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Citizens, State and Society support efforts to Achieve and Maintain Law and Order in Karachi



Picture showing the Pakistan Rangers (Sindh) during the raid on Nine-Zero on March 11, 2015

The Pakistan Rangers' (Sindh) '*siege and search operation*' on Nine-Zero, the Muttahida Quami Movement's (MQM) Headquarters in Karachi,² on March 11, 2015 signaled the civil-military leadership's resolve to effectively tackle the persistence of criminal and terrorist violence pulverizing Karachi for at least the past two decades.³ Therefore, when the Prime Minister stated on March 25, 2015 that '*Karachi would be made a crime-free city and the operation would continue to achieve the objective*'⁴ and the COAS on February 16, 2015 that '*Peace in Kci [Karachi] means prosperity for Pak [Pakistan]*', it seems that the '*meaningful effort*'⁵ the latter called for has finally arrived; and none too soon.

Karachi, apart from being the hub of Pakistan's financial and economic activities, has experienced all forms of violence, including ethno-political, militant, sectarian and criminal. According to data released by the Sindh Police and the Rangers, 2013 was the bloodiest year for Karachi '*with 2,700 people killed and crime soaring past 40,000 reported incidents*'.⁶

Achieving and maintaining law and order across Pakistan, especially in Karachi is of crucial importance to Pakistan. That it is done in a decisive and comprehensive manner, with a swift and above-board approach is the need of the hour. Pakistan's citizens, State and society stand firmly behind this effort and its successful conclusion. PILDAT recognizes and lauds the decision to finally tackle all 'non-state actors' under the National Action Plan, especially in context of Karachi's law and order problems and hopes that the operation will be taken to its '*logical conclusion*'.⁷

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1. Picture courtesy The Guardian, March 11, 2015
 2. For details, please see One dead, several injured as Rangers raid MQM headquarters, the Express Tribune, March 11, 2015, as accessed on April 01, 2015 at: <http://tribune.com.pk/story/851291/rangers-conduct-siege-and-search-operation-at-mqm-headquarters-in-karachi>
 3. For details, please see Rangers raid MQM HQ in Karachi, many arrested, Pakistan Observer, May 12, 2015, as accessed on April 01, 2015 at: <http://pakobserver.net/detailnews.asp?id=260636>
 4. For details, please see the Prime Minister's Office Press Release on March 25, 2015, titled We will soon restore peace in Karachi: PM, as accessed on April 01, 2015 at: http://pmo.gov.pk/press_release_detail.php?pr_id=876
 5. The DG ISPR on behalf of the COAS issued the statements at the occasion of the meeting of the Provincial Apex Committee of Sindh, also attended by the Prime Minister; Governor Sindh, Mr. Ishrat-ul-Ibad Khan; Chief Minister Sindh Syed Qaim Ali Shah, MPA; and former President, Mr. Asif Ali Zardari. For details, please see the tweet issued by the DG ISPR, Maj. Gen. Asim Saleem Bajwa on February 16, 2015, which can be accessed at: <https://twitter.com/AsimBajwaISPR/status/567255978844770304>
 6. For details, please see Karachi 2013: the deadliest year of all, the Express Tribune, January 06, 2014, as accessed on April 01, 2015 at: <http://tribune.com.pk/story/653889/karachi-2013-the-deadliest-year-of-all>
 7. 'Logical conclusion', an oft-heard phrase from the civil and military leadership, denotes the culmination of the various measures being taken to tackle terrorism and violence in the country. For example, the tweet issued by the DG ISPR on March 22, 2015 on behalf of the COAS, Gen. Raheel Sharif, stated that the '*COAS reaffirmed Army determination to take ops [operations] to logical concl [conclusion]. Ts [terrorists] squeezed in isolated pockets pkts [pockets] be targeted with precision 4 [for] elimination*'. The tweet can be accessed at: <https://twitter.com/AsimBajwaISPR/status/579573131574145024>

Karachi operation may be a good example of civil-military cooperation but such an extended role of the armed forces in the domestic law and order situation is counter-productive. Democratic Government should develop a system of governance, like the rest of the civilized world, in which civilian institutions should be able to govern equitably without any pressure, influence or manipulation. A police force free from any partisan political influence is the basic ingredient for such a system. Recruitment, postings, transfers, promotions should all be based on merit. Not only the maintenance of law and order but also the investigation of crimes and effective prosecution of the accused should improve within a specific deadline.

Anatomy of the Karachi Crackdown: Imbalance in Civil-Military Law Enforcement Agencies

While extending its full support to it, PILDAT believes that the anatomy of the Karachi Operation tells a telling tale about civil-military relations at play in the city; more specifically, about the prominence and primacy of the Pakistan Rangers (Sindh), and the apparent inability of the Sindh Police to deal with the crisis on its own. This denotes a clear imbalance between the civil and military Law Enforcement Agencies (LEAs) operating in Karachi, sadly resulting from the passive approach that successive Provincial Governments have adopted in increasing the effectiveness of the Police force by making its operations independent of political considerations. PILDAT believes that this ostensible incompetence, and the resultant reliance on Pakistan Rangers (Sindh) does not augur well for civilian capacity to maintain law and order, once achieved, and an undue burden on Military and paramilitary forces of Pakistan.

Although Article 7(b) of The Pakistan Rangers Ordinance, 1959 states that '*the Force [i.e. the Pakistan Rangers] shall reinforce the Police for the maintenance of law and order whenever it is necessary*',⁸ the paramilitary force (whose personnel are contributed by the Pakistan Army and was originally created for border security), since its deployment in Sindh during the late 1980s, has become the face of crackdown against violence in Karachi, with the Police Service of Sindh ironically acting as an auxiliary outfit.

It has been seen on numerous occasions that whenever a wave of violence hits the city, the successive Provincial Governments have made decisions to further empower the Pakistan Rangers (Sindh), rather than affecting any systematic reform in the Police. Nothing could be more illustrative of this than the Operation Clean-up in 1992, Operation Blue Fox from 1994-1996, the spate of violence in July 2011, the operation launched by the PML-N Government in September 2013, etc., which saw Rangers spearheading the crackdown, with the Police assisting.⁹

Here, the Supreme Court's judgment on the law and order situation in Karachi (*Suo Moto case no. 16 of 2011*) is a damning indictment on the state of the Police force. While referring to the statement recorded by the then IGP Sindh, the judgment¹⁰ notes that:

The IGP conceded that 30-40 percent of police force are non-cooperative either for the reasons that they have secured their appointments on political considerations or they have associated themselves with different groups including political parties, having vested interests in the affairs of Karachi, therefore, at times it becomes very difficult for him to effectively take action against the real culprits.

Experts believe that politically-motivated postings and transfers by the Provincial Government have decapitated the Police force. The result has been years of neglect of the law and order situation in Karachi, with the Pakistan Rangers

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8. For details, please see the complete text of The Pakistan Rangers Ordinance, 1959, which can be accessed at: <http://punjablaws.gov.pk/laws/106.html>
 9. Following the spate of violence in Karachi in July 2011, which saw almost 300 people die within a span of days, the Provincial Government of Sindh made a decision to extend the Rangers' jurisdiction to the affected areas of the city along with conducting overnight raids. For details, please see Karachi violence, over 100 dead, the Express Tribune, July 09, 2011, as accessed on April 01, 2015 at: <http://tribune.com.pk/story/205202/karachi-violence-live-updates> Also see Nisar says Karachi operation to start in two days, Dawn, September 05, 2013, as accessed on April 01, 2015 at: <http://www.dawn.com/news/1040496>
 10. The Judgment further goes on to state that *'It came to light during hearing of the case that in police force many police officers have been recruited on political considerations who have managed to occupy such posts for extraneous considerations and senior officers in the rank of SSP, SP and DSP etc., have been inducted into the force from other organizations without following any rules and even they have not undergone training for the purpose of policing'*. The complete text of the Supreme Court's *Suo Moto case no. 16 of 2011* can be accessed at: http://www.supremecourt.gov.pk/web/user_files/File/SMC16of2011_detailed_judgment.pdf

(Sindh) being called in to clean up the mess.

The Provincial Government of Sindh must immediately adopt the Police Order of 2002 to depoliticize the institution, ensure professional training of its members, and recruitment based on merit to make it competent enough to discharge its duties without requiring the assistance of the Pakistan Rangers (Sindh). PILDAT's report titled *Police, Politics and the People of Pakistan* can also be consulted for more details on relevant reform proposals and the state of Pakistan's Police service.¹¹

PILDAT also notes that the Pakistan Rangers (Sindh) will have to tread a fine line, especially while conducting operations against the militant wings of various political parties, during the operation. Mr. Altaf Hussain's somewhat belligerent response to the Rangers' raid on the MQM headquarters, which many perceived to be a threat to members of the force,¹² underscores the resistance that the security apparatus might face in the course of its actions. Maintaining an apolitical approach and targeting all non-state actors, across the board, in Karachi, and for that matter in the entire province and the country is of utmost necessity, and will add to the prestige and image of the Pakistan Rangers (Sindh). An FIR has been lodged against Mr. Altaf Hussain for his threatening remarks against the Pakistan Rangers (Sindh) on national television.¹³ Such past pronouncements by Mr. Hussain were generally ignored, consequently compromising the rule of law. PILDAT believes that the law should equally and effectively apply to everyone, no matter how powerful or politically influential that individual or group may be.

Mr. Saulat Mirza's 'Confession': A Development Shrouded in Ambiguity

Events unfolding in Karachi in the aftermath of the MQM headquarters raid took a new turn when a 'confession' video of Mr. Saulat Mirza emerged late on March 18, 2015, hours before his execution, in which he alleged involvement of senior MQM leaders including Mr. Altaf Hussain and Mr. Babar Ghauri in the murder of the former Managing Director of Karachi Electric Supply Corporation (KESC) – now renamed as Karachi Electric.¹⁴ As if the surfacing of the video was not befuddling by itself, the Federal Government asked the Sindh Government to form a committee to investigate Mr. Saulat Mirza's allegations.¹⁵ However, the committee formed by the Home Minister for Balochistan, Mr. Sarfraz Bugti, MPA, to investigate how the video was recorded from the jail cell has been dissolved.¹⁶

These developments further compound the ambiguity and suspicion surrounding the whole affair, leading to several questions and concerns:

- i. How was the video possibly recorded even though the Pakistan Prisoners Code prescribes such strict guidelines for prisoners on death-row? PILDAT believes that the



A screen grab from Mr. Saulat Mirza's 'Confession' video that surfaced on March 18, 2015

11. The complete report can be accessed at the PILDAT website at the following link: http://www.pildat.org/Publications/publication/Democracy&LegStr/PerformanceofPolice_PoliticsandPeopleofPakistan_CitizensReport.pdf
12. On March 12, 2015, during an interview to Mr. Shahzeb Khanzada of Geo Television, Mr. Altaf Hussain stated that '*Jin afsaraan nay meray ghar pay chhapaa mara, woh Rangers kay afsaaran thay – woh thay.*'
13. For details, please see Rangers file case against MQM chief, Dawn, March 17, 2015, as accessed on April 01, 2015 at: <http://www.dawn.com/news/1170171>
14. For details, please see Saulat Mirza's 'Confession', Dawn, March 20, 2015, as accessed on April 01, 2015 at: <http://www.dawn.com/news/1170692>
15. For details, please see Sindh asked to form Committee investigate Sualat's allegations, the Express Tribune, April 01, 2015, as accessed at: <http://tribune.com.pk/story/862241/sindh-asked-to-form-body-to-probe-saulats-allegations>
16. For details, please see Govt. dissolved committee probing Saulat Mirza's death-cell video, Dawn, March 25, 2015, as accessed on April 01, 2015 at: <http://www.dawn.com/news/1171809>

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cancellation of the inquiry into this severely affects the rule of law, and sets a negative precedent.

- ii. By whom was the video recorded and circulated? Till the time any conclusive investigation points otherwise, the primary suspects will remain the intelligence agencies, whether the civilian or the military.
- iii. The Federal Government has directed the Sindh Government to investigate Mr. Saulat Mirza's claim. In order to allow the investigation to reach a logical conclusion, the execution may be deferred if required. Article 164 of the Qanun-e-Shahadat Order, 1984 states that *'In such cases as the Court may consider appropriate, the Court may allow to be produced any evidence that may have become available because of modern devices or techniques'*.

DG Rangers' and Corp V Commander's Briefing to the Prime Minister: Chief Minister Sindh Conspicuous by his Absence



Picture shows the Prime Minister; Chief Minister of Sindh, Syed Qaim Ali Shah, MPA; Corp V Commander, Lt. Gen. Naveed Mukhtar; DG Pakistan Rangers (Sindh), Maj. Gen. Bilal Akbar during a meeting at Faisal Airbase, Karachi on March 25, 2015¹⁷

The Chief Minister of Sindh, Syed Qaim Ali Shah, MPA, was conspicuous by his absence at a briefing given by the Corp V Commander, Lt. Gen. Naveed Mukhtar and DG Pakistan Rangers (Sindh), Maj. Gen. Bilal Akbar to the Prime Minister '*on the status of ongoing operation against terrorists and criminals*' at the Faisal Airbase, Karachi on March 25, 2015.¹⁸ The Press Release issued by the Prime Minister Office further stated that '*after the briefing Chief Minister Sindh, Syed Qaim Ali Shah also joined [the meeting]*'.¹⁹

The Chief Minister has been present at all the meetings on the ongoing operation chaired by the Prime Minister in Karachi but he was either not invited or he decided not to attend this particular briefing. The development raises two questions of relevance:

- i. PILDAT believes that the Prime Minister should have been more sensitive to the Chief Minister's exclusion as the

17. Picture courtesy Dawn, March 25, 2015

18. For details, please see the Press Release issued by the Prime Minister's Office on March 25, 2015, titled We will soon restore peace in Karachi: PM, as accessed on April 01, 2015 at: http://pmo.gov.pk/press_release_detailes.php?pr_id=876

19. Ibid.

Chief Minister is the chief executive of the province and his absence can raise questions about the effectiveness of his position and of the operation.

- ii. Regardless, does not the Chief Minister's absence apparently imply that he is not trustworthy enough to be included in briefings about the security situation in the province? Is this not implicitly a national security hazard?

Rehabilitation and Reconstruction of the Tribal Areas: Is the Elected Government Missing in Action?



Prime Minister distributing ration to a person displaced due to operations in the tribal areas as the COAS, Gen. Raheel Sharif; Chief Minister Khyber Pakhtunkhwa, Mr. Pervaiz Khattak, MPA; and Governor Khyber Pakhtunkhwa, Sardar Mehtab Khan Abbasi, look on²⁰

According to a media report, as the first phase of the repatriation of people displaced due to Military operations in the tribal areas, specifically in the North Waziristan Agency (NWA) has begun,²¹ the Military leadership has 'asked for more funds for the process as the originally estimated cost of rehabilitation and reconstruction is expected to cross the Rs. 75 billion mark'.²²

That the repatriation of the displaced people and the rehabilitation of the tribal areas by the Military have become major areas of focus is shown by the two meetings held between the civil-military leadership on the issue during the month of March 2015: one between the 'second-tier' of the concerned Military leadership and the Federal Minister for Finance, Senator Muhammad Ishaq Dar, on March 11, 2015;²³ the second between the Prime Minister, the Federal Minister for

20. Picture courtesy Pakistan Today, June 27, 2014

21. For details, please see IDP repatriation to North Waziristan to begin on March 31, Dawn, March 28, 2015, as accessed on April 01, 2015 at: <http://www.dawn.com/news/1172449>

22. For details, please see Displaced tribesmen: Army seeks more rehabilitation funds, the Express Tribune, March 12, 2015, as accessed on April 01, 2015 at: <http://tribune.com.pk/story/851858/displaced-tribesmen-army-seeks-more-rehabilitation-funds>

23. Ibid.

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Finance, and the COAS on March 19, 2015 at the Prime Minister House during which '*matters related to the return of Temporarily Displaced Persons came under discussion*'.²⁴

Sadly, the request for increased funding creates the impression that the Pakistan Army is mainly spearheading the reconstruction and rehabilitation work in the affected areas and the role of the civilian Government is limited to mobilizing the financial resources.²⁵ PILDAT, while noting the development projects undertaken by the Army in FATA in the Civil-Military Relations Monitor for November 2014,²⁶ stated that '*apart from ensuring the rehabilitation of the displaced 69,021 families due to Operation Zarb-e-Azb, the Government must also rehabilitate the socio-economic and administrative landscape of the region, especially along the lines of the Comprehensive Response Plan outlined in the National Internal Security Police, 2014 – 2018*'.

The Federal Government has made commendable efforts at raising funds at various international forums such as the Multi Donors Trust Fund, the Donors' Conference,²⁷ etc., for the displaced people, but socio-economic rehabilitation of the affected areas has largely been left to the Pakistan Army.

Although the Pakistan Army's role in reconstructing and rehabilitating war-affected areas (South Waziristan and Swat) is appreciated, the elected Government would also do well to involve the FATA Secretariat in this effort,²⁸ and also activate the FATA Disaster Management Authority, and the FATA Development Authority. The elected Government's lack of involvement in the rehabilitation and reconstruction of Swat after the Operation Rah-e-Nijat should not be repeated.

Wither the NSC? 'High level' consultations on the Middle East

Although the month of March 2015 saw the civil-military leadership meeting twice (on March 26, 2015 and March 30, 2015) to discuss '*the recent developments in Middle East*',²⁹ it is regrettable that the trend of not using the forum of the National Security Committee for the purpose continued.

It seems that the Government has completely abandoned the NSC, and has instead resorted to using ad-hoc forums such as the Apex Committees for security policy formulations. There is a need to institutionalize decision-making in national security affairs, and follow certain protocols in civil-military relations, for which the NSC was created. Additionally, a critical review and revision of the National Security Committee's decision-making role (compared to a consultative or a facilitative one) and its membership of the heads of the Armed Forces, both of which are an anomaly compared to other such forums globally, is needed.

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24. For details, please see the Press Release issued by the Prime Minister's Office on March 19, 2015, titled COAS calls on the PM, as accessed on April 01, 2015 at: http://pmo.gov.pk/press_release_detailes.php?pr_id=863
25. According to a Press Release issued by the Ministry of Finance on March 21, 2015, titled Minister of Finance reviews rehabilitation measures for TDPs, flood affectees, the Federal Minister for Finance, Senator Muhammad Ishaq Dar was informed that '*the process [for repatriation of the IDPs] had already started and that the Government had released Rs 1.5 billion for cash transfers to the returnees*'. The Press Release can be accessed at: <http://www.ead.gov.pk/gop/index.php?q=aHR0cDovLzE5Mi4xNjguNzAuMTM2L2VhZC9mcm1EZXRhaWxzLmFzcHg%2Fb3B0PW5ld3MmaWQ9ODc%3D>
26. PILDAT's monitor on Civil - Military Relations for the month of November 2014 can be accessed at: http://www.pildat.org/Publications/publication/CMR/MonitorOnCivil-MilitaryRelationsinPakistan_Nov012014_Nov302014.pdf
27. For details, please see World Bank assures support for development, Dawn, April 03, 2015, as accessed on April 03, 2015 at: <http://www.dawn.com/news/1173558/world-bank-assures-support-for-development>
28. The Khyber Pakhtunkhwa Governor, Sardar Mehtab Khan Abbasi in November 2014 created a Rehabilitation and Reconstruction Unit under the Directorate of Projects, FATA Secretariat. However, no follow up on the work of this Unit has surfaced subsequently. For more details, please see Body being created for FATA rehabilitation, Dawn, November 06, 2014, as accessed on April 01, 2015 at: http://epaper.dawn.com/DetailImage.php?StoryImage=07_11_2014_181_009
29. For details, please see the Press Release issued by the Prime Minister's Office on March 26, 2015, titled PM chaired a high level meeting here this evening to discuss the recent developments in the Middle East, as accessed on April 01, 2015 at: http://pmo.gov.pk/press_release_detailes.php?pr_id=883

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Premier-COAS Interactions



The Prime Minister, COAS, Gen. Raheel Sharif; the Prime Minister's Advisor on National Security and Foreign Affairs, Mr. Sartaj Aziz; the Federal Minister for Defence, Khawaja Muhammad Asif, MNA; the Federal Minister for Finance, Senator Muhammad Ishaq Dar; Chief of the Air Staff, Air Chief Marshal Sohail Aman; the acting Chief of Naval Staff, Vice Admiral Khan Hasham bin Saddique, and Secretary, Foreign Affairs during a meeting at the Prime Minister House on March 30, 2015³⁰

For the month of March 2015, the Prime Minister and the COAS interacted face-to-face for a total of three times:

- i. The first meeting between the two was held on March 19, 2015 at the Prime Minister House to discuss '*matters relating to the return of Temporarily Displaced Persons and raising of additional FC wings for the security of western borders/FATA*'. Apart from the Prime Minister and the COAS, the Federal Minister for Finance, Senator Muhammad Ishaq Dar, also attended the meeting.³¹
- ii. Both met for the second time when the Prime Minister called a meeting at the Prime Minister House to discuss the situation developing in Yemen. According to the Press Release issued by the Prime Minister Office, the Federal Minister for Defence, Khawaja Muhammad Asif, MNA; Advisor to the Prime Minister on National Security and Foreign Affairs, Mr. Sartaj Aziz and Chief of the Air Staff, Air Chief Marshal Sohail Aman, also attended the meeting.³²
- iii. The Prime Minister and the COAS met for the third time when the former called another meeting at the Prime Minister House '*to undertake a comprehensive review of the prevailing situation in the Middle East*'. 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; Chief of the Air Staff, Air Chief Marshal Sohail Aman; the acting Chief of Naval Staff, Vice Admiral Khan Hasham bin Saddique, and Secretary, Foreign Affairs.³³

The Federal Minister for Defence, Khawaja Muhammad Asif, MNA was present in two out the three meetings.

30. Picture courtesy The Daily Patriot, March 30, 2015

31. For details, please see the Press Release issued by the Prime Minister's Office on March 19, 2015 titled COAS calls on the PM, as accessed on April 01, 2015 at: http://pmo.gov.pk/press_release_detailes.php?pr_id=863

32. For details, please see the Press Release issued by the Prime Minister's Office on March 26, 2015, titled PM chaired a high level meeting here this evening to discuss the recent developments in the Middle East, as accessed on April 01, 2015 at: http://pmo.gov.pk/press_release_detailes.php?pr_id=883

33. For details, please see the Press Release issued by the Prime Minister's Office on March 30, 2015, titled PM chairs high level meeting to review situation in the Middle East, as accessed on April 01, 2015 at: http://pmo.gov.pk/press_release_detailes.php?pr_id=883