



MONITOR

Implementation of National Action Plan to Counter Terrorism in Punjab

Volume 1:
January 2015 – December 2016

Executive Summary

The 20-point National Action Plan to counter terrorism adopted by an All Parties Conference chaired by the Prime Minister of Pakistan on January 2, 2015 serves as the landmark consensus blue print for combatting terrorism and violent extremism in Pakistan. The 20-point NAP has been described, both by the civil and military leadership, as the most important road map for the struggle against terrorism in the country. The NAP is also significant because it has the rare consensus of otherwise bitterly opposed political forces besides the civil-military agreement. Both Civil and Military leaderships have repeatedly expressed their strong commitment to implement the plan in letter and spirit.

Despite this assigned centrality to its importance, Federal and Provincial Governments have not regularly made available a progress status on the implementation of the NAP. While the NAP provides a broad framework of action in its 20 points, a relative opaqueness seems to engulf the process of monitoring mechanism on its individual points. While at the Federal level, the National Counter Terrorism Authority (NACTA) has been assigned with the responsibility to track progress, lately the Prime Minister also constituted an Implementation and Review Committee, on August 15, 2016 under the convenorship of Lt. Gen (Retired) Nasser Khan Janjua, National Security Advisor. In addition, apex committees were constituted both at the Federal level and in the four Provinces to act as the forums for civil-military coordination and to oversee the implementation progress of the NAP. Despite these mechanisms in place, status of implementation of the NAP across Pakistan's Federal and Provincial Governments remains unclear. Perhaps, it is due to this vagueness that the pace and progress of implementation has also been a subject of some divergent views among various stakeholders including communication emerging from the Inter-Services Public Relations (ISPR) alluding to the continuing dissatisfaction of the military leadership with the progress of implementation of the NAP.

It is in view of the high importance of the NAP and questions about its progress of implementation that PILDAT has undertaken a citizens' initiative to monitor the progress of implementation of the NAP Pakistan. PILDAT has sought the data on implementation status from Federal and Provincial Governments. This Monitor depicts implementation status of NAP with a focus on Punjab while developments across the country are also noted. Where focusing on Punjab, this Monitor is largely based on data obtained from the Provincial Government of the Punjab. By undertaking the monitoring of the progress on implementation of the NAP and its public dissemination, PILDAT initiative aims to serve the purpose of advocacy for effective implementation.

This Monitor, the first of its kind, assesses the status of implementation of NAP in Punjab from the citizens' perspective so as to highlight the necessity of Government's publicly sharing periodic status of implementation of the NAP. We strongly believe that greater transparency and more frequent public reporting on the progress of implementation will promote public confidence in the Governments and their ability to effectively implement the NAP. We do, however, concede that there may be areas of the NAP implementation which may need to be kept confidential due to security reasons.

The implementation status of NAP in Punjab for January 2015 – December 2016 is shown in the table below using the traffic light system:

No.	Point	Implementation Status as of December 2016
1	Implementation of death sentences of those convicted of terrorism	
2	Special courts under the supervision of Army. The duration of these courts would be two years	
3	Militant outfits and armed gangs will not be allowed to operate in the country	
4	NACTA, the anti-terrorism institution, will be strengthened	





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5	Strict action against the literature, newspapers, and magazines promoting hatred, extremism, sectarianism, and intolerance	
6	Choking financing for terrorist and terrorist organizations	
7	Ensuring against re-emergence of proscribed organizations	
8	Establishing and deploying a dedicated counter terrorism force	
9	Taking effective action against religious persecution	
10	Registration and regulation of religious seminaries	
11	Ban on glorification of terrorist and terrorist organizations through print and electronic media	
12	Administrative and development reforms in FATA with immediate focus on repatriation of IDPs	
13	Communication network of terrorists will be dismantled completely	
14	Measures against abuse of social media for terrorism	
15	Zero-tolerance for militancy in Punjab	
16	Ongoing operation in Karachi will be taken to its logical end	
17	Balochistan Government to be fully empowered for political reconciliation with complete ownership by all stakeholders	
18	Dealing firmly with sectarian terrorists	
19	Formulation of a comprehensive policy to deal with the issue of Afghan refugees, beginning with registration of all refugees	
20	Revamping of the Criminal Justice System	

Key:

1		Green: The implementation process has worked well. Some improvements are needed. (Progress good)
2		Green-Amber: The implementation process has worked relatively well. Improvements should be made. (Progress satisfactory)
3		Amber-Red: The implementation process has been relatively poor. Significant improvements should be made. (Progress somewhat unsatisfactory)
4		Red: The implementation process has been poor overall. Immediate and major changes need to be made. (Progress unsatisfactory)

Status of Implementation of NAP in Punjab: January 2015 – December 2016

Below is a summary of status of implementation of the NAP in Punjab during the first two years, i.e., January 2015 – December 2016:

NAP Point No. 1: Implementation of death sentences of those convicted of terrorism

The Federal Government, on December 17, 2014, lifted the moratorium on the death penalty for cases related to terrorism.¹ On March 10, 2015, the Government moved ahead to lift the moratorium on the death penalty in all capital cases.² Since then a total of 17 terrorists have been executed in Punjab.³

The shift of focus of the lifting of the moratorium on the death penalty from specifically terrorism related cases to all cases created a backlog of executions pending since the moratorium. This impeded the swift dispensation of the death penalty for individuals convicted in terrorism related cases.

The implementation process on this point, therefore, has been relatively poor



NAP Point No. 2: Special courts under the supervision of Army. The duration of these courts would be two years

Military Courts were given the power to try civilian suspects in terrorism related cases by the passage of the 21st Constitutional Amendment and Army (Amendment) Act 2015 by the Parliament on January 6, 2015. Ever since, 11 Military Courts have been set up in Pakistan.⁴ Out of these, 3 Military Courts are in Punjab.⁵ Until December 2016, Military Courts in Punjab have decided 4 cases in which 8 terrorists were convicted, with some awarded the death penalty.⁶ All of these 4 cases have their petitions pending before the Supreme Court and the Lahore High Court.

The low number of Military Courts in Punjab may be a reflection of the relatively less need for Military Courts in the province owing to the comparatively better performance of its criminal justice system as opposed to other provinces. However,

regardless the number of cases decided by these Military Courts is still low.

Furthermore, the decision to extend the duration of Military Courts after the expiry of sunset clause of two years reflects only partial success and amounts to an earlier miscalculation of their required existence under the NAP.

Progress on this point has been poor overall. Immediate and major changes need to be made.



NAP Point No. 3: Militant outfits and armed gangs will not be allowed to operate in the country

The Punjab Assembly has enacted four important Acts in this regard. First, is the Punjab Vigilance Committees Act 2016, which, among other things, provides for the constitution of local vigilance committees that shall collect information relating to the activities of proscribed organizations and dubious elements and submit report to the police and law enforcement agencies.⁷ Second is the Punjab Safe Cities Authority Act 2016 that initially applies to the city of Lahore and may extend to cities that the Punjab Government notifies in the official gazette. The Act sets up an Authority comprising the Chief Minister Punjab as its chairman, which shall maintain and develop command, control and communication centres and other related facilities, among other things.⁸ This system is aimed at improving policing in Punjab, along with increasing and improving the means of surveillance.⁹ Third is the Punjab Arms (Amendment) Act 2015 in which the Government increased punishment for possession of illegal arms or ammunitions.¹⁰ Fourth is the Punjab Information of Temporary Residents Act 2015, which lays down mandatory provision of information of temporary residents by owners or managers of the premises to the police.¹¹

The order by the Punjab Government for Non-Government Organisations to obtain an NOC from the District Government in order to collect animal hides on Eid-ul-Azha in 2016 was an attempt to stop proscribed organisations from freely collecting animal hides.¹²

In addition, measurable action has been taken against militant

1. 'Nawaz removes moratorium on death penalty' published in Dawn can be accessed at: <https://www.dawn.com/news/1151408>
2. 'Death penalty moratorium lifted completely in Pakistan: Officials' published in Dawn can be accessed at: <https://www.dawn.com/news/1168652>
3. Data obtained from Counter Terrorism Department (CTD), Punjab
4. 'The sun has set on Pakistan's military courts – here is why it should never rise again' published in Dawn can be accessed at: <https://www.dawn.com/news/1306792>
5. *ibid.*
6. Data obtained from CTD Punjab
7. Full text of the law can be accessed at: <http://www.punjablaws.gov.pk/index2.html>
8. *ibid.*
9. 'Ordinance promulgated to set up Punjab Safe Cities Authority' published in Dawn can be accessed at: <https://www.dawn.com/news/1193062>
10. Full text of the law can be accessed at: [http://www.punjabcode.punjab.gov.pk/public/dr/PUNJAB%20ARMS%20\(AMENDMENT\)%20ACT%202015%20.doc.pdf](http://www.punjabcode.punjab.gov.pk/public/dr/PUNJAB%20ARMS%20(AMENDMENT)%20ACT%202015%20.doc.pdf)
11. Full text of the law can be accessed at: <http://www.punjabcode.punjab.gov.pk/index/showarticle/ref/8ef5062f-4347-433e-89db-573f0fa5133c>
12. 'Punjab Govt slaps ban on proscribed organizations to collect sacrificial animal hides' published in The Nation on August 30, 2016 can be accessed at: <http://nation.com.pk/national/30-Aug-2016/punjab-govt-slaps-ban-on-proscribed-outfits-to-collect-sacrificial-animals-hides>

outfits operating in Punjab with 769 persons arrested, 1238 detained, 169 convicted, and 221 killed in intelligence based operations. These include the following organizations with action in the form of either detention, arrests, or killing in intelligence-based operations:¹³

- I. Lashkar-e-Jhangvi (LeJ) / Sipah-e-Sahaba Pakistan (SSP): 90
- ii. Ahle Sunnat Wal Jamaat (ASWJ) / SSP: 89
- iii. Tehrik-e-Jafaria Pakistan (TJP) / Majlis Wahdat-i-Muslimeen (MWM) / Sipah-e-Muhammad Pakistan (SMP): 54
- iv. Hizbut Tahrir (HuT): 07
- v. Others: 13

According to media report of an allegedly leaked secret document of CTD Punjab, 32 proscribed organizations with nine splinter groups are a 'nursery of terrorism in Pakistan'¹⁴. Hence, while action has been taken against some proscribed organizations, the Punjab Government must provide explanation as to what action has been taken against the rest, if any.

The implementation process on this point has been relatively poor. Significant improvements should be made.



NAP Point No. 4: NACTA, the anti-terrorism institution, will be strengthened

The NACTA Act 2013 established the NACTA Board of Governors with the Prime Minister as its chairman while it consists of the Minister of Interior, Chief Minister of 4 Provinces, Director Generals of Inter Services Intelligence, Intelligence Bureau, and Military Intelligence, among others.¹⁵ The Act states that the Board 'shall meet at least once in each quarter of a year.'¹⁶ However, there have been no meetings of the NACTA Board of Governors till date calling into question NACTA's functioning without the Board's approval of its policies and operations.¹⁷ The NACTA Act also establishes an Executive Committee of NACTA, which has the Minister for Interior as its chairman, but the Executive Committee has only met once till date.¹⁸

While at the Federal level, NACTA was charged with the responsibility of monitoring the status of implementation of the

NAP, an overlap in these responsibilities has emerged with the Prime Minister setting up the Implementation and Review Committee in August 2016 under the leadership of Advisor to Prime Minister on National Security, Lt. Gen. (Retd.) Nasser Khan Janjua. Other than the recent unclear distribution of responsibilities over the NAP, the NACTA's role has been limited to collecting and collating data relating to the implementation of the NAP and circulating it with six agencies, one of those being civilian while the rest military. The recent overlap has further limited the NACTA's ability to collect data without its monitoring role leading to questions on the reliability of provincial data being gathered at the NACTA.

The Joint Intelligence Directorate of the NACTA, announced by the Federal Government with the aim of establishing a forum where civilian and military intelligence agencies can come together and coordinate their operations, apparently remains a pipe dream. According to news reports, funds have been allotted for its establishment,¹⁹ and the Minister of State for Interior Mr. Baligh ur Rahman announced in the Senate that the Joint Intelligence Directorate would be operational soon.²⁰

The implementation process has been relatively poor on this point



NAP Point No. 5: Strict action against the literature, newspapers, and magazines promoting hatred, extremism, sectarianism, and intolerance

Data received from the Punjab Government for the past two years shows that a total of 189 cases have been registered under hate material, while 223 accused have been arrested. Meanwhile, 39 of the accused have been convicted. Similarly, a total of 3 outlets have been proceeded against while 1600 CDs have been confiscated and 600 magazines and 4100 pamphlets were seized.²¹

While some action has been taken on this point in Punjab, there is little evidence to suggest that this action qualifies as 'strict' and it is deterring those who spread extremist literature.

The implementation process requires improvements on this point.

13. Data obtained from CTD Punjab

14. 'Banned outfits still recruiting Jihadis: official report' published on Geo News on May 28, 2016. The News Report can be accessed at: <https://www.geo.tv/latest/106807-Banned-outfits-still-recruiting-Jihadis-official-report>

15. The complete composition of NACTA Board of Governors can be found in the NACTA Act 2013, which can be accessed at: http://www.na.gov.pk/uploads/documents/1364795170_139.pdf

16. *ibid.*

17. *ibid.*

18. 'Nacta made fully operational, says Nisar' published in Dawn can be accessed at: <https://www.dawn.com/news/1154250>

19. 'No authority to counter terrorism' published in TNS can be accessed at: <http://tns.thenews.com.pk/authority-counter-terrorism/#.WNSnMWUQhxi>

20. The announcement took place on a session of the Senate on December 22nd, 2016. The News Report can be accessed at: <https://www.dawn.com/news/1303995>

21. Data obtained from CTD Punjab



NAP Point No. 6: Choking financing for terrorist and terrorist organizations

The legal provision for checking terrorist financing is contained in the Anti-Terrorism Act 1997, which prohibits the opening of bank accounts by proscribed organisations and individuals (individuals belonging to the 4th Schedule of the Anti-Terrorism Act 1997 are deemed to be proscribed). Moreover, the Anti Money Laundering Act 2010 provides the legal framework for policing illicit financing.

As far as action on this NAP Point is concerned, the Punjab Government has registered a total of 95 cases against alleged terrorist financiers, arrested 125, and convicted 23 terrorist financiers.

However, deficiencies are reported in the approach of the Federal Government towards addressing this issue. For instance, the manner in which the Federal Investigative Agency (FIA) investigates terrorist financing by analysing Suspicious Transaction Reports is an example of energies focused on the wrong direction. Data obtained by the FIA, Lahore on information of accounts on select Madrassas points to the reality that organizations allegedly linked to terrorist organizations seldom use the formal banking channels to carry out their financial operations.²²

Furthermore, the whole process of the generation of Suspicious Transaction Reports (STRs) by commercial banks that send these to the Finance Monitoring Unit (FMU) of the State Bank of Pakistan, which then analyses and synthesizes the STRs and decides whether to send these to the FIA or not for investigation, has a fundamental issue. It is banks that remain the primary reporting agency, and this makes the entire exercise deeply

unreliable.

The issue, however, must also be analysed in the larger context of the scale and extent of undocumented economy of Pakistan. Without the Government's will and ability to effectively formalise undocumented economy in Pakistan, tackling the issue of terrorist financing, which traditionally relies on informal routes, will continue to remain a critical challenge.

These problems are evident in the data on the processing of STRs by the FIA and their subsequent conversion into cases. Out of a total of 19 STRs sent by Finance Monitoring Unit of the State Bank of Pakistan to FIA, only three turned out to be linked with terrorist organisations. Even among these, only one ended up in the registration of cases.²³

An important point to note among all of this is that only the Federal Government can initiate proceedings that fall under the ambit of the Anti-Money Laundering Act. Perhaps, if private complaints are also entertained, detection of cases may improve.

The implementation process has been poor overall. Significant improvements should be made.



NAP Point No. 7: Ensuring against re-emergence of proscribed organizations

The legal provision of proscription of organization by the Federal Government on an ex-parte basis is already contained in the Anti-terrorism Act 1997, section 11(B). The condition given for the proscription of the organization is that it should be controlled or acting on behalf of any individual or organization that is proscribed under the Act.²⁴

22. According to data obtained from FIA, Lahore by PILDAT, out of the 138 accounts of Madrassas that FIA, Lahore received from CTD Punjab and conducted its analysis on:

- i. Number of accounts in which no record found: 72
- ii. Number of accounts in which closing balance is less than Rs. 1,000: 23
- iii. Number accounts in which closing balance is between Rs. 1,000 and Rs. 1,00,000: 32
- iv. Number of accounts in which closing balance is between in Rs. 1,00,000 and Rs. 5,00,000: 07
- v. Number of accounts in which closing balance is above than Rs. 5,00,000: 04

23. Data obtained from FIA, Lahore

24. Full text of the ATA 1997 can be accessed at: <http://pakistancode.gov.pk/english/UY2FqaJw1-apaUY2Fqa-apaUY2FqaJw%3D-sg-jjjjjjjjjjjjjj>

However, according to data available to PILDAT, out of the 24 organizations that have emerged as new faces of old proscribed organisations over the years, 11 have been proscribed by the Ministry of Interior while two are under watch by it.²⁵

Implementation on this point is hampered by legal lacunas. Agencies charged with implementing of this point believe that the law governing this, i.e., the ATA, must be amended to criminalise all persons associated with a proscribed organisation. The ATA must also be amended so as to bar any person associated with a proscribed organisation from creating another organisation.

Another issue in this regard is the ineffectiveness of the law governing registration of organisations, the Societies Registration Act 1860. The law requires to be strengthened so that Governments are able to maintain a database of registered organisations with effective compliance of auditing and reporting.

The implementation process has been poor overall. Immediate and major changes need to be made.

R

NAP Point No. 8: Establishing and deploying a dedicated counter terrorism force

The establishment of a dedicated counter terrorism force for CTD Punjab took place prior to the formulation of NAP in 2014.²⁶ A total of 1182 corporals have been inducted in the CTD in the past two years; however, this number is still less than the sanctioned strength of 1500. Moreover, modern equipment worth one billion Rupees has been provided. Out of the 596 cases registered in the CTD, the conviction rate is 53 per cent.

25. Full list of proscribed organizations can be accessed at: [http://nacta.gov.pk/Downloads/BannedOrganization\(Eng\).pdf](http://nacta.gov.pk/Downloads/BannedOrganization(Eng).pdf)
Following are some of the organizations that are old faces of new organisations as per CTD data:

New Name	Old Proscribed
AhleSunnatWalJamaat (ASWJ) (proscribed) and Al Esaar Trust	Sipah-e-Sahaba Pakistan (SSP)
Majlis-i-WahdatulMuslimeen (MWM)/Shia Ulema Council	Tehreek-e-Jaafria Pakistan (TJP) and IslamiTehreek Pakistan
SautulUmmah	HizbutTahrir
Jamaat-ud-Dawa (JuD) and Filah-i-Insaniat Foundation (FiF)	Lashkar-i-Taiba
Al-Rehmat Trust	Jaish-e-Mohammed (JeM)
TehreekGhalba-i-Islam and Al-Asrar Trust	Jamaat-ul-Furqan and Jaish-e-Mohammad
AnsarulUmmah	JamiatulAnsar, HarkatulMujahideen, Harkat-ul-Jihad al-Islami (HuJI)

26. '1500 corporals get in Anti-Terrorism Force' published in The Nation can be accessed at: <http://nation.com.pk/laure/01-Apr-2014/1-500-corporals-get-in-anti-terrorism-force>

27. Data obtained from CTD Punjab

28. The attack took place in Lahore on March 15, 2015. Details can be found in the News Report, '14 dead, 75 injured in attack on Lahore's Christian community' published in The Express Tribune, which can be accessed at: <https://tribune.com.pk/story/853616/blast-heard-in-lahore-2/>

29. The two incidents took place in Jhelum on November 21, 2015 and November 21, 2015. Details can be found in the News Report, 'Ahmedi place of worship set ablaze in Jhelum, riots erupt after blasphemy allegations' published in Dawn, which can be accessed at: <https://www.dawn.com/news/1221273>

30. The attack took place on March 27, 2016. Details can be found in the News Report, 'At least 72 killed in suicide blast as terror revisits Lahore' published in Dawn, which can be accessed at: <https://www.dawn.com/news/1248259>

CTD Punjab has thwarted a total of 172 potential terrorist threats while arrested 323 potential terrorists.²⁷

Data shows that tangible progress has been achieved on this point and CTD Punjab is now capable of conducting its own operations with the use of this counter terrorism force. Raids and arrests by CTD Punjab have become commonplace in Punjab.

The implementation process has worked well. Some improvements are needed.

G

NAP Point No. 9: Taking effective action against religious persecution

Religious persecution can be viewed in a number of ways including overt acts of violence, systematic exclusion of religious minorities from the means of upward mobility, and implicit means of ostracism and psychological abuse. Some of the major reported instances of attacks on religious minorities in the past two years include the twin bombing by terrorists on two Christian churches, which claimed the lives of 14 persons,²⁸ setting up on fire a factory by angry protestors after allegations of blasphemy by an Ahmedi employee surfaced and the torching of an Ahmedi place of worship the next day,²⁹ and a terrorist attack in Gulshan-i-Iqbal park on Easter Sunday, which claimed the lives of at least 72 persons.³⁰

Terrorist attacks against religious minorities, notably Christians and Hindus, are not officially considered as acts of religious persecution, but instead classified broadly as terrorist attacks as these target both Muslims and Non-Muslim minorities alike. Hence, the available data on religious persecution only pertains to persecution of the Ahmedi community. With regard to it, out of

the three cases of killing of persons belonging to the Ahmedi community, all cases were detected by the Punjab Government, with two terrorists involved killed in intelligence-based operations while two were apprehended.

As far as legislative developments are concerned, the Provincial Assembly of the Punjab passed the Punjab Sound Systems (Regulation) Act 2015. The purpose of the Act is to 'regulate, control and prohibit the use of certain sound systems in the Province in the interest of environment, public order, decency, and prevention of incitement to terrorism or the commission of any offence.'³¹

Another legislation passed by the Punjab Assembly in this regard is the Punjab Security of Vulnerable Establishment Act 2015 which calls for the establishment of sub-divisional Security Advisory Committees to, among other things, identify and inspect vulnerable establishments and issue advice to these vulnerable establishment for security arrangements.³²

The work done against religious persecution falls short of the multi-faceted problem that exists in Pakistan. The implementation process has been relatively poor and requires improvements.



NAP Point No. 10: Registration and regulation of religious seminaries

The Punjab Government has geo-tagged 13,798 Madrassas, which according to official figures is 100 per cent of the Madrassas in the province. It has also registered 7306 Madrassas, while 6,492 Madrassas remain unregistered, which is roughly 47 per cent. Moreover, 532 big Madrassas of all sects have also been thoroughly searched in 2015, while 2 suspected Madrassas have been closed by the Provincial Government. In addition a total of 300 Madrassas were suspected to have links with proscribed organisations and 115 Madrassas have their leadership profiled, which means that their leaders have been placed in Fourth Schedule and barred continuing as heads of their Madrassas. The Punjab Government has also geo-tagged 61,000 mosques. There are also 2,971 non-Muslim places of worship, all of which have been geo-tagged by the Provincial Government.³³

While a view exists that the issue of uniform curriculum and registration of madaris needs to be tackled by the Federal Government, Provincial Governments have the powers with Education as a devolved subject to come up with effective strategies to implement this. The Punjab Curriculum and Textbook Board Act 2015 specifies the power of the Punjab Government vis-à-vis curriculum reform by establishing the Punjab Curriculum and Textbook Board that among other things is charged with 'development, implementation, evaluation and updating of curricula.'³⁴ Tied to this is the law governing registration of Madrassas (and other organisations), the Societies Registration Act 1860. It stipulates that Madrassas submit annual report of their activities to the Registrar as well as maintain accounts and carry out audit of their accounts. The Act also bars Madrassas from teaching or publishing any literature which 'promotes militancy or spreads sectarianism or religious hatred.'³⁵ However, there is no punitive arrangement for those Madrassas that fail to comply with it. Making matters worse is the absence of concrete steps to improve the legal regime and its effective implementation in this regard which has resulted in pending issues with direct oversight of Madrassas, curriculum reforms and their regulation and audit.

The implementation process has been relatively poor on this point.



NAP Point No. 11: Ban on glorification of terrorist and terrorist organizations through print and electronic media

In November 2015, the Pakistan Electronic Media Regulatory Authority (PEMRA) issued a notification directing all media outlets to not give any coverage to banned organizations.³⁶ This was followed by action, as media reports frequently mentioned notices issued by PEMRA to media outlets that violated this directive.

The Punjab Government has registered a total of 33 cases relating to this NAP Point, arrested 34 persons, and convicted 12.

However, there are frequent examples of media reporting and glorifying terrorists and terrorists' organisations. The implementation process has been relatively poor on this point.

31. Full text of the law can be accessed at: <http://www.punjabcode.punjab.gov.pk/index/showarticle/ref/6c537be7-86ae-481f-927a-bf1537bd6544>

32. Full text of the law can be accessed at: <http://www.punjabcode.punjab.gov.pk/index/showarticle/ref/8ef5062f-4347-433e-89db-573f0fa5133c>

33. Data obtained by CTD Punjab.

34. Full text of the Punjab Curriculum and Textbook Board Act 2015 can be accessed at: <http://www.punjabcode.punjab.gov.pk/index/showarticle/ref/cc39ceb8-50fa-40bf-baa5-910198f2db0a>

35. Full text of the Punjab Societies Registration Act 1860 can be accessed at: <http://punjablaws.gov.pk/laws/1.html>

36. 'Pemra monitoring TV coverage of banned groups' published in Dawn can be accessed at: <https://www.dawn.com/news/1218289>



NAP Point No. 12: Administrative and development reforms in FATA with immediate focus on repatriation of IDPs

This point pertains to the jurisdiction of the Federal Government.

However, just to report progress on it in two years, the FATA Reforms Committee, headed by Advisor to Prime Minister on Foreign Affairs, Mr. Sartaj Aziz, developed its report in August 2016. The report laid down a 10-year time line for various aspects of FATA reforms including legal, developmental, and reconstructive aspects.³⁷ While the report has been submitted to the Federal Government, further action on it is under progress.

The implementation process has worked relatively well. Improvements should be made.



NAP Point No. 13: Communication network of terrorists will be dismantled completely

This needs to be viewed in two ways. First is the communication between Punjab based militants and the militant infrastructure in Federally Administered Tribal Areas, particularly the North Waziristan region. With the militant infrastructure in FATA considerably eliminated through Operation Zarb-e-Azb, it would be reasonable to believe that their channels of communication with Punjab-based militants have been broken. Nevertheless, this still leaves militant hideouts in other parts of Pakistan that may perpetrate terrorism in Punjab. On this front, CTD Punjab claims that Punjab's entry and exit points are under surveillance and human intelligence has been deployed all over the province.

With regard to the second aspect, which is communication network of terrorists within Punjab, there is measurable data available to gauge the performance of the Punjab Government. A total of 1,500 Fourth Schedulers are under surveillance. Similarly, 556 returnees from Afghan prisons are also under surveillance. This shows that concrete steps have been taken by the Punjab Government and this must have restricted space for terrorists to operate in Punjab.

Furthermore, Biometric Verification System for issuance of new SIMs³⁸ has been placed countrywide. Such initiatives of controlling and regulating the means of communication surely restrict the ability of terrorists to freely communicate with each other.

37. '10-year timeline to bring Fata on a par with KP' published in Dawn can be accessed at: <https://www.dawn.com/news/1279845>

38. The data shared in the Senate on March 10, 2017 by Interior Minister Chaudhry Nisar Ali Khan during the Question-Answer session can be accessed at: http://www.senate.gov.pk/uploads/documents/questions/1489117899_531.pdf

39. Full text of the law can be accessed at: http://www.na.gov.pk/uploads/documents/1472635250_246.pdf

The implementation process has worked well. Some improvements are needed.



NAP Point No. 14: Measures against abuse of social media for terrorism

The Prevention of Electronic Crimes Act 2016, a federal law, defines cyber terrorism and hate speech and prescribes punishment for offences related to it.³⁹ In Punjab, a basic social media-monitoring cell has been set up in CTD Punjab; however, according to the department, at present the FIA has exclusive jurisdiction to investigate cases related to cyber terrorism. The Punjab CTD and Police have demanded to also have jurisdiction alongside the FIA. The Federal Government has to amend the rules governing the law to include CTDs and Police in the jurisdiction.

A total of 33 cases have been registered against hate material on social media in which 34 persons have been arrested and 12 convicted. Given the impression that certain terrorist outfits openly operate on social media, these numbers suggest that the action taken against these requires to improve substantially.

The implementation process has been relatively poor. Significant improvements should be made.



NAP Point No. 15: Zero-tolerance for militancy in Punjab

This particular point of NAP has been mired in ambiguity and controversy while also being a source of recurring friction between the civilian government and the military leadership. For example, the response to the Lahore Attack of March 27, 2016 saw a disjointed response by the elected Government and the Military leadership. In addition to two meetings separately held by the Prime Minister of Pakistan, Mr. Muhammad Nawaz Sharif, and the then Chief of Army Staff, Gen. Raheel Sharif from March 27-28, 2016, there was a widespread impression that Military-led operations in Punjab were not undertaken after consultation with the elected leadership, and were unilaterally ordered by the Army.

Data received from the provincial CTD has displayed measurable results in its various counter-terrorism and counter-extremism operations conducted throughout Punjab. For example, a total of 990 persons have been arrested and 296 cases registered against persons belonging to terrorist organizations operating in the province, which have so far resulted in 125

convictions.⁴⁰ Notably, among these, 79 terrorists belong to the hardened Lashkar-e-Jhangvi, including its infamous leader Malik Ishaq, who have either been detained by the Provincial Government or killed in intelligence-based operations.

Despite perceptions on the contrary and noticeable civil-military friction, the implementation process has worked relatively well. Some improvements are needed.



NAP Point No. 16: Ongoing operation in Karachi will be taken to its logical end

This point pertains to the jurisdiction of the Federal Government. However, just to report progress on it in two years, according to a Federal Ministry of Interior report presented in the Senate of Pakistan, the Federal Government has claimed that Karachi operation has yielded substantial results. Terrorism has been reduced by 90 per cent in the city while target killing has witnessed a drop of 91 per cent. Similarly murder and robberies have been reduced by 62 per cent and 48 per cent respectively. Moreover, a total of 33,378 weapons have been recovered.⁴¹

The implementation process has worked well. Some improvements are needed.



NAP Point No. 17: Balochistan Government to be fully empowered for political reconciliation with complete ownership by all stakeholders

This point pertains to the jurisdiction of the Federal Government. However, just to report progress on it in two years, the promise of providing Rs. 5 million to each pardoned militant in instalments in addition to compensation for weapons along with announcement of jobs or technical education by the Balochistan Government is said to be an efficacious policy.⁴²

Media reports frequently mention Baloch militants surrendering to the Government.⁴³ The celebrated meeting of Abdul Malik Baloch and Abdul Qadir Baloch with Bugti's grandson did not lead to anything tangible reportedly due to lack of agreement between the Civil-Military leadership.

40. According to data obtained from CTD Punjab.

41. Data on from January 2015 – December 2016 is not available with PILDAT. Hence, the data shared here was presented in the Senate on March 10, 2017 by Interior Minister Chaudhry Nisar Ali Khan during the Question-Answer session and can be accessed at: http://www.senate.gov.pk/uploads/documents/questions/1489117899_531.pdf

42. 'Balochistan Reconciliation: 625 insurgents surrendered in six months' published in The Express Tribune can be accessed at: <https://tribune.com.pk/story/1042338/balochistan-reconciliation-625-insurgents-surrendered-in-six-months/>

43. Some of these reports can be accessed at:

- i. <https://tribune.com.pk/story/1042338/balochistan-reconciliation-625-insurgents-surrendered-in-six-months/>
- ii. <https://tribune.com.pk/story/938017/balochistan-insurgency-400-militants-surrender-on-independence-day/>
- iii. <https://tribune.com.pk/story/903261/insurgency-in-balochistan-49-militants-surrender/>

44. Data obtained from CTD Punjab.

45. 'Candidate backed by banned party wins by-poll' published in Dawn can be accessed at: <https://www.dawn.com/news/1299959>

46. According to data obtained by CTD Punjab, the main areas of concentration of Afghan refugees are: Mianwali (21,661), Attock (17,390), Rawalpindi (23,843), Gujrat (9,921), Chakwal (16,645), Sargodha (799) and Lahore (506)

The implementation process has been relatively poor. Significant improvements should be made.



NAP Point No. 18: Dealing firmly with sectarian terrorists

During this period, a total of 225 cases have been registered against Lashkar-e-Jhangvi and Sipah-e-Muhammad, and the alleged police encounter killing of Malik Ishaq does show that the Punjab Government is targeting those sectarian leaders who previously roamed around with impunity. Moreover, over 900 detainees in Punjab belong to sectarian organisations.⁴⁴

There have been questions raised on the recent win of Maulana Masroor Nawaz Jhangvi, who is supported by the banned Ahle Sunnat Wal Jamaat, in the provincial by-election for the Punjab Assembly's PP-78 in terms of degree of progress achieved on this point.⁴⁵ While joining the political process under the Constitution of Pakistan is a positive step that amounts to respecting the writ of the State and its legal regime, given that the person has denounced his extremist agenda, it must also be noted that at the moment the ATA does not bar fourth schedulers from campaigning and contesting election. If such is the intent, the law must be amended suitably.

While the Provincial Government may have taken positive strides against sectarian terrorists, much more needs to be done, especially in regions that are sectarian hotbeds. The implementation process has worked relatively well. Improvements should be made.



NAP Point No. 19: Formulation of a comprehensive policy to deal with the issue of Afghan refugees, beginning with registration of all refugees

The process of the registration of Afghan refugees by the Punjab Government is underway as 100,397 Afghan refugees have been biometrically verified. Moreover, the Provincial Government has also identified major areas of concentration of Afghan refugees in which Rawalpindi and Mianwali top the list.⁴⁶

However, registration of Afghan refugees needs a holistic approach in which goals are identified and the matter is dealt with in a manner in which humanitarian considerations are also weighted.

The implementation process has been relatively poor. Significant improvements should be made.



NAP Point No. 20: Revamping of the Criminal Justice System

The Federal Government claims these reforms pertain to the Provincial Governments. However, according to the Ministry of Interior, NACTA is preparing a package of reforms, which if approved by the Federal Government, will be sent to the provinces.

The Parliament, for its part, has also done precious little in the past two years on reviewing the performance of the Government on reforms in Pakistan's criminal justice system. Although the Senate did a commendable job to produce a detailed report on the Provision of Inexpensive and Speedy Justice in the Country after detailed deliberations in its Committee of the Whole in December 2015, the Parliament on the whole did not exercise its oversight role in a befitting manner. Its Committees should have sought monthly reports from the Government on the steps taken to reform the justice system.

The implementation process has been poor overall. Immediate and major changes need to be made.



Laws Relating to Miscellaneous Areas of Implementation

The following table shows certain laws enacted by the Government of Punjab that although do not correspond directly to any particular NAP Point but are related to counter-terrorism efforts:

No.	Law	Brief Description
1	Punjab Prohibition of Expressing Matters on Walls (Amendment) Act 2015	Increased fine for expressing matters on walls from Rs. 5000 to Rs. 25 000 and made the offence cognizable and non-bailable. ⁴⁷
2	The Punjab Special Protection Unit Act 2016	Provided for the constitution of Special Protection Unit in the police for the purpose of 'providing dedicated security to foreigners, important person and premises; and, for other purposes.' ⁴⁸
3	The Punjab Civilian Victims of Terrorism (Relief and Rehabilitation)	Provided for the 'institutionalized response to redress the hardship faced by the civilian victims and their families owing to an act of terrorism.' ⁴⁹

47. Amendments can be viewed in the The Punjab Prohibition of Expressing Matters on Walls Act, 1995 at: <http://punjablaws.gov.pk/laws/393.html>

48. Full text of Punjab Special Protection Unit Act 2016 can be accessed at: <http://punjablaws.gov.pk/laws/2620.html>

49. Full text of The Punjab Civilian Victims of Terrorism (Relief and Rehabilitation) Act 2016 can be accessed at: <http://www.punjabcode.punjab.gov.pk/index/showarticle/ref/e58e0073-6c89-4c84-b593-c994f00127b2>

50. '15 committees tasked with execution of action plan' published in Dawn can be accessed at: <https://www.dawn.com/news/1153581>

Recommendations

- I. The Prime Minister constituted 15 committees to oversee the implementation of various aspects of the NAP in December 2014.⁵⁰ No record is available about the meetings of these committees but media reports indicate that most of these committees were not functional and their record of progress in their respective area of work was rather questionable. An effective monitoring mechanism demands making these committees functional so that these can effectively unpack each point of NAP, delineate departmental responsibility and hold to account each department on its progress.
- ii. A major lacuna in the parliamentary oversight of NAP is the lack of work done in this regard by the Standing Committees of the Parliament as well as Provincial Assemblies. In the case of the Punjab Assembly, while the Standing Committee on Home Affairs has met for roughly 20 times in two years when it was referred legislation pertaining to implementation of the NAP, it has been unable to carry out a systematic and regular oversight of the implementation of National Action Plan due to the procedural lacuna of lack of *suomoto* powers with committees of the Punjab Assembly. The lack of *suomoto* powers for committees mean that these do not have the power to convene to examine an issue relating to their mandate unless the issue has been referred to the Committees by the House. This is a major weakness of the Punjab Assembly rules as both the Standing Committees in the National Assembly and the Senate hold *suomoto* powers. PILDAT has consistently put forward the reform proposal to empower Standing Committees in the Punjab as well as other Provincial Assemblies in order to strengthen their oversight role as well as their capacities. Monitoring of the implementation of the NAP is a national necessity equally across the Federal and Provincial Legislatures and the relevant Committees meet on a monthly basis to inquire about the status of implementation of the NAP and inform the public of the progress in this regard.
- iii. An important aspect of countering terrorism and extremism overlooked in the NAP is community participation. The disjoint between opaque policymaking and its ownership by the community results in a certain degree of apathy by citizens. This is highly unfortunate as citizens are an important node of intelligence input and general oversight. Had the NAP, other than just receiving political consensus, also received political input by parties and MPs, the document would have provided for a mechanism of community mobilization for successful implementation of the NAP across the country. The process should still be amended by political leadership to take the lead by taking on board local political leaders and introducing community participation programmes at the ward level. Moreover, the Government may also mobilize ulemas as they continue to hold tremendous influence on society. The ulema can be the perfect bridge to counter extremist narrative and turn the fight against terrorism and extremism into a joint and collective effort.
- iv. Special branch of the police has been historically an active information gathering system at the community level and has a huge spread over the province. It is not clear whether the Special Branch has been involved in implementing the NAP but it may make sense if it is given a role.

Graphs Depicting the Impact of NAP

Figure 1: Terrorism Related Casualties in Punjab (Civilians & Law Enforcements Agencies), 2014-2016⁵¹

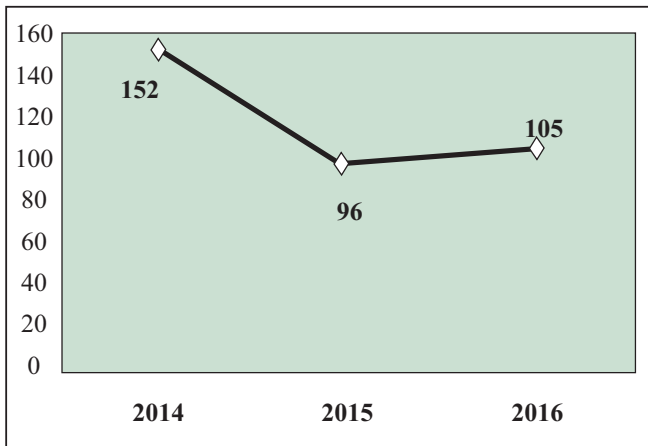


Figure 2: Terrorism Related Casualties in Pakistan (Civilians & Law Enforcement Agencies), 2014-2016⁵²

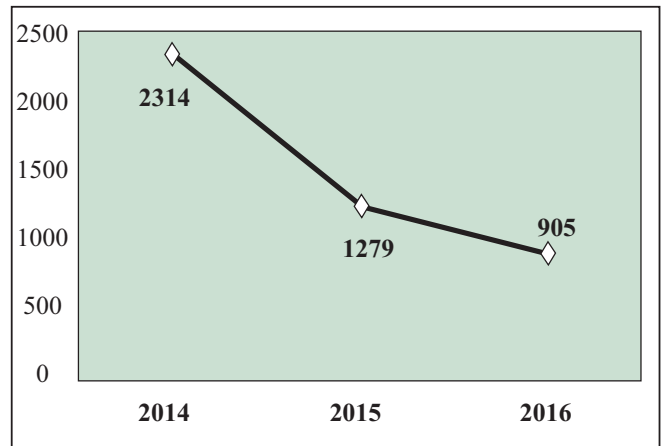


Figure 3: Terrorism Related Incidents in Punjab, 2014-2016⁵³

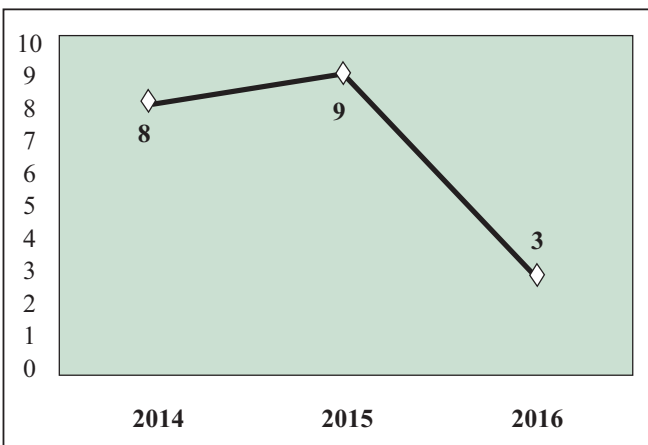
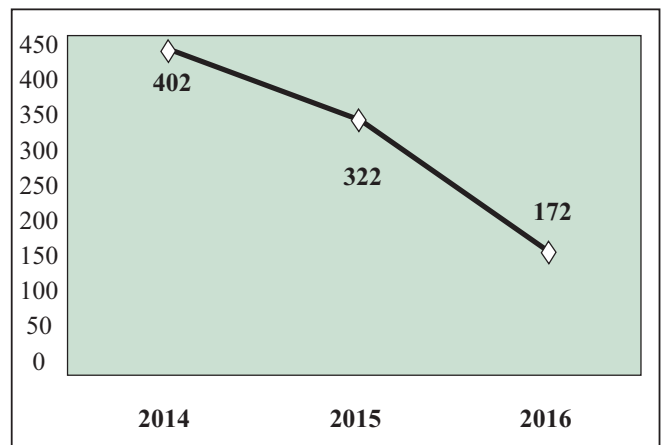


Figure 4: Terrorism Related Incidents in Pakistan, 2014-2016⁵⁴



51. South Asia Terrorism Portal Database, which may be accessed at: <http://www.satp.org/satporgtp/countries/pakistan/database/index.htm>

52. Ibid.

53. Ibid.

54. Ibid.

**PILDAT
Monitor**

Implementation of National Action Plan to Counter Terrorism in Punjab

Volume 1: January 2015 – December 2016



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Monitor

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Feedback Form

No.	Feedback Item	Feedback
1	Suggestions to improve the monitor	
2	Any development/incident you have witnessed that you would like to highlight with regards to the implementation of NAP	
3	Any particular comment with regards to the analysis that PILDAT has developed	
4	Any instances you have witnessed that indicate violation of NAP	



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