



National Action Plan: Implementation Gaps & Successes

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Background

Terrorism in all its forms poses a serious threat to the national security of Pakistan. The attack on Army Public School, Peshawar, on December 16, 2014 forced the Pakistani nation to reiterate its resolve to fight terrorism. This resolve led to the formulation of a comprehensive national security strategy in the name of National Action Plan (NAP) by the government the in January 2015. Consequently, Prime Minister Nawaz Sharif, in his televised address to the nation on December 24, 2014, announced the 'National Action Plan' (NAP).

NAP constitutes policy initiatives that aimed to crackdown and

Most of the NAP points relate to the implementation of existing laws and constitutional bars that include preventing banned organizations from operating and/or regrouping under new names; preventing terrorists' funding; dismantling terrorists' communication networks; prohibiting private militias; acting against sectarian organizations and countering hate speech; stopping the dissemination of hate literature, etc.

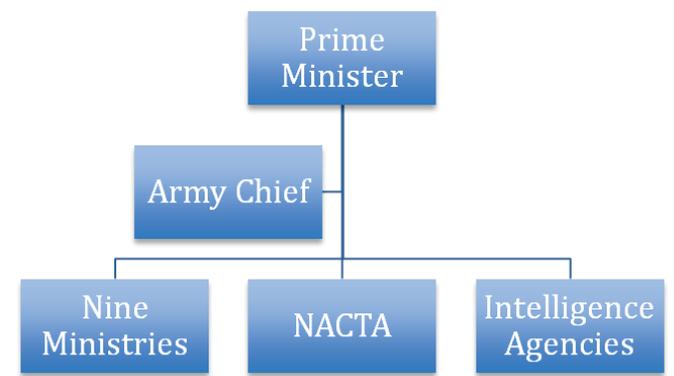
eventually wipe out terrorist outfits across the country. The plan further aims to integrate security efforts of the federal and provincial governments by engaging all the stakeholders, dismantling terrorist networks and ensuring deterrence by utilizing available capabilities and resources of security organizations to overcome internal threats to the state security.

Among 20 points of the plan, military courts for the trial of terrorists, capital punishment (i.e. hanging of terrorists) for

terrorists, a counter-terrorism force, and FATA reforms are the most significant points whereas the remaining 16 points like choking funding sources of terrorists, busting their hideouts, ban on publication and publicity of hate material, madrasa reforms, Afghan refugees' registration, etc. are 'normal' actions which any responsible government has to take as part of its obligation to govern the state. It may be noted that these were also the part of National Internal Security Policy (NISP) devised in 2014. Parliament passed the 21st Amendment on January 7, 2015 to provide legal cover to NAP or more specifically to the establishment of military courts for a period of two years.

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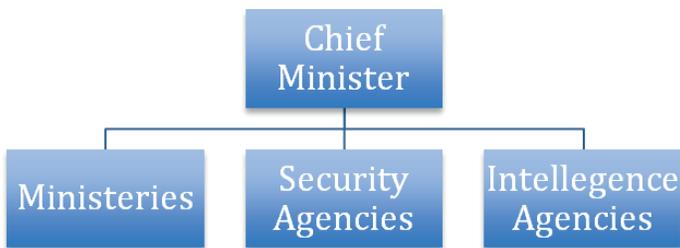
1. Institutional Arrangements for Implementation of NAP



1. NAP Document

The existing three-tier structure in the shape of NAP comprises Federal Apex Committee, National Counter Terrorism Authority (NACTA), and Provincial Apex Committees. This is the institutional mechanism to implement the plan headed by the prime minister. The Federal Apex Committee which consists of nine cabinet members as well as forces and intelligence chiefs is responsible for providing policy guidelines.

At the provincial level, the main institutional mechanism is the Provincial Apex Committee, which is headed by the respective chief ministers and is comprised of provincial heads of police, administration, intelligence and security departments. Through these committees, the military has been formally taken over the civil administration domain to help the government in its counter-terrorism efforts. However, it gave rise to the concerns that these apex committees may assume the role of a parallel



government, as in Sindh, the decision of the apex committee to review senior police officers' transfers/postings was criticized by the provincial leadership .

1.1. Status of NAP Implementation

Before discussing the status of NAP implementation, it is necessary to remove the misconception that Ministry of Interior is solely responsible for it. In fact the ministry has exclusive responsibility in only first and second point of the plan. In nine other points (i.e. No: 3, 4, 5, 7, 8, 13, 16, 17, & 18), the ministry has the supporting and coordinating role or shared responsibility whereas in rest of the nine points (i.e. No: 6, 9, 10, 11, 12, 14, 15, 19, & 20), the responsibility rests with exclusively other ministries and stakeholders. (See Annexure 2 for details.)

Progress towards the implementation of NAP remains mixed. Apex Committees comprising civil and military leaderships have been formed in all the provinces. So far 21 meetings of these committees have been held. A total of 10,000 army personnel have been deployed in all the provinces to act in aid of civil security forces in times of need. In Karachi operation, a combined civil-military action has resulted in bringing down the incidences of targeted killings (69%), terrorism (77%) and robberies (30%). In addition, a total of 69,179 persons have been arrested. Among them were 890 terrorists, and 10,426 absconders. Similarly, the number of weapons recovered was 16,304. All this show the effectiveness of the steps initiated under the NAP.

In addition, the government has also revoked the six-year moratorium on execution of death penalty in cases of terrorism, which was a prerequisite to the NAP implementation to observe deterrence. This was based on the groundwork already initiated after the passage of 21st amendment to the Constitution of Pakistan in January 2015, which enabled the modification and strengthening of military courts to serve as the speedy trial courts for terrorism related cases. As of 20th March 2016, 11 speedy trial courts were notified and 190 cases were transferred to these courts. By March 2016, 414 persons have been executed under ATA and/or PPC. The progress towards the establishment of a Counter Terrorism Force seems satisfactory and 10,700 personnel have joined this force, and among them 7,816 were available till 20th March 2016.

Moreover, a standard form for the registration and regulation of Deeni Madrasas has been prepared with inputs from NACTA, Ittehad Tanzim ul Madaris Pakistan (ITMP), provincial governments and intelligence agencies. Mapping exercise on agreed parameters has been completed in the Punjab and Islamabad Capital Territory, but is still going on in Sindh (80%), KPK (75%) and Balochistan (60%). 182 suspected madrasas have been closed down. Most of them were situated in Sindh. Moreover, 190 madrasas were found to be foreign funded. Ministry of Federal Education and Professional Trainings constituted two committees under the Federal Board, and Higher Education Commission (HEC) to decide about the certification and curriculum modification issues of madrasas in consultation with ITMP.

Operations to curb militancy in the Punjab, reforms in FATA (including legal, administrative and development strategies), and reconciliation efforts in Balochistan (including rehabilitation of Fararis) are being carried out. It is pertinent to mention that 500 Fararis have surrendered so far.

Other developments are: identification of the organizations involved in terrorism in addition to the ones already banned, and formulation of more focused strategies to end sectarian terrorism. As regards, the government has been working to stop printing and publication of hate material that nurtures sectarian strife among the extremist groups. As of 31st August 2016, 2477 cases have been registered against hate speech / material, 2440 persons arrested, and 70 shops sealed. On charges of misuse of loudspeakers, 14,450 cases have been registered, 14,876 people arrested, and 3448 pieces of equipment confiscated. This has resulted in marked decline in incidence of reporting of cases of hate speech and misuse of loudspeaker.

On the directives of Ministry of Interior (MoI), the mandatory biometric verification of all cell phone users has been successfully completed. About 98.3 million SIMs have been blocked after this huge exercise. Now, Pakistan has become the sole country wherein 100% verification of SIMs has been carried out. Ministry of Information Technology (MoIT) has so far blocked 937 URLs

2. "Implementation of NAP: Apex committee's extended role criticized", The Express Tribune, 24 February 2015.

and 10 websites of proscribed organizations. As part of the registration drive of Afghan refugees – another important pre requisite to refine national database – 35,2044 refugees have been registered through biometric system while 326,666 without using biometrics. Provincial governments in cooperation with NADRA are also engaged in the reconciliation of data.

The Ministry of Information and Broadcasting has finalized the 'national narrative' draft but MoI has assigned NACTA to further improve it, as the draft was not satisfactory. Amendments in PEMRA laws have been finalized in the light of NAP. Advertisements of counter-terrorism and radicalization are being telecast through electronic media. The list of proscribed organizations is shared with MoIB and PEMRA. It is also being planned to filter the social media sites to enable vigilance against cybercrime through the 'Prevention of Electronic Crime Bill 2015', which has been approved by the National Assembly.

Achievements

- I. Establishment of Counter Terrorism Financing Units in all Counter Terrorism Departments at provincial level.
- II. Linkages with international think tanks and intelligentsia inter alia.
- III. FATA plan of action
- IV. Cyber Security Bill

2. Gaps in Implementation

The NAP, however, is faced with some shortcomings causing implementation gaps.

There is a slow progress towards the actions to check the reemergence of proscribed organizations in new names. It is the joint responsibility of provincial governments, MoI, and intelligence agencies. There is also a slow progress on issues like FATA reforms, Afghan refugees' repatriation, and revamping of criminal justice system.

Choking of terror financing, which is the responsibility of State Bank of Pakistan and the Ministry of Finance, also shows little progress. The detection and investigation of cases related to terror financing is an area which also shows a little progress. This is much more complex than a normal criminal investigation carried out by local police, and needs trained investigators. FIA is the only organization that has a dedicated 'Financial Investigation Unit' however, it lacks resources to carry out this difficult task effectively. Provincial Counter Terrorism Departments (CTDs) do not have such units due to which the focus of terrorism cases remains on ascertaining the event while ignoring the financial backing of terrorists. Counter Terrorism Financing Units should be set up in all CTDs at provincial level. NACTA claims that it has created this unit at its facility.

Internet, which is now used to promote, recruit and train militants besides funds' collection, has been given special emphasis in the NAP. There is a lack of clarity as to which organization is responsible at national level to monitor and counter the militants' activities on internet. Though, FIA has relevant units like 'National Response Centre for Cyber Crimes' to

investigate such cases, this unit lacks the wherewithal to effectively deal with this gigantic task. Such similar units are also missing in the provincial CTDs.

NAP highlighted the importance of capacity building and overhauling of criminal justice system – courts, police, prosecution and prisons. The military courts set up after the 21st Constitutional amendment sped up the revamping of criminal justice system. However, this is a temporary arrangement for two years and hence more acts of timely and appropriate legislation to revamp criminal justice system are needed. With regard to the effectiveness of police, the government's emphasis is on enhancing the counter-terrorism capability of police and on raising specialized units with better military capabilities. Although this is an important requirement, the importance of normal policing as an effective plank of counter-terrorism cannot be ignored. Improvement in the quality of investigation of terrorism cases is a prerequisite, and this demands better training, use of technology, forensic labs and an integrated national database. In the wake of large number of arrests, surveillance and regulatory activities are going on under the NAP; the criminal justice system must not be led to choke; and the law-enforcement agencies must not be overburdened.

Joint intelligence Directorate of NACTA could not be established so far despite a lot of efforts, therefore, the level of information sharing with NACTA by the intelligence agencies remains low. The madrasa and mosque mapping and their regulation is another important part of NAP. Although, a madrasa registration form has been developed, it has not been decided which organization will register them; the task may be taken up by the Ministry of Religious Affairs, or Interior or the Provincial Departments of Education, but there is no progress in this regard. Some madrasas receive funding from abroad (through state or private sources) but most of the funding comes in the form of small cash donations, which is then spent in cash again. Though madrasas have cash registers but there is no mechanism to monitor these funds. It is suggested that the ITMP may be convinced to agree to audit of 5% of the total madrasas which will enable the government to check the suspected ones. It may also be agreed for madrasas to maintain bank accounts and devise a mechanism so that all the donations should eventually land in their accounts.

The wide-ranging reforms under the National Internal Security Policy (NISP) must have an objectively defined and comprehensive roadmap, including FATA reforms and reconciliation policies for Balochistan. Registration of Afghan refugees and return of Internally Displaced Persons (IDPs) to tribal areas were listed as 'top priorities' in the NAP but no census has been undertaken as yet in this regard. The political parties have differences over the ownership of NAP and its implementation. For the last few months, some of the politicians have been criticizing NAP on various counts due to their political differences with the government. Making NAP controversial due to petty party politics will be severely detrimental to the national security and must be discouraged

strongly.

The consensus of provinces over a uniform set of policies for achieving the goals set up under the NAP is another challenge. Catering to national issues such as those having trans-border implications, involving similar actors, has become a huge challenge after the passage of the 18th Constitutional amendment. For instance inter-linkages between FIA and provincial authorities responsible for investigating terrorist financing and mutual sharing of information for effective action need to be strengthened.

NACTA lacks its own office premises and at the moment is situated in the National Police Bureau building. The role of NACTA is limited to coordination only, and no conclusive decision can be communicated for implementation unless all actors and stakeholders are brought on one page. This delays the implementation of policies as a result. Religious Persecution and Sectarian Violence are clubbed under general incidents of terrorism inhibiting any effective policy and response.

A. Gaps

- I. Formulation of a uniformed policy remains a challenge in multiple fields. For instance, all the provinces are in the process of earmarking an authority for the registration of madrasas but the decisions vary between them.

Recommendations

Following measures are recommended that need to be taken immediately for an effective implementation of NAP with complementary institutional reforms:

- Under NISP and NAP, a broader cooperation between Centre and provinces should be streamlined to avoid confusion and promote synergies.
- A strong NACTA is needed to address trans-provincial issues especially de-radicalization and madrasa reforms initiatives.
- There is an urgent need to devise provincial strategies to move the counter-terrorism agenda forward. It would be pertinent to take provincial disparities into account and revise NAP based on input from the provinces so that realistic and achievable goals are set against existing capacities. Long-term capacity building plans need to be formulated.
- As the nature and extent of terrorism varies from province to province, priorities also differ as well. TTP related violence is a common phenomenon across provinces, but in the Punjab, sectarian groups need to be taken to task first. Moreover, as the current mechanism of using Apex Committees is purely ad hoc, there is a need to replace the same with province-specific strategy. Provinces can not only cooperate with one another and with the federal government to streamline their approaches but more importantly they need to be as independent as possible especially in the implementation of policies. 'Autonomy ensures ownership of counter-terrorism frameworks and can help overcome fears of recentralization, especially in smaller provinces.
- There is an urgent need to undertake core reforms with regard to general and religious curricula. Platforms like CCI must clearly express this and build consensus on direction of

reform for interprovincial consistency and outcomes, which are consistent with NAP objectives.

A well-directed, coordinated and sustained national campaign is needed to create mass awareness regarding terrorism. Counter-narratives should be disseminated through media, literature, curriculum at educational institutions, debates at public forums and sermons in mosques. It would expose the wrong interpretations of Islam by militant organizations and help people deter from joining these militant groups. However, progress on this aspect has been slow.

Acronyms

AC	Apex Committee
AJK	Azad Jammu and Kashmir
APC	All Parties Conference
CCI	Council of Common Interests
CTD	Counter Terrorism Department
FATA	Federally Administered Tribal Areas
GB	Gilgit-Baltistan
IDPs	Internally Displaced Persons
ITMP	Ittehad Tanzim ul Madaris Pakistan
KP	Khyber Pakhtunkhwa
MoI	Ministry of Interior
MoIB	Ministry of Information and Broadcasting
NACTA	National Counter Terrorism Authority
NAP	National Action Plan
NISP	National Internal Security Policy
PEMRA	Pakistan Electronic Media Regulatory Authority
SAFRON	States and Frontier Regions
STC	Special Trial Courts
TTP	Tehrik Taliban Pakistan

Annexure 1

20 Points of National Action Plan ³

1. Implementation of death sentence of those convicted in cases of terrorism.
2. Special trial 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.
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 steps against religious persecution.
10. Registration and regulation of religious seminaries.
11. Ban on glorification of terrorists 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 internet and 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 and reforming the criminal justice system.

3. <http://www.nacta.gov.pk/NAPPoints20.htm>

Annexure 2

NAP Implementation Status 31st August 2016

S. No	NAP	Responsibility	Progress	Status	
Ministry of Interior					
1	Execution of convicted terrorists	Mol	Sat	1. No. of Persons Executed under ATA/PPC: 414	
2	Special trial courts	Mol	Sat	2. 11 Courts Notified 3. 190 Cases transferred to STC	
Mol and Other Departments					
3	Action against Armed Militias	Provinces Mol, MoD	Sat	4. Visibility of armed militias and display of weapons curtailed 5. Terrorists Killed 1811 6. Terrorist Arrested 5611	
4	Strengthening and activation of NACTA	PM Sectt./ Mol M/o Finance	Sat	Joint Intelligence Directorate	- Core group recruitment started - Officer requisitioned, case with MoD
				Office Space	- Agreement for permanent premises with FD - Temporary: NPB/NTC
				Budget 2016/17	Demanded: 1.86 B Released: 109 Mil Lump Provision: 1.75 Bill (should be released imm)
				NCMC Merger	Merged
				HR	JID core group recruitment advertised NACTA recruitment being advertised
5	Countering hate speech and extremist material	Provinces/ Mol	Sat	Hate Speech/ Material <ul style="list-style-type: none"> Cases registered: 1346 Persons Arrests: 2440 Shops sealed: 70 Misuse of Loudspeakers <ul style="list-style-type: none"> Cases registered: 14450 Persons Arrested: 14876 Equipment confiscated: 3448 	
7	Ensuring against re-emergence of proscribed organizations/ Individuals	Mol/ Provinces Intl. Agencies/ MoD	Slow	<ul style="list-style-type: none"> Categorize: (61+1) 164 UNSCR Common 13 4th Schedule Total Activists: 8200 Movement Restriction: 2052 PM constituted committee headed by SAPM to oversee implementation of sanctions measures against Al-Qaida/Taliban and associated individuals and entities under the UN Security Council Resolutions 1267 (1999) & 1989 (2011) Ban of proscribed organizations and individuals on public appearance and media 	

				Unit	Sanctioned	Present
				8	Establishing a Counter-terrorism Force	Federal Govt. Mol Provinces
				Punjab	1500	1182
				Sindh	1000	728
				Bal	1000	1000
				KP	2200	2200
				GB	-	168
				AJK	500	260
9	Dismantling communication networks of terrorists	PTA/Mol	Sat	<ul style="list-style-type: none"> 98.3 million SIMs blocked Biometric verification system in place, loopholes being closed 		
10	Taking the ongoing operation in Karachi to its logical conclusion	Sindh Govt./ Mol	Sat	<ul style="list-style-type: none"> Registered Significant decline in terrorism, crime and improvement in law and order i.e. Registered Significant decline in terrorism, crime and improvement in law and order i.e. Target killing down by: 69% Murder down by: 50% Terrorism down by: 80% Robberies down by: 30% Weapons recovered: 16,304 Arrested: 69,179 Terrorist:890 Proclaimed offenders: 676 Absconders: 10,426 Kidnappers: 124 Extortions: 545 Murders: 1834 		
11	Steps towards Baluchistan Reconciliation	Mol/Federal Govt. Baluchistan Govt. MoD	Slow	<ul style="list-style-type: none"> Improved security in the province. Surrender and Reconciliation/Rehabilitation of Farraris/outlaws in progress 		
12	Ending Sectarian Terrorism	Provinces Mol	Slow			
				S. No.	Year	Incidents
				1.	2011	70
				2.	2012	185
				3.	2013	127
				4.	2014	176
				5.	2015	79
6.	2016	21				
		Total		658		
Others						
13	Choking financing for terrorists and terrorist organizations	M/o Finance/ SBP	Slow	<ul style="list-style-type: none"> FERA/ Hawala Hundi: Cases: 498; Arrests: 692; Recovery: 804.839 Million. Anti-money Laundering Cases: 230; Arrests: 341 Suspicious Transaction Reports: STRs received from FMU: 116; Disposal: 32; Under Process: 75 CTF Units being established in all provincial CTDs CTF to be made an integral part of provincial investigations to find "Reverse Leads" about real financiers and to know 		

14	Taking steps against religious persecution	MoRAs/Provinces	Slow	<ul style="list-style-type: none"> Data collection in progress, to be verified and then put up for further action
15	Registration and regulation of 'Madrasahs'	MoRAs	Sat	<ul style="list-style-type: none"> Uniform Registration and Data Form developed by NACTA and ITMP input by provinces and intelligence agencies incorporated, ready for implementation ICT and Punjab completed 100% mapping on agreed parameters. Mapping exercise Ongoing Sindh (80%) KPK (75%) Balochistan (60%) FATA (85%) Madaris closed Suspect: 2325 (Pun: 2, Sindh: 2309, KPK: 13, Bal: 1) Unregistered Sindh: 72 Foreign Funded: 190 (Pun: 147, Sindh: 06, KPK, 07, Bal: 30) M/o FE & PT constituted two Committees under Federal Board and HEC. Meetings held & finalization of decisions underway in consultation with ITMP
16	Ban on glorification of terrorism in media	Mo I&B	Sat	<ul style="list-style-type: none"> Strict implementation of ban on electronic media of activists of proscribed organizations List of proscribed organizations shared with MoI&B and PEMRA Any violation is instantly reported to concerned quarters and action taken. Visible improvement noticed.
17	FATA Reforms	KPK Governor SAFRON	Slow	<ul style="list-style-type: none"> Committee Constituted under Mr. Sartaj Aziz, SAPM on Foreign Affairs to propose and finalize reforms. Consultations in the 7 x agencies and FRs completed Report to be submitted to Government soon.
18	Tangible measures against abuse of internet and social media for terrorism	M/o IT	Slow	<ul style="list-style-type: none"> Pakistan Electronic Crimes Bill 2015 in NA 937 URLs and 10 websites of proscribed organizations have been blocked by MoIT
19	Militancy in Punjab	Punjab Govt.	Sat	<ul style="list-style-type: none"> Hardcore Elements Identified: 1132 Schedule IV; 405 Firebrand speakers: 78 Facilitators: 649 Govt. of Punjab launched pilot project for 200 youth – soft loans and technical training for skill development
20	Resolving issue of Afghan Refugees	SAFRON	Slow	<ul style="list-style-type: none"> Date of Return for registered P.o.R holders: 31st Dec, 2016 Date for Un-documented Afghan Refugees: 15th Nov, 2016. Either to obtain Afghan passport and travel documents or must opt for repatriation
21	Revamping the criminal justice system	M/o L&J Provinces	Slow	<ul style="list-style-type: none"> 26th May, 2016: Meeting of Chief Secretaries, IGPs, Home Secretaries and IG Prisons held for chalking future course of action with timelines for Revamping Criminal Justice System. 19th July, 2016: Meeting with focal