division, a large region in the Province made up of the districts of Malakand, Swat, Shangla, Buner, Dir, and Chitral. The government agreed to end the military oper-

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ation in Swat and participate in the "*rebuilding process*." Girls schools, which had been savaged by the Taliban and forced to close, were to be reopened.

Sufi Mohammed's Movement for the Implementation of *Sharia* Law was at the forefront of establishing a new political administration in Swat. Some other religious parties in Pakistan also advocated for the implementation of *Sharia*. Imran Khan called for the government to allow for *Sharia* law not just in the tribal areas and the northwest, but in the whole country.

The fact remained that none of the agreements with Taliban factions involved lasted for more than few months, and the breaking of each agreement resulted in severe bouts of violence including attacks on government installations, security forces and civilians.