



MONITOR

Civil-Military Relations in Pakistan

April 2015

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Political and Electoral Disconnect



Picture shows polling taking place in NA-246, Karachi on April 23, 2015, in the presence of Pakistan Rangers (Sindh)¹

That it is the Pakistan Rangers (Sindh), requested to be deployed by the ECP for 'maintaining peace during by-election in NA 246 (Karachi VIII)'² who should demand for placing CCTV cameras and biometric verification system at every polling station in itself speaks volumes about the inability of the ECP to grasp and provide for stringent requirements of holding free and fair election in Pakistan.

In a stranger turn of events, the first demand was initially rejected by the Chief Minister of Sindh, Syed Qaim Ali Shah, MPA, only to be accepted the next day,³ while the ECP's statement that it was 'not technically equipped to introduce and handle biometric system during the NA-246 by-election', citing that 'any such action taken in haste could bring the whole electoral process into question'⁴ signified yet another embarrassment for the institution.

Since the Pakistan Rangers (Sindh) had been given the responsibility of 'maintaining peace during by-election' they had a right to suggest measures in pursuit of this end. Given the peculiarities of elections in Karachi and urban Sindh, and that biometric verification a longstanding demand, it was the responsibility of the ECP to take every measure possible to provide for a level-playing field for holding a free, fair and credible election. That it was not done but even the demand was rejected both by the Provincial Government of Sindh and the ECP was tantamount to undermining the very job that had been assigned to the Rangers.

An apparent disconnect was also observed between the Provincial Government of Sindh and the Pakistan Rangers (Sindh) with regards to the ban on pillion riding in all districts of Karachi from April 21-23, 2015, for the by-election. Apparently, to rebuff the impression that the call had emanated from the Pakistan Rangers (Sindh) and to allay the apprehensions of the Chief Minister when he stated that he was 'not at all consulted on banning pillion riding in Karachi',⁵ DG Rangers, Maj. Gen. Bilal Akbar on April 24, 2015 stated that the ban had been imposed by the Home Department of the Government of Sindh, not the Rangers.⁶

1. Picture courtesy Dawn, April 24, 2015.
2. For details, please see Sindh EC approaches ECP for deployment of Army, Rangers, The News, April 07, 2015, as accessed on May 01, 2015 at: <http://www.thenews.com.pk/Todays-News-13-36843-Sindh-EC-approaches-ECP-for-deployment-of-army-Rangers>
3. For details, please see CM accedes to Ranger 'request' for by-poll video surveillance, Dawn, April 18, 2015, as accessed on May 01, 2015 at: <http://www.dawn.com/news/1176591/cm-accedes-to-rangers-request-for-by-poll-video-surveillance>
4. For details, please see ECP not equipped to install biometric system for by-poll, Dawn, April 19, 2015, as accessed on May 01, 2015 at: <http://www.dawn.com/news/1176771/ecp-not-equipped-to-install-biometric-system-for-by-poll>
5. For details, please see NA-246: Ban on pillion riding lifted in all but one district in Karachi, The Express Tribune, April 22, 2015, as accessed on May 01, 2015 at: <http://tribune.com.pk/story/874077/na-246-by-polls-ban-on-pillion-riding-lifted-in-all-but-one-district-in-karachi>
6. For details, please see Rangers chief explains that the Karachi operation 'is not against any particular party', Dawn, April 25, 2015, as accessed on May 01, 2015 at: <http://www.dawn.com/news/1178052/rangers-chief-explains-karachi-operation-is-not-against-a-particular-party>

This unfortunately signifies the lack of coordination between the civilian Government and the Pakistan Rangers (Sindh). The Rangers have been deployed in Karachi to undertake a task. If, however, the prevailing disconnect continues, it is likely to dilute not only the effectiveness of the Pakistan Rangers (Sindh), but also put a question mark behind the whole objective of the deployment. To improve this coordination, there is a need to immediately appoint a Provincial Home Minister, a portfolio that currently lies with the Chief Minister. Considering the grave security situation prevalent, it is nothing short of embarrassing that the post has been vacant all through out the current PPP tenure in Sindh.

In the light of on-going security operation in Karachi, DG Rangers, Maj. Gen. Bilal Akbar, has also made it a point to state that the Karachi Operation is not against any particular political party, emphasizing a much-needed above-the-board approach.⁷

Updates on Military Courts: First batch of executions and the Stay Order by the Apex Court

Contrary to the perception that the legality of the Military Courts was a done and dusted affair, a 17-member bench of the Supreme Court ordered a stay on the first batch of executions on April 16, 2015, ordered by the Military Courts.⁹

Announcement of the first batch of executions came to light after a Press Release issued by the ISPR on April 02, 2015, which stated that the COAS had confirmed the death sentences of 6 'hardcore terrorists for heinous offences related to terrorism, men slaughtering, suicide bombing, abduction for ransom, colossal damage to life and property'.¹⁰ However, a stay was placed, after the Supreme Court Bar Association filed a petition.¹¹



Without commenting on the legality of Military Courts, a matter that is *sub-judice*, PILDAT believes that certain aspects of the petition filed are worthy of consideration. These primarily deal with apprehensions regarding a lack of transparency and doubts about the Military Courts' ability to safeguard provision of basic rights, such as following the due process of law in the course of its proceedings.¹²

PILDAT has already raised these concerns, heightened especially by the promulgation of Pakistan Army (Amendment) Ordinance, 2015, in its Monitor on Civil-Military Relations in Pakistan for February 2015.¹³ The granting of the right of one appeal to any terrorist convicted by the Military Courts, in front the Supreme Court of Pakistan might allay these concerns. Also, considering that the 21st Constitutional Amendment has a sunset clause of two years, it is important to ask that what has the Government done to enhance the capacity of the civilian justice system, including improving the prosecution and the investigation branches? Till now, little or no recommendations have been floated, amidst fears that the Government may revert back to the Parliament seeking an extension for Military Courts when the period lapses.

7. Ibid.

8. Picture courtesy of Pakistan Today, April 23, 2015

9. For details, please see SC stays Military Courts executions, Dawn, April 16, 2015, as accessed on May 01, 2015 at:

<http://www.dawn.com/news/1176279/sc-stays-military-courts-executions>

10. The complete text of the Press Release issued by the ISPR on April 02, 2015 can be accessed at: https://www.ispr.gov.pk/front/main.asp?o=t-press_release&date=2015/4/2

11. For details, please see Pakistan court blocks execution of those convicted by military courts, Reuters, April 16, 2015, as accessed on May 01, 2015 at: <http://www.reuters.com/article/2015/04/16/us-pakistan-court-idUSKBN0N70M220150416>

12. For details, please see SC stays military courts execution, Dawn, April 16, 2015, as accessed on May 01, 2015 at: <http://www.dawn.com/news/1176279/sc-stays-military-courts-executions>

13. The PILDAT publication can be accessed at: http://www.pildat.org/Publications/publication/CMR/MonitorOnCivil-MilitaryRelationsinPakistan_Feb012015_Feb282015.pdf

Pakistan-China Economic Corridor: Establishment of the Special Security Division

In order to provide security to Chinese workers, whose influx is expected following the recent Sino-Pak investment agreements, on April 21, 2015 the President of Pakistan, Mr. Mamnoon Hussain informed the Chinese President, Mr. Xi Jinping, of the formation of a Special Security Division.

According to a Press Release issued by the ISPR on April 21, 2015,¹⁵ and various media sources,¹⁶ the Division would include:

1. A 10,000 strong force comprising of:
 - i. 9 battalions of the Pakistan Army
 - ii. 6 wings of Civil Armed Forces
2. Will be led by a Major General of the Pakistan Army.

Both the visit of the Chinese President and the hefty Chinese investment in Pakistan have been hailed widely as a watershed moment in Sino-Pak relations.

PILDAT lauds and credits the coordinated efforts by the civil-military leadership to this end. Not only has the civilian Government pursued a focused policy to attract foreign investment, but the commitment shown by Pakistan's Armed Forces in combating terrorism through Operation Zarb-e-Azb, hailed internationally, has paved the way for this landmark achievement. However, it may be examined by the Federal Ministry for Law, Justice and Parliamentary Affairs whether creation of such a special unit requires a new legislation.

Mr. Jawad Zareef's visit to the GHQ

The Iranian Foreign Minister, Mr. Jawad Zareef's visit to the GHQ to meet with the COAS on April 09, 2015 affirmed the latter's growing international role, a regular feature for Pakistan's civil-military relations, particularly since November 2014.¹⁸

In what has become a pattern of sorts for visiting foreign dignitaries, Mr. Jawad Zareef held separate meetings with both the Prime Minister and the COAS during his visit.

PILDAT, while apprehensively noting this developing trend, recommends that apart



President Xi Jinping meeting with Pakistan's CJCSC and Services Chiefs on April 20, 2015¹⁴



The Foreign Minister of Iran calling on Gen. Raheel Sharif at the GHQ on April 09, 2015¹⁷

14. Picture courtesy Dawn, April 20, 2015

15. The exact text of the Press Release can be accessed at: https://www.ispr.gov.pk/front/main.asp?o=t-press_release&date=2015/4/21

16. For details, please see Army's Special Security Division to protect Chinese workers in Pakistan, Dawn, April 21, 2015, as accessed on May 01, 2015 at: <http://www.dawn.com/news/1177322/armys-special-security-division-to-protect-chinese-workers-in-pakistan>

17. Picture courtesy The Daily Patriot, April 10, 2015

18. For details, please see the Press Release issued by the ISPR on April 09, 2015, as accessed on May 01, 2015 at: https://www.ispr.gov.pk/front/main.asp?o=t-press_release&date=2015/4/9

from the presence of the Prime Minister's Advisor on National Security and Foreign Affairs, or the Federal Minister for Defence during a foreign civilian dignitary's interaction with the COAS, the practice of coordinated, rather than separate meetings should be established.

Alternate 'Realities' on Balochistan

Balochistan made headlines once again in the month of April 2015 both in the context of the insurgency in Balochistan and the alleged role of the security agencies in muzzling what is being termed as curbing of the freedom of speech on Balochistan.

Consider for instance the case of cancellation of Seminar on Missing Persons organized at the Lahore University of Management Sciences (LUMS). The organisers of the seminar, the Humanities and Social Sciences Department of LUMS, have whispered, though not fully confirmed, that the seminar titled *Unsilencing Balochistan* to be held at the LUMS on April 9, was cancelled, ostensibly at the behest of officials of an Armed Forces' intelligence agency. It was a part of a series titled *Remapping Justice: On Human Rights in Pakistan*, aiming to analyze Pakistan's law and the human rights situation in the country. The panel, completely stark in its composition of only representing one side of the narrative on insurgency in Balochistan, a narrative which is not supported by Pakistan's State, Federal Government and Security Agencies, consisted of Mama Qadeer, the Chairman of Voice of Baloch Missing Persons (VBMP), as well as Ms. Farzana Baloch, General Secretary of VBMP; Mr. I. A. Rehman, Director Human Rights Commission of Pakistan (HRCP); Mr. Aasim Sajjad Akhtar, an academic and activist; Mr. M. M. Ali Talpur, a columnist; Mr. Sajjad Changezi, an activist associated with Alif Ailaan, and Mr. Rashid Rahman, Chief Editor of the Daily Times.



Ms. Sabeen Mahmud, the Director of T2F who was murdered on April 24, 2015¹⁹

Horrifying in itself, the Turbat Massacre on April 11 which resulted in the killing of 20 non-Baloch labourers, with the responsibility claimed by the Baloch Liberation Front (BLF), generated another controversy when the FC claim of killing of 13 militants belonging to the BLA involved in Turbat massacre was refuted by Mama Qadeer who claimed that 5 of the 13 suspects killed by the FC had been missing for the past few months.²⁰ Note here again that the narrative of the State's security apparatus commended the FC and civilian Law Enforcement Agencies (LEAs) for improved law and order in Balochistan, along with warning '*foreign states, int [intelligence] agencies against trying to destabilize Pak [Pakistan] by supporting the terrorists in Bln [Balochistan]*'.²¹

In another condemnable and unfortunate turn of events, the murder of Ms. Sabeen Mahmud, Director of The Second Floor (T2F) in Karachi, led to the social media ablaze with blame to the security agencies for her murder. It was alleged that her voice was silenced as she was murdered in the context of organizing the talk *Unsilencing Balochistan Take 2: In Conversation with Mama Qadeer, Farzana Baloch & Mir Mohammad Ali Talpur*. Note again the divergence of narratives as

19. Picture courtesy The Express Tribune, April 25, 2015

20. For details, please see Five of the 13 suspected militants killed by the FC were missing persons: Mama Qadeer, Dawn, April 17, 2015, as accessed on May 01, 2015 at: <http://www.dawn.com/news/1176473/five-of-13-suspects-killed-by-fc-were-missing-persons-mama-qadeer>

21. During his visit, the COAS also met with the Governor Balochistan, Mr. Muhammad Khan Achakzai, the Chief Minister of Balochistan, Dr. Abdul Malik Baloch, MPA and Commander of the Pakistan Army's Southern Command, Lt. Gen. Nasser Janjua. For details, please see the Press Release issued by the ISPR on April 15, 2015, as accessed on May 01, 2015 at: https://www.ispr.gov.pk/front/main.asp?o=t-press_release&id=2835

the DG ISPR, condemning Ms. Mahmud's murder, said that '*Int [Intelligence] agencies been tasked 2 [to] render all possible assistance 2 [to] investigating agencies 4 [for] apprehension of perpetrators & bring them to justice*'.²² Later developments in the murder case reportedly point to capture of the suspected killer who maintains that the murder was an act to discredit Pakistan's security institutions and to benefit Balochistan's separatist movement.²³

There can be more than what meets the eye on Balochistan. It is a classic case of the prevailing disconnect on civil-military relations. Neither the issue of peace and order in Balochistan is the issue of the military alone, nor communication of policies and facts on the scenario only their responsibility. It is instead the elected political Government in Balochistan, as well as the Federal Government in Islamabad, who need to articulate facts, figures and policy perspectives on the state of play in the province. To abdicate this role to a State institution, constitutionally subservient to the elected Government, is in itself a policy slip-up that contributes to compounding and not resolving the issues in the province.

No Meeting of the National Security Committee (NSC)



Picture showing a high-level civil-military meeting held while en route to Saudi Arabia on April 23, 2015²⁴

Although the civil-military leadership, including the Prime Minister and the COAS, interacted six times during the month of April 2015, which included five meetings on the Yemen crisis, no meeting of the National Security Committee was convened again during the month. This is a *blatant* disregard of the forum, originally created to institutionalize '*key national security related decisions ... through collective thinking to protect and promote the short, medium and long term strategic interests of the country in a rapidly changing regional and global security environment*'.²⁵

22. For details, please see the Press Release issued by the ISPR on April 25, 2015, as accessed on May 01, 2015 at: https://www.ispr.gov.pk/front/main.aso=t-press_release&date=2015/4/25

23. For details, please see Sabeen's murder suspect arrested, The Nation, April 30, 2015, as accessed on May 01, 2015 at: <http://nation.com.pk/national/30-Apr-2015/sabeen-s-murder-suspect-arrested>

24. Picture courtesy The Express Tribune, April 24, 2015

25. As per an official communiqué received from the National Security Division, the Secretariat of the National Security Committee, detailing the proposed activities and functions of the Committee, on May 14, 2015.

Holding high-level civil-military huddles without utilizing the NSC means that collective consultations, in presence of the full membership of the Committee,²⁶ cannot take place. This also means that there is no formalization of decisions as positions are developed in an informal, ad-hoc manner. One can instead see one-on-one interactions between the Prime Minister and the COAS, such as on April 15, 2015, which critically reduce the importance of not only the NSC, but also the Ministry of Defence.

While supporting the need for a body of consultation on national security decision-making, PILDAT has maintained that a review of the decision-making role of the NSC (compared to a consultative or facilitative one) is required, lest the forum impinges on the powers of the Federal Cabinet (a Constitutionally created body), along with reconsidering its peculiar full-time membership of the CJCSC and the Services Chiefs. Alongside that change, there is a need to amend the Terms of Reference of the NSC to mandate a regular periodicity of meetings. The latest meeting of the NSC was held on October 15, 2014, almost 19 months ago and since its formulation, only four meetings of the NSC have been held.

Premier-COAS Interactions

During the month of April 2015, the Prime Minister and the COAS interacted face-to-face, for a total of six times, with the details as follows:

1. Both of them met for the first time for the month on April 02, 2015 when the Prime Minister chaired a meeting '*to review the evolving situation in Yemen*'.²⁷
2. The second meeting between the two was held on April 06, 2015 to '*discuss matters relating to national security and Middle East situation*'.²⁸
3. Both of them held a one-on-one meeting on April 15, 2015 at the Prime Minister House where '*matters relating to Balochistan came under discussion*'.²⁹
4. The fourth meeting between the two was held on April 16, 2015 at the Prime Minister House to discuss the Yemen issue.³⁰
5. The Premier and the COAS met again on April 22, 2015 when the Prime Minister chaired a meeting to discuss the Yemen issue. It was decided in the meeting that the Prime Minister would undertake a one-day visit of the Kingdom of Saudi

26. The full membership of the NSC consists of the Prime Minister (who chairs the Committee), the Federal Minister of Foreign Affairs, the Federal Minister of Defence, the Federal Minister of Interior, the Federal Minister of Finance, Chairman Joint Chiefs of Staff Committee (CJCSC), Chiefs of Staff of the Pakistan Army, Air Force, and the Navy. For details, please see the PILDAT publication titled Citizens Report on the Performance of the National Security Committee, June 01, 2013-May 31, 2014, which can be accessed at:

http://www.pildat.org/Publications/publication/CMR/PerformanceoftheNationalSecurityCommittee_June012013ToMay312014.pdf

27. The meeting was also attended by Federal Minister for Finance, Senator Muhammad Ishaq Dar; Federal Minister for Defence, Khawaja Muhammad Asif, MNA; Advisor to the Prime Minister on National Security and Foreign Affairs, Mr. Sartaj Aziz; Special Assistant to the Prime Minister, Mr. Tariq Fatemi; Chief of Air Staff, Air Chief Marshal Sohail Aman; Acting Chief of Naval Staff, Vice Admiral Khan Hasham bin Saddique and the Foreign Secretary Mr. Aizaz Chaudhary. For details, please see the Press Release issued by the Prime Minister's Office on April 02, 2015, titled PM Chairs meeting on Middle East situation, as accessed on May 01, 2015

at:http://pmo.gov.pk/press_release_details.php?pr_id=891

28. The meeting was also attended by Federal Minister for Defence, Khawaja Muhammad Asif, MNA; Federal Minister for Finance, Senator Muhammad Ishaq Dar; Prime Minister's Advisor on National Security and Foreign Affairs, Mr. Sartaj Aziz; Chairman Joint Chiefs of Staff Committee, Gen. Rashad Mahmood; Chief of Naval Staff, Admiral Muhammad Zakaullah; Chief of Air Staff, Air Marshal Sohail Aman; Special Assistant to the Prime Minister, Mr. Tariq Fatemi and the Foreign Affairs Secretary, Mr. Aizaz Ahmad Chaudhary. For details, please see the Press Release issued by the Prime Minister's Office on April 06, 2015, titled PM holds high level meeting, as accessed on May 01, 2015 at:

http://pmo.gov.pk/press_release_details.php?pr_id=898

29. For details, please see the Press Release issued by the Prime Minister's Office on April 15, 2015, titled COAS calls on the PM, as accessed on May 01, 2015 at: http://pmo.gov.pk/press_release_details.php?pr_id=912

30. The meeting was also attended by Advisor to the Prime Minister on National Security and Foreign Affairs, Mr. Sartaj Aziz; Chief Minister Punjab, Muhammad Shahbaz Sharif, MPA; Special Assistant to the Prime Minister, Mr. Tariq Fatemi; CJCSC, Gen. Rashad Mahmood; Chief of Air Staff, Air Chief Marshal Sohail Aman; Chief of Naval Staff, Admiral Muhammad Zakaullah; Chief of General Staff, Lt. Gen. Ashfaq Nadeem Ahmad and the Foreign Affairs Secretary, Mr. Aizaz Ahmed Chaudhry. For details, please see the Press Release issued by the Prime Minister's Office on April 16, 2015, titled PM chairs high-level meeting on Yemen situation, as accessed on May 01, 2015 at:

http://pmo.gov.pk/press_release_details.php?pr_id=915

Arabia, along with the Federal Minister for Defence, Khawaja Muhammad Asif, MNA; the COAS; the Special Assistant to the Prime Minister, Mr. Tariq Fatemi and the Foreign Affairs Secretary, Mr. Aizaz Ahmed Chaudhary.³¹

6. The Prime Minister and the COAS met again on April 23, 2015, when the former chaired a meeting on the plane enroute to the Kingdom of Saudi Arabia.³²

In 1 out of the 6 meetings, Federal Minister for Defence, Khawaja Muhammad Asif, MNA, was not present.

31. The meeting was also attended by the Federal Minister for Defence, Khawaja Muhammad Asif, MNA; the Federal Minister for Finance, Senator Muhammad Ishaq Dar; Special Assistant to the Prime Minister, Mr. Tariq Fatemi and the Foreign Affairs Secretary, Mr. Aizaz Ahmed Chaudhary. For details, please see the Press Release issued by the Prime Minister's Office on April 22, 2015, titled PM to visit KSA tomorrow to discuss Yemen, as accessed on May 01, 2015 at: http://pmo.gov.pk/press_release_details.php?pr_id=921

32. The meeting was also attended by the Federal Minister for Defence, Khawaja Muhammad Asif, MNA; the COAS; the Special Assistant to the Prime Minister, Mr. Tariq Fatemi and the Foreign Affairs Secretary, Mr. Aizaz Ahmed Chaudhary. For details, please see Press Release issued by the Prime Minister's Office on April 23, 2015, as accessed on May 01, 2015 at: http://pmo.gov.pk/press_release_details.php?pr_id=927