

Comprehensive review of NAP

## **Fighting terror: institutional structure in the context of NAP**

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The National Action Plan, announced after the December 16 attack, enlists 20 points meant to fight terrorism in the country. To undertake these points, the government constituted several committees. A central coordinating body NACTA was already tasked to collaborate on counter-terror information. Above all, apex committees comprising civil-military leadership were formed in all four provinces, on the same subject.

This essay describes the several institutions, intertwined with the key issues, emanating out of the NAP.

### Sub committees

To oversee the implementation of the 20 points of NAP, the government initially constituted 15 different subcommittees. These committees comprised ministers, senior government officials, and top army officials.

Eleven (11) of these committees were to be headed by the federal minister of interior, Chaudhry Nisar Ali Khan. This makes him head of almost 73% of the committees, including the ones on preventing emergence of militias, on curbing hate speech, and on stemming proscribed outfits.

The remaining four (4) committees were led by finance minister Senator Ishaq Dar, on terror financing; information minister Senator Pervaiz Rashid, on militant glorification in media, and on justice system reforms; Governor Khyber Pakhtunkhwa Mehtab Khan, on FATA reforms and smooth return of Internally Displaced Persons.

In addition to these, Prime Minister Nawaz Sharif was to head a special committee overseeing overall implementation of the NAP.

All the 15 committees formed to supervise implementation of the NAP are lying dormant. There is no information on the meetings held, if any.

Interestingly, federal interior minister Chaudhry Nisar Ali Khan said that the subcommittees were constituted for “consultation to devise a cogent anti-terror policy”. NAP, he said, “outcome of that consultative process.”<sup>1</sup> This should mean that the committees were automatically called off, once NAP was announced. “The process against the terrorism and extremism has been streamlined”, he said justifying the absence of committees.

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<sup>1</sup>Authors’ interview with Federal Minister for Interior and Narcotics Control Chaudhry Nisar Ali Khan.

Chronology of the events, however, suggests the committees were formed after announcement of the NAP. In fact, the committees were formed on the points of NAP.

Minister of state for interior affairs, Muhammad Balighur Rehman, however, linked their formation to monitoring the implementation of NAP. Initially, he said, these committees met regularly.<sup>2</sup> “The frequency of the meetings has dropped down in recent months, as the implementation of the NAP is now directly being monitored by the PM’s Office.”<sup>3</sup>

Rehman, however, parried questions about composition of the different committees and their performance.

Conversely, Rustam Shah Mohmand, one of the authors of the NAP and privy to the subsequent developments, says the committees were supposed to meet fortnightly and send a performance report to the prime minister for further evaluation.<sup>4</sup> “As per SOP, fortnight meetings of these committees were necessary to assess the performance of law enforcement agencies and

further deliberations, but this is not being followed,” he said.

### **Apex committees**

As if these committees were not enough, apex committees comprising military and political leadership were also formed in all provinces to oversee NAP’s implementation there. The formation of the apex committees was announced by the ISPR through a press release, which said that they would help coordinate the security agencies working in different provinces and implement the NAP.<sup>5</sup>

The ISPR initially said it would “constitute both military and political leadership.” The post-meeting statements often share details about the participants of the meeting. But the exact composition of each apex committees remains a mystery.

Many of the official figures on arrests and crackdowns are taken from the press releases issued after the apex committees’ meetings.

The number of apex committees meetings held in different provinces are also not shared publicly. The

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<sup>2</sup>Authors’ interview with Minister of State for Interior Muhammad Balighur Rehman.

<sup>3</sup> Ibid.

<sup>4</sup>Authors’ interview with Rustam Shah Mohmand, a former diplomat and one of the authors of the NAP.

<sup>5</sup>Press Release, No PR5/2015-ISPR, January 3, 2015, [https://www.ispr.gov.pk/front/main.asp?o=t-press\\_release&date=2015/1/3](https://www.ispr.gov.pk/front/main.asp?o=t-press_release&date=2015/1/3).

interior ministry said that so far 30 meetings of apex committees of all provinces have been held which monitor the progress report.

Apparently, it was NACTA's job to coordinate with all the apex committees and maintain the record, but that isn't being done there because of NACTA's own limitations of funds and human power.

## NACTA

The NACTA was mainly responsible to keep record of all the meetings of the committees formed for implementation of the national counter-terrorism strategy, including meetings of the provincial apex committees.<sup>6</sup>

Reality, however, seems to differ. Azhar Karim Khawaja, former National Coordinator (NC) of the NACTA, says nobody in the provinces cares to send or share information with the authority because of its ineffectiveness. "There is no institutional record of these meetings with the NACTA mainly because the authority is facing shortage of manpower and resources," he said.<sup>7</sup>

However, NACTA's outgoing National Coordinator claimed to be in touch with home secretaries of the provinces, counter terrorism

departments, inspector generals of police and security agencies on implementation of the NAP. "We keep close coordination with the provinces and apprise the prime minister on implementation status of the NAP through periodic reports," he claimed.<sup>8</sup>

Part of the confusion probably emanates from how NACTA is foreseen. The authority's outgoing NC categorically said the NACTA is not part of any decision-making committee like the apex committees. Instead, NACTA, he said, serves only as a think-tank to the prime minister and interior ministry.

On day-to-day performance, the authority has to play its role. Since the release of NAP, not a single board meeting has been held so far. The government's plan of establishing Joint Intelligence Director has yet to materialize. Despite repeated requests, NACTA declined to share any details on implementation of the NAP, raising question marks over its performance, transparency, and capacity.

The low performance is owed to low capacity and budget. Interestingly, it's outgoing NC too acceded that the authority is understaffed and under-resourced, saying the sanctioned strength of the body is 203 while presently only 57 employees are

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<sup>6</sup>Authors' interview with former National Coordinator of NACTA Azhar Karim Khawaja.

<sup>7</sup> Ibid.

<sup>8</sup>Authors' interview with the NACTA National Coordinator Hamid Ali Khan.

working<sup>9</sup>. “Only three officers are working in the NACTA to look after day to day affairs while rest is all the support staff,” he said. (Khan himself left the office in August 2015).

Even now, in the 2015-16 budget, the government didn’t allocate a single penny for the authority, speaking volumes about will of the government to make the NACTA a cogent institution to fight terrorism.

Although the Minister of Interior replies that it has asked for funds for NACTA, the effort seems late and cosmetic.<sup>10</sup> To NACTA, rejections to fund demands are not new. “Each year a committee is constituted after the budget for recommendation of funds for the NACTA but this never sees light of the day too,” said Hamid Ali Khan.<sup>11</sup>

Finance Ministry has its own reasons of not releasing funds. Secretary Finance Dr Waqar Masood informed the Senate Standing Committee on Finance that the government still remains indecisive about structure of the authority.<sup>12</sup> “The Finance Ministry is ready to allocate funds for

the NACTA, but Prime Minister Nawaz Sharif has yet to decide about structure of the authority,” he said.<sup>13</sup>

NACTA Act places it under the Prime Minister, but in July 2013, the government notified to bring the NACTA under ambit of the Interior Ministry.

Although the court subsequently declared transfer of the NACTA from the prime minister’s control to the interior ministry illegal, the interior ministry is still overseeing the NACTA.<sup>14</sup> It is the interior ministry that is managing day to day expenditures of the NACTA through its secret funds and National Crisis Management Cell’s budget.<sup>15</sup>

Javed Iqbal, a former law officer at NACTA, who filed the first petition against the transfer of NACTA to interior minister, isn’t pursuing against the recent state of affairs.<sup>16</sup> Like many others, a former head of NACTA deem the status as “illegal.”

NACTA’s questionable performance is often owned to the turf war between civilian and military. As to

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<sup>9</sup> Ibid.

<sup>10</sup> Authors’ interview with Interior Ministry’s joint secretary Muhammad Asghar Chaudhry. Chaudhry said: “We are struggling to get funds for the NACTA, as this is a primary institution to devise policies and counter terrorism in the country.”

<sup>11</sup> Authors’ interview with NACTA National Coordinator Hamid Ali Khan.

<sup>12</sup> Shahbaz Rana, "Senate body seeks funds for APS victims' families," *Express Tribune*, July 14, 2015.

<sup>13</sup> Ibid.

<sup>14</sup> Malik Asad, "Nacta's transfer to interior ministry declared illegal," *Dawn*, July 10, 2014, <http://www.dawn.com/news/1118282>.

<sup>15</sup> Authors’ interview with NACTA’ former Law Officer Javed Iqbal.

<sup>16</sup> Ibid.

what exactly divides the two is unclear.

According to a former top official of NACTA, the appointment of National Coordinator has been a major bone of contention between civilians and military, as the latter wants to take over the authority's affairs. "Until an amendment is made in the act to include khakis to be appointed as the National Coordinator, the NACTA is bound to remain a dormant body," he believed.<sup>17</sup>

The appointments made by civilian government in the NACTA were also not acceptable to the military establishment, says some, as inexperienced or junior officials were appointed to look after the sensitive matters. As per the Act, the National Coordinator should be of grade-22 officer, but the government had appointed to the post a grade-20 officer in the past.<sup>18</sup>

Yet another former official revealed that the NACTA has become a bone of contention among Prime Minister Office, Ministry of Interior and military mainly, because of foreign grants for the authority to curb terrorism and extremism. Several countries have been hinting at giving funds to NACTA. These funds, he

said, beside other issues, were hindering the authority to become an independent and professional institution. "Everybody wants to take charge of the foreign grants but nobody wants to do actual work prescribed in the NACTA Act," he said.<sup>19</sup> (The foreign assistance, however, couldn't make its way to NACTA.)

### PM-COAS meetings

To review progress on implementation of the National Action Plan, Prime Minister Nawaz Sharif held regular meetings in December 2014 and January 2015; the frequency of these meetings gradually came down in subsequent months. Initially, the prime minister was briefed by relevant federal ministers, secretaries and home secretaries of ministers about progress on implementation of the NAP but gradually it reduced to only one-to-one meetings between the PM and Chief of Army Staff to discuss the anti-terror plan.

The institutions like NACTA that were supposed to be strengthened as per directions of the prime minister were ignored and that's why the implementation and strategies are being discussed in one-to-one meetings instead. The prime minister

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<sup>17</sup>Author's interview with a former official of NACTA, who requested anonymity.

<sup>18</sup>For details on appointments, see Malik Asad, "Nacta chief hires private firm for

his defence", Dawn, July 2, 2014, <http://www.dawn.com/news/1116461>

<sup>19</sup>Authors' interview with NACTA's former officer who witnessed the legal fights of NACTA

constituted a special committee on December 26, 2014 to ensure expeditious and effective implementation of the National Action Plan to wipe out terrorism in the country. He vowed to oversee the enforcement of the action plan but after that the public was not informed about meetings of the special committee and its outcome.

The special committee headed by the prime minister comprises Minister for Interior Chaudhry Nisar Ali Khan, Minister for Defence Khawaja Muhammad Asif, Minister for Information and Broadcasting Pervaiz Rasheed, Minister for Planning Ahsan Iqbal, Minister for States and Frontier Regions Abdul Qadir Baloch and Advisor to PM on Foreign Affairs and National Security Sartaj Aziz.

There is no harm in one-to-one meeting of the prime minister and the chief of army staff but the decisions made in these meetings should be conveyed to relevant security institutions through a proper mechanism. Currently, decisions are made in the one-to-one meetings without consultation and deliberations of the relevant

institutions that later hinder the implementation process.<sup>20</sup>

### Key issues

Noticeably, civil-military relations have also been impacting the ongoing operations against terrorists and militants, let alone implementation of the NAP. In February 2015, Director General of ISPR, military's media wing, said that some parts of the National Action Plan are being implemented while "other aspects require more time due to political challenge."<sup>21</sup>

A former military general argued, "It is true the civil-military relations have been hampering the fight against terrorism. Part of the reason is that political leadership has always preferred to outsource the fight against militancy and extremism to military and army-led institutions."<sup>22</sup>

The blame game should come to an end, as Pakistan cannot be terror free until all security agencies, military and civil institutions work together with the same passion to flush out militants.<sup>23</sup>

Another issue is about the extent to which institutions, as opposed to

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<sup>20</sup>Authors' interview with former diplomat and one of the authors of the NAP Rustam Shah Mohmand.

<sup>21</sup>"NAP will take time to implement due to political challenges: DG ISPR," *The News*, June 19, 2015.

<sup>22</sup>Authors' interview with Gen (retd.) Talat Masood, a defence and security expert based in Islamabad.

<sup>23</sup> Ibid.

individuals, are responsible for implementing NAP's points.

The case of madrassa reforms, a NAP point, is pertinent to look into.

Background interviews reveal that the state minister himself is reluctant to register the madrassas under the new policy. He argues that the government's process of registration of the seminaries is flawed as it wants to scrutinise funds of the madrassas but doesn't want to provide any

support for the students, most of them are either orphan or come from humble backgrounds.<sup>24</sup>

"Being a state minister, I cannot allow the faulty registration system of the madrassas to go ahead. I have expressed my strong reservations on the process and it is stalled now," said Hasnat Shah.<sup>25</sup>

### List of sub NAP subcommittee and their members<sup>1</sup>

Committee Name	Members
<b>Main Committee</b>	Mian M. Nawaz Sharif, Prime Minister of Pakistan (Chair) Interior Minister Finance Minister Minister for Planning Information Minister Defence Minister Minister for SAFRON Governor KP Advisor to PM on Foreign Affairs & National Security Special Assistant to PM on Parliamentary Affairs
<b>Afghan Refugees</b>	Ch. Nisar A. Khan, Interior Minister (Chair) Governor Khyber Pakhtunkhwa Minister SAFRON Chairman NADRA

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<sup>24</sup>Authors' interview with State Minister for Ministry of Religious Affairs and Inter Faith Harmony Muhammad Amin Ul Hasnat Shah.

<sup>25</sup> Ibid.

<sup>1</sup>The list is derived from the website of NAP Watch, a watchdog on NAP, available at: [www.napwatch.pk](http://www.napwatch.pk).

	Other senior officials
<b>Armed Militias</b>	Ch. Nisar A. Khan, Interior Minister (Chair) Director General Inter-Services Intelligence Director General Intelligence Bureau DG Military Operations (MO) Interior Secretary National Coordinator of NACTA Provincial Home Secretaries including FATA, GB & AJK
<b>Counter-Terrorism Force</b>	Ch. Nisar A. Khan, Interior Minister (Chair) Minister Defence Minister Finance Director General Military Operations Finance Secretary Interior Secretary National Coordinator NACTA
<b>Criminal Justice System</b>	Ch. Nisar A. Khan, Federal Interior Minister (Chair) Interior Secretary Provincial Home Secretaries Representative of ISI Representative of IB Law Secretary
<b>FATA Reforms</b>	Mehtab Abbasi, Governor KP (Chair) Finance Minister Minister Planning Minister SAFRON Secretary Economic Affairs Corps Commander 11 Corps Peshawar and FATA
<b>Hate Speech</b>	Ch. Nisar A. Khan, Interior Minister (Chair) Minister Religious Affairs Minister Planning Minister Information DG ISI DG IB Secretary Interior National Coordinator NACTA MD PTV All provincial Home Secretaries All provincial Secretaries of Auqaf
<b>Karachi Operation</b>	Ch. Nisar A. Khan, Interior Minister (Chair)

	Governor Sindh CM Sindh DG Rangers And others (not specified)
<b>Madrasa Regulation</b>	Ch. Nisar A. Khan, Interior Minister (Chair) Minister of Religious Affairs Secretary Religious Affairs State Minister for Education All Home Secretaries All Secretaries of Auqaf Departments
<b>Proscribed Organisations</b>	Ch. Nisar A. Khan, Interior Minister (Chair) DG ISI DG IB Secretary Interior All Provincial Home Secretaries
<b>Religious Persecution</b>	Ch. Nisar A. Khan, Interior Minister (Chair) Minister Religious Affairs Secretary Religious Affairs Secretary Interior Coordinator NACTA IGPs of all Provinces, GB, AJK & Islamabad All Provincial Home Secretaries All Provincial Secretaries of Auqaf Departments
<b>Sectarian Terrorism</b>	Ch. Nisar A. Khan, Interior Minister (Chair) DG IB IGs of all Provinces, GB, AJK & Islamabad Home Secretaries of all Provinces Heads of Counter Terrorism Departments Secretary Interior Secretary Coordinator NACTA
<b>Social Media / Internet Abuse</b>	Interior Ministry (Chair)