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Pakistan's Security Paradigm in the Wake of War on Terror (2009-2016)

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ABSTRACT

Pakistan's security paradigm has been greatly affected by the Pak-Afghan border in the post-9/11 syndrome. The border served as the point of attacks against the state machinery and provided ample space for the terrorists who used it as a safe haven. Security situation in the country witnessed the worst scenario and the government adopted every possible strategy to clear the country of terrorism and militancy. With this view in mind, peace deals were signed with non-state actors, followed by the military operation upon the failure of the peace deals. Pakistan suffered the most though it was not directly involved in the war nor did it conduct operations against the state actors. The non-state actors leave no stone unturned in intensifying the security situation in Pakistan and the government of Pakistan had to adopt strategies for improving the law and order situation in the country. The establishment of the military courts and the implementation of the national action plan were some of the moves that helped in reducing militancy in the country.

Keywords: Pakistan, Security, Afghanistan, Paradigm, Border

Introduction

The post-9/11 scenario bore an unbearable imprint on the political history of Pakistan due to the porous Pak-Afghan border. The border served as a source for the infiltration of the insurgent and terrorist activities and provided sanctuaries to the non-state actors. Law and order situation deteriorated in the province of Khyber

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Pakhtunkhwa to such an extent that the government had to adopt strategies to bring in peace and stability but no efficacious could be achieved. The government also entered in to peace deals with the non-state actors but when no fruitful results came, consequently the government had to launch military operations for the eradication of terrorism and insurgency in the country. Suicide bombing, target killing, bomb attacks and use of Improvised Explosive Devices (IEDs) caused irreparable loss to humans, buildings, financial loss and damages to the infrastructure. The peak of these attacks saw its zenith during 2009 to 2016 with crest and troughs in the preceding and internecine periods (Tariq M. , 2018).

Pakistan fell victim to terrorism and insurgency in the post-2001 scenario but the peak of the militant attacks were mainly from 2007 to 2014 but 2015 and 2016 like 2006 witnessed very lesser attacks and the number of casualties was also less (Crawford, 2018). This is due to the fact that the Operation Zarb-e-Azab and the National Action Plan produced good results and helped in reducing terrorism in the country and particularly in the province of Khyber Pakhtunkhwa. It is undying fact that 2009 witnessed the peak of human death tolls and injured casualties but the successful military operations brought about fruitful results. The Human death toll and injuries witnessed ups and downs during the era from 2009 to 2016 but the incidents of militancy and terrorism were at its peak in during 2009 followed by 2010. While the incidents saw gradual ups and downs during the internecine period from 2002 to 2016.

The government of Pakistan and law enforcement agencies, in hot pursuit of the terrorists and militants adopted different strategies to overcome terrorism and militancy their lives (Studies, 2017) . During the military operations, besides, terrorists and militants, thousands of civilians also lost their lives. Though military operations against the militants are still in progress yet there has been an enormous decrease in the number of civilian death and injured casualties. Since the post-2001 internal security paradigm of the country has deteriorated due to the huge growth of non-state actors, ban on some religious organizations by the government machinery and protest against the state by the political stakeholders (Studies, 2017). There is a greater need for the development of the consensus amongst the various stakeholders regarding the protection of the geographical protection of the motherland and

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improving law and order situation in the country. The table below shows the number of death casualties and injuries who fell victim to terrorism and militancy.

Table Showing Death and Wounded Casualties in Pakistan

Category of People	Killed	Injured/Wounded
Pakistani Civilians	22,100	40,792
Security Forces Personnel	8,214	14,583
Militants/ Terrorists	31,000	11,415
Contractors Reported by US DOL	42	134
Unreported Contractor Estimate	48	unknown
NGO Workers	92	87
Journalists	53	unknown
Total	**61,549**	**67,011**

Source: South Asia Terrorism Portal (SATP) & Pakistan Body Count (PBC) (2017)

It is a fact that though Pakistan was not directly involved in the war on terror yet it has suffered a lot in terms of both human deaths and injured casualties (Tariq D. M., 2020) . It is also a fact that Pakistan did not suffer so much during the Russian invasion of Afghanistan in 1979 though most of the supplies of weapons and logistic support was provided to the Afghan people through tribal areas of Pakistan (Momks, 2017) . The number of death toll in Pakistan from 2001 to June 2016 including all sources stood at 61,549 while the number of injuries stood at 67,011. The combined death casualties and seriously wounded people in both Afghanistan and Pakistan during 2001 to 2016 stands at nearly 173,000 and round about 183,000 respectively (Crawford, 2018).

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Death Casualties and Injuries in Pakistan from 2001 to June 2016

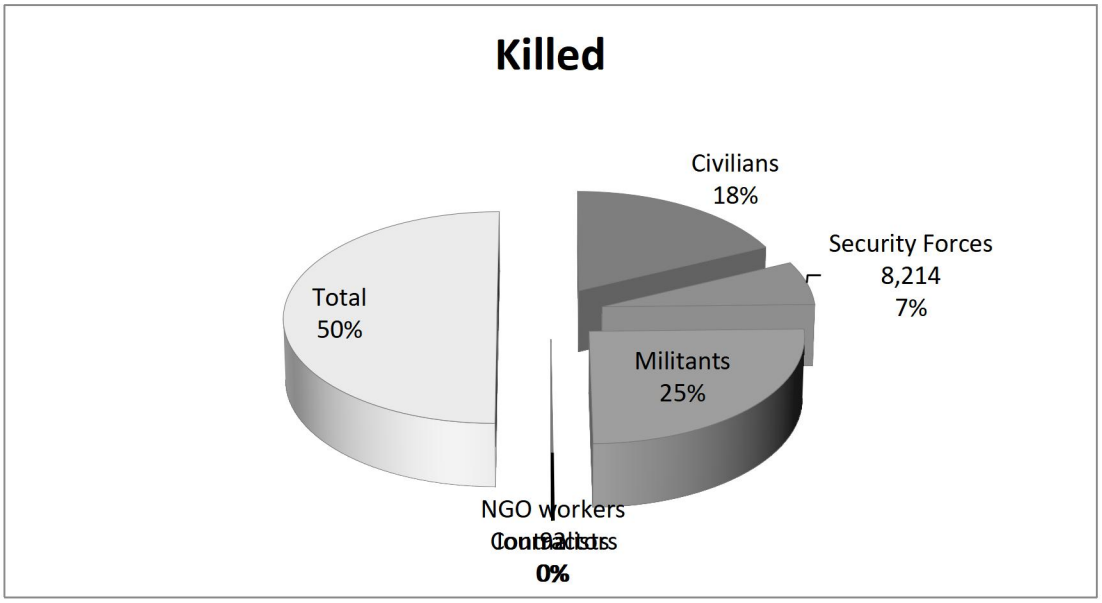


Table showing Fatalities in Pakistan from 2009 to 2016

Year	Civilians	Security personnel	Terrorists/insurgents	Total per year
2009	2324	991	8389	11704
2010	1796	469	5170	7435
2011	2738	765	2800	6303
2012	3007	732	2472	6211
2013	3001	676	1702	5379
2014	1781	533	3182	5496
2015	940	339	2403	3682
2016	610	293	895	1798
Total during 2009 to 18 December2016	**16,197**	**4,798**	**27,013**	**48,008**

Source: South Asia Terrorism Portal (SATP) (19 December 2016)

By looking at the statistical data from 2009 to 2016, it becomes very clear that 2009 was the peak of terrorism in Pakistan in all respects. The number of fatalities in terms of security personnel as well terrorists was the highest one. The total fatalities reached 11704, followed by 2010 in which the total fatalities reached 7435 in which

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the share of terrorists killed was more than 5000. From 2010 onwards, the number of incidents of terrorism became to decrease with the total number of casualties including all sectors was 6303, followed by 6211 in 2011. In 2013 there was again a decrease in the incidents of terror activities with a total death toll of 5379, followed by a slight increase in 2014 where the pendulum of casualties reached 5496. In June 2014, the initiation of Operation Zarb-e-Azab and in December the National Action Plan that was put forward in the country in the post-December 2014 Peshawar school attack, there has been a tremendous decrease in the in the incidents of terror in 2015 with the total death toll standing at 3582 while in 2016 the number of death casualties encompassing all sources stood at 1798 till December 2016 (Crawford, 2018). There may be a slight difference in the number of death casualties and injuries as the data has been collected from different sources but the data in all cases s based on year-wise incidents and casualties is the same as for example 2009 was the peak of casualties (Crawford, 2018) . Afterwards there has been a gradual decrease in the incidents of terrorism with alternate ups and downs.

It is also an admitted fact that the combined death toll and injured casualties in both Pakistan and Afghanistan may be extremely high for the moves against the war on terror and counter-insurgency was initiated in the aftermath of 9/11. Since 2001, the number of death casualties and injuries in both the countries is 173,000 and 183,000 respectively. Out of this the share of Afghanistan in death and injured casualties is 111,451 and 115,989 respectively while that of Pakistan is 61,549 and 67,011 as per statistical data (Crawford, 2018). The most agonizing fact is that though Pakistan was not involved in the 9/11 episode yet the way it has suffered, is beyond understanding. One of the major causes for this is the religious factor as the Al-Qaeda and Taliban mainly considered them to be strictly religious minded with their self-styled version of Islamic principles.

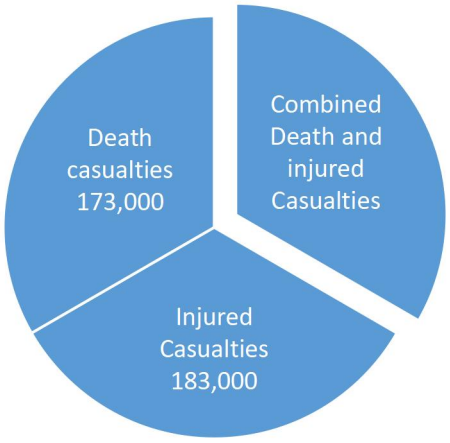
The second important reason may be the tribal structure of the people living across both sides of the Durand Line since the two countries have a long history of coexistence and have entered into matrimonial relations that keep them closely knitted . The third reason may be the treacherous and windy nature of the Durand Line providing safe havens for the terrorist and militant networks and provide ample space to them in case of hideouts. The fourth reason may be the tough

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and stubborn attitude of the tribal people who never bowed before any authority and had been following their own norms of life. The fifth reason may be the tightening of the security system at the Pak-Afghan border because it has proved to be hub of economic activities for the tribal people and has served as the earning market for most of the terrorists.

Chart showing Combined Death Casualties and Wounded People in Afghanistan and Pakistan during 2001 to 2016



Owing to the Pak-Afghan border and its treacherous nature on account of the mountainous nature it has served as a safe havens for the terrorists and militants across the border and has caused irreparable losses of humans, besides the infrastructure. The war in Afghanistan had greater security ramifications for Pakistan that compelled the government of Pakistan to take certain important steps such as the establishment of the Military Courts and the initiation of the National Action Plan. These steps were taken with a view to counter terrorism and militancy and make Pakistan a more prosperous country.

Establishment of Military Courts

In the aftermath of Peshawar tragedy, amendment was made to the Army Act of 1952 resulting in the establishment of military courts to have jurisdiction over the trial of terrorists and militants. These courts could become functional and within weeks, convicted six terrorists by sentencing them to death (Wikipedia, 2025). The executions were stayed by the Apex Court of Pakistan in contravention to the 21st Amendment to the constitution of Pakistan (Hussain 5 July,2015). The proponents

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of the new move justify it on the grounds of International Humanitarian law and Geneva Conventions of 1949 as such courts have been envisioned under them (Gul, 2025) . Moreover, article 245 of the constitution of the Pakistan also makes provisions for furnishing a new framework of trail under the domestic "law of conflict" as the country is faced with an extraordinary security situation- almost a state of war.

The creation of military courts in the aftermath of Peshawar tragedy was highly welcomed by all the circles in the country. These courts would best serve the purpose of eradicating terrorism from the country as people have lost confidence in the judicial system of the country on account of its slow process. In the courts system, the procedure of trail for the criminal cases is a little slow and normally takes years to conclude. Sometimes delaying tactics by the parties may put hindrance in the way of judicial system and timely transaction of business of the court systems. Hence the result was the establishment of military courts with the objective of providing speedy and timely justice to the aggrieved parties. They have been established for a period of two years and its extension of another two years was granted by the National Assembly of Pakistan. The positive sign of these courts is that they provide the trail on speedy basis by taking strict measures to get stability and security, and free the country from the menace of terrorism.

The tragedy of Peshawar School attack on December 16, 2014 has been regarded as one of the bloodiest episodes in the history of Pakistan but prior to that in 2013, three different tragic incidents resulted in the death of 189 people and the injury of 393 people including two suicide bombs at Saint Church Peshawar, a car bomb at Qissa Khwani Bazar and a bomb blast at a bus targeting government employees (Khan ,7 January 2015). The Church attack was the deadliest one in the history of Pakistan on a minority in which 127 people were killed and 250 were injured (Khan ,7 January 2015). So, in Pakistan 2013 and 2014 saw the worst security situation in the metropolitan city of KP, i.e. Peshawar. But the bloodshed did not end the next year and the PAF Camp Badaber Peshawar incident foresaw that the terrorists were still haunted with the revenge, and particularly targeting the security personnel, school children and even the minorities (Khan ,7 January 2015).. The gruesome fact is that they are not sparing the places of worship and take

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recourse to attack when they find any opportunity. The recent example is the Badaber episode when most of the martyred were those who were either busy in offering prayers or preparing for the prayer. In such a worst scenario, the functioning of the military courts is very much necessary as Pak Army has a very high esteem in the eyes of the entire nation. They would be in a better way to provide speedy justice and execute the hot criminals without any discrimination.

In the face of controversial nature of the military courts there is a greater need to streamline the civil and criminal judicial system of Pakistan as the military courts have been criticized on the grounds of being created through a notification without having amended the existing law of the land. Their criticism founds substance in article 3 of the Geneva Conventions that extended to TTP and Al-Qaeda, including the provisions that call for protection and humane treatment of captured and surrendered militants as prisoner of wars but they cannot be tried, sentenced or executed save by a "regularly constituted court encompassing all the judicial guarantees that are recognized as indispensable by civilized people" (Hussain, July 5, 2015). Under this doctrine, the sentence of conviction of six terrorists was stayed by the Supreme Court of Pakistan as no information was given about the trial and conviction, the names of the accused, names of Judges, prosecutors, defense counsel and place of trail. Under the Pakistani Army Rules of 1954, the Criminal Procedure Code and Qanun-e Shahadat Order, these are applicable to trail by the military courts.

In a country like Pakistan where terrorism and militancy has played havoc with lives of ordinary people and where insecurity pervades in some of the key areas of the country, extraordinary security measures can provide protection to the common masses as per requirements of security standards. Common man needs protection and security in all cases and wants to earn a few pennies for his family but the fear of insecurity haunts him often. Strict security measures and dealing the terrorists with an iron hand, is the cry of the day. It is also an un-denying fact that law enforcement personnel in Pakistan have been greatly targeted by the terrorists in the post-2001 scenario resulting in irreparable loss to the security personnel and many prominent officials have lost their lives. Pak Army has been appreciated as the custodian of the geographical frontiers of the country and people repose more

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confidence in it. Military Courts can function well in a speedy manner and can dispense justice through summary trail. The government of Pakistan should make amendment to the constitution whereby only culprits involved in acts of terrorism can be tried, sentenced and executed while the rest of the criminals can be tried through the Criminal Procedure Code of the country.

National Action Plan and Terrorism

The National Action Plan (NAP) announced by Pakistan in the aftermath of Peshawar School Tragedy was highly welcomed by the entire nation view a view to curb the nation of terrorism and militancy. Delaying tactics was condemned by Justice Jawad Khawaja, judge of the Supreme Court, who lambasted the government for its inaction on the NAP even after elapsing a period of six months (Farooq K. K., 2015) . Foreign funding and NGOs are some of the hurdling factors in the way of procrastination of functioning of NAP. To put these issues in perspectives, some defining characteristics need to be explored (Farooq M. , 2015) . Firstly, the terrorists and extremists have strived to gain the sympathies of target populations by exploiting the shortcomings in the existing social, economic and governance system that has discriminated the poor class of the society. Secondly, they have utilized an ingenious amalgamation of utilization of natural resources and most probably the donor funding. Thirdly, they have been able to augment their income with funds generated from organized criminal activities. Lastly, the informal money exchange systems in Pakistan and various Islamist Trusts still seem to be active in Pakistan, notwithstanding the ban and crackdown on these organizations by the government of Pakistan.

The non-state actors and the militants have mostly depended on the black money, the assistance of funding by the foreigners and the provision of facilitation services by the various organizations have made them more active and involved against the state activities. The post-2001 security syndrome in the Afghanistan and Pakistan confronted the state of Pakistan with many challenges of security and law and order situation in the country. For the first time, the country got engaged in imitating negotiations with the militant organizations and in case of failure of negotiations, the government had to use the strategy of military operations against the militants. The militant organizations received heavy funding from foreign

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organizations\s and facilitation services as a sort of assistance for the realization of their ulterior motives. With the aim of reforming and eradicating terrorism and militancy in the country, the government had to take certain actions encompassing both the soft and hard strategies.

To streamline the system of money laundering the government of Pakistan created a Financial Monitoring Unit (FMU) within the State Bank of Pakistan. The main function of the system is to ensure the transfer of money through legal and formal ways and do away with illegal activities. Now, under the Anti-Terrorism Act of 1997, money laundering has been regarded as a crime and those involved should be dealt with according to the law. The government needs to rectify the whole system of money transfer and strengthen the judicial system so as to protect the entire system of the country. Moreover, the direct involvement of the persons who want transaction and to whom the transaction has to be made, would some extent make help in identification of the persons involved for helping and facilitating the militants and the terrorists. The requirement of the original the National Identity Card (NIC) would also be of great help in redressing the issue.

The whole nation wants peace and stability in the country and is always in search of measures that can help in bringing normalcy in the country. With this end in mind, the political forces had to reiterate in the parliament on 12th November 2015 to take all positive measures to bring about a drastic change in the life of lay man (Plan, 2014). It is also an admitted fact that the implementation of the NAP is a joint responsibility of all the institutions working within the proper bounds of the constitution. The plan provided a comprehensive strategy for the dealing with the militant and terrorist organizations with an iron hand and catered for security of the common man.

The decisive action by the government regarding implementation of the NAP over the last two years since its inception, has produced successful results against terrorism and extremism, said a government official. The success of the strategy has been possible due to the political consensus among the various political parties, bold actions by men and soldiers of the armed forces, coordinated efforts by the provincial governments, law enforcement agencies and intelligence agencies. The basic logic behind all this was the national interest as Pakistan had suffered a lot

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in the post 9/11 scenario and particularly the law enforcement agencies became a direct target of the terrorists and extremists. Thus the implementation of the NAP in letter and spirit is the *sine qua non* for paving the way good governance in the country.

Discussion and Conclusion

The country was faced with worst security situation in the post-2001 scenario on account of the huge growth of the non-state actors and resultant military operations. The Pak-Afghan border was mainly the focus of attention since the outlaws and the militants had to take refuge along the border and use it a sanctuary for further attacks. Security situation along both sides of the border worsened and resultantly affected the security of the province of Khyber Pakhtunkhwa to an alarming situation. The number of people who faced death and injuries in the war on terror in both Pakistan and Afghanistan reached 173,000 and 183,000 respectively. Out of this the share of Afghanistan in terms of death and injured casualties stood at 111,451 and 115,989 respectively. But Pakistan was also the country to receive heavy loss of human lives besides heavy loss to infrastructure. Approximately 61,548 death casualties and 67, 011 injured casualties were received by the country as a result of the war on the terror.

The alarming point in the post-2001 scenario was that though Pakistan was not involved in the war yet she had to suffer the most. Law and order situation got worsened in the country in general and the province of Khyber Pakhtunkhwa in particular. The worst security situation in the country may be due to many reasons. One reason may be the religious factor as the Al-Qaeda and the Taliban considered themselves to be religious minded with their self-styled version of the Islamic principles. The second reason may be tribal structure of the people living along both sides of the Durand Line that has knitted the entire people on account of the blood relations, properties, and the way of their coexistence for long due to the elements of common religion and Pashtunwali.

The third reason may be existence of the Durand line as them of treacherous and windy nature. The windy nature has provided for the infiltration of terrorist activities and then taking refuge as a safe haven for the insurgents and the militants. The fourth reason may be the tough and stubborn attitude of the tribal people who

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are very hard to rule and who have never bowed before any authority in the history. The tribal people have their own way of leading life and follow their life style. The fifth reason may be the fighting of the security system at the Pak-Afghan border for it has proved to be the center of economic hub and has provided for the bread and butter of the people living across both sides.

The establishment of the military courts in 2015 may be viewed as on the strongest instruments for curbing terrorism and militancy in the country. The military courts provided for speedy trial and timely justice to the people but soon people held demonstrations against these courts as they thought the execution of the punishment to death was considered to be against the fundamental human rights. The courts were established for a period of two years and were given further extension for another two years.

The establishment of the military was the result of the national action plan that was incorporated in the country in the aftermath of the Peshawar School attack on 16 December, 2016 that was greatly condemned by the entire nation and was regarded as a black day in the history of the country. The national action plan produced very fruitful results and bore a great impact on the security paradigm of the country. Since the implementation of the national action plan, no major episodes of militancy and terrorism have overpowered the country. An important thing in this regard may be the drawdown of the US forces from Afghanistan and leaving the country to the people of Afghanistan but it is also significant to note that in the post-US withdrawal scenario from Afghanistan, Taliban has taken over control of the country and result in changing the entire scene of security in the region.

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