

Documents

July-December 2012

I. Foreign Policy

A. PAKISTAN – AFGHANISTAN RELATIONS

1. Joint statement issued by U.S. Secretary of State and the foreign ministers of Afghanistan and Pakistan at the first ministerial-level Core Group trilateral meeting

Capitalizing on the opportunity afforded by the Tokyo Conference – which represents the culmination of a period of intensive engagement between Afghanistan and the international community – we convened the first ministerial-level Core Group meeting today. We reaffirmed that the purpose of the Core Group is to enhance cooperation between Afghanistan, Pakistan, and the United States to support an Afghan peace and reconciliation process, and further affirmed that:

Afghanistan should be a peaceful, secure, stable, and prosperous nation living in a peaceful, secure, stable and prosperous region supported by enduring partnerships with the international community. Great effort and sacrifice by the people of Afghanistan, Pakistan, the United States and the international community has decimated al-Qaida's core leadership in the region, reducing the threat to international peace and security that led the international community to intervene in Afghanistan in 2001. Afghanistan should never again be a safe-haven from which al-Qaida or other terrorist groups threaten international peace and security.

As agreed at Istanbul and Bonn in 2011, and reaffirmed at Chicago and Tokyo in 2012, the surest way to lasting peace and security for Afghanistan and the broader region is through an Afghan political process of peace and reconciliation for Afghanistan. This process should be supported by Afghanistan's neighbors and by the international community.

After 30 years of war, all Afghans should be able to live together in peace. Only Afghans can determine how they live together, how the future of their country must be shaped, and how their country should relate to the region and beyond.

We are committed to work together to support an inclusive Afghan peace process through which individuals and groups break ties with international terrorism, renounce violence, and abide by Afghanistan's constitution, including its protections for the rights of all Afghan women and

men. As the international community reaffirmed at Bonn and again at Tokyo, these are the necessary outcomes of any negotiation.

Foreign Minister Rassoul welcomed Pakistan's and the United States' support for Afghan peace efforts, noting especially former Prime Minister Gilani's February 2012 statement expressing Pakistan's support for Afghan reconciliation and calling on the Afghan Taliban and related groups to participate in an intra-Afghan process for reconciliation and peace.

To build further momentum, we reaffirmed the importance of pursuing multiple channels and contacts with the armed opposition. Pakistan and Afghanistan committed to take full advantage of upcoming bilateral exchanges, including Pakistani Prime Minister Ashraf's forthcoming visit to Kabul and High Peace Council Chairman Rabbani's planned visit to Islamabad. These visits should determine and implement additional concrete steps to advance Afghan reconciliation. We also welcomed and encouraged additional progress on regional confidence-building through the Istanbul Process, since enhanced cooperation between Afghanistan and its neighbors on issues such as narcotics, refugees, and regional trade will help create an environment for long-term stability and prosperity.

We welcomed the broad international support for an Afghan peace process, reaffirmed here in Tokyo, and emphasized that the upcoming opening of the 67th session of the United Nations General Assembly provides additional opportunities to support and advance Afghan peace efforts.

We reiterate our call for the armed opposition to abandon violence and enter a dialogue with the Afghan government. We call on all parties to devote their energy to realizing this vision, respond in the same spirit, and commit to support an Afghan political process that will result in lasting peace, security, stability, and prosperity for Afghanistan and the region.

Islamabad, 08 July 2012

2. Pak-Afghan joint statement issued on the occasion of Raja Pervez Ashraf, the Prime Minister of the Islamic Republic of Pakistan visit to Kabul

At the invitation of His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan, His Excellency Raja Pervez Ashraf, Prime Minister of the Islamic Republic of Pakistan, visited Kabul on 19 July 2012.

President Karzai congratulated Prime Minister Ashraf on being elected as the Prime Minister of the Islamic Republic of Pakistan, and assured him of the Government of Afghanistan's continued cooperation in a broad range of areas between the two countries.

The two leaders held in-depth discussions on various issues pertaining to bilateral cooperation, and re-affirmed the historical, cultural and religious bonds of friendship that exist between the two countries. Both leaders agreed

that maintaining a strong, robust and independent bilateral relationship between Afghanistan and Pakistan was their mutual priority as it would contribute to the stability and prosperity of the region.

Both sides stressed on the need to work together in the various fields of security, development, transit, trade, economic and investment linkages, mining, infrastructure and energy connectivity and people to people contacts. They recommitted to their shared vision to advance regional peace and stability and, in this context, reaffirmed their strong commitment to eliminating the scourge of terrorism in all its forms and manifestations.

The two leaders discussed the Afghan peace process in great depth, renewing the commitment by the two countries to work together towards an Afghan-led, Afghan-owned peace and reconciliation process involving the Taliban, Hezb-e-Islami and other armed opposition groups.

The two leaders shared the view that the expressed desire and determination of the Afghan people to put an end to violence and bring lasting peace to their country, as affirmed in the Peace Jirga of July 2010 and the Traditional Loya Jirga of November 2011, must be complemented by result-oriented regional and international cooperation. In this context, both sides expressed the hope that Pakistan's support to the Afghan peace process would contribute to durable peace and stability in Afghanistan.

Recalling the successful visit of President Karzai to Islamabad in February 2011, which remains a milestone in the history of bilateral relations, the Afghan side welcomed and expressed appreciation for the steps being taken by Pakistan in support of the Afghan peace process, including the public call on the Afghan armed opposition groups to participate in the reconciliation process to achieve long-term peace, stability and progress in Afghanistan.

The Pakistani side reaffirmed its support for an Afghan-led and Afghan-owned inclusive peace process, and underlined its determination to redouble efforts in facilitating direct intra-Afghan contacts and negotiations. The two leaders committed to implement additional concrete steps to advance Afghan peace and reconciliation. Both sides agreed to facilitate a conducive environment for the peace and reconciliation process to move forward.

The two leaders also recognized the importance of pursuing multiple channels of communication and contact with the Afghan Taliban and other armed opposition groups. In this context, they emphasized international support for the Afghan peace process and, in particular, welcomed the efforts of the Kingdom of Saudi Arabia, the Republic of Turkey and other countries.

To ensure the timely follow up of the efforts in support of the Afghan peace process, the two sides highlighted the role of Afghanistan's High Peace Council and looked forward to a successful visit to Islamabad by the Chairman of the High Peace Council. Both sides also agreed to resume regular meetings of the two-tier Afghanistan-Pakistan Peace Commission.

With a view to advancing regional cooperation in all its dimensions, the two leaders recognized the importance of regional organisations and fora, including the various trilateral and quadrilateral processes involving

Afghanistan, Pakistan and other countries. In particular, the two sides welcomed the progress on regional confidence-building through the Istanbul Process and emphasized that enhanced cooperation between Afghanistan and its near and extended neighbors on issues such as narcotics, regional trade and connectivity will create an environment for long-term stability and prosperity. The two leaders looked forward to the upcoming meeting of the Afghanistan-Pakistan-Russia-Tajikistan Quadrilateral Summit in Islamabad later this year.

Highlighting the many complementarities of the two countries in promoting economic development and integration between them and with the wider region, the two sides reaffirmed to broaden their cooperation in the economic sphere, including the full implementation of all bilateral agreements, such as the Afghanistan-Pakistan Transit Trade Agreement (APTTA) and the creation of Special Economic and Industrial Zones. The two sides agreed to extend APTTA as a first step to Tajikistan as part of the overall effort to promote regional economic cooperation. Both sides also emphasized the importance of early finalization of the process for establishment of the Turkmenistan-Afghanistan-Pakistan-India (TAPI) gas pipeline project, the speedy implementation of the CASA-1000 power transmission line, and enhancing connectivity and upgrading rail and road infrastructure between the two countries.

The Afghan side expressed its gratitude to the Islamic Republic of Pakistan for hosting Afghan refugees for the past three decades. Both sides expressed support for the creation of conditions conducive to the voluntary and safe return of refugees in a dignified and orderly manner, as well as continued international support to Pakistan as a host nation.

The Afghan side expressed gratitude for Pakistan's participation at the Chicago and Tokyo conferences on Afghanistan, and for its pledges of long-term support to Afghan security and development efforts.

Prime Minister Ashraf thanked President Karzai for the warm hospitality extended to him and the Pakistani delegation during their visit to Kabul.

Islamabad, 19 July 2012

3. Joint press statement issued after the second meeting of Pakistan-Afghanistan-China trilateral dialogue (29 November 2012)

1. The second meeting of Pakistan-Afghanistan-China Trilateral Dialogue was held in Islamabad on 29th November 2012. The meeting was chaired by Syed Abrar Hussain, Director General, Ministry of Foreign Affairs of Pakistan. The Afghan and Chinese delegations were led by Mr. Azizuddin Ahmadzada, Director General, First Political Division, Ministry of Foreign

Affairs of Afghanistan and Mr. Huang Xilian, Counsellor of the Department of Asian Affairs of the Ministry of Foreign Affairs of China, respectively.

2. The three sides reviewed the progress since the first trilateral dialogue and believe that the dialogue plays a positive role in enhancing friendly cooperation between the three countries and maintaining peace and stability in the region. The meeting discussed regional situation with special reference to Afghanistan, efforts for peace and reconciliation and trilateral cooperation in various fields.
3. The participants agreed that regular trilateral consultations between the three countries were important in order to further promote peace and stability in the region and to strengthen trilateral friendly exchanges and cooperation.
4. Pakistan and China reiterated their support to the Afghan-led and Afghan-owned peace and reconciliation process. The three countries agreed that an intra-Afghan inclusive dialogue would ensure durable peace and stability in Afghanistan. The meeting welcomed the Afghan High Peace Council's visit to Islamabad and the joint press statement issued after the visit. It also appreciated the steps taken by Pakistan in response to their request.
5. The three countries agreed that close and consistent cooperation among regional countries is essential to overcome the trends of violence. They reiterated their commitment to cooperate in fight against terrorism, extremism and separatism.
6. The meeting highlighted the importance of counter-narcotics campaign especially due to the nexus between terrorism and drug money. In this context, the participants welcomed the outcome of the Regional Ministerial Conference on Counter-Narcotics held in Islamabad on 12-13 November 2012.
7. The three sides support the United Nations' leading role in the context of international cooperation. They agreed that the SCO can play an important role in peace and stability in the region and that the SCO regional mechanism can provide better solutions to the emerging new security, political and economic challenges.
8. The meeting took note of the successful visit of a joint media delegation from Afghanistan and Pakistan to China in June 2012, and appreciated China's efforts in hosting this visit. The Meeting welcomed the Chinese proposals for hosting a Pakistan-Afghanistan joint parliamentary delegation to China, and initiating counter-narcotics consultations and exchanges among the three sides in due time.
9. The Afghan and Chinese delegations thanked Pakistan for hosting the meeting and extending warm hospitality to them.
10. The participants gratefully accepted the offer of the Afghan delegation to host the next meeting in Kabul. The date will be communicated through diplomatic channels.

Islamabad, 29 November 2012

4. Joint press statement issued by the Ministry of Foreign Affairs of Pakistan and the High Peace Council of Afghanistan

1. A high level delegation of the High Peace Council led by H.E. Chairman Salahuddin Rabbani visited Islamabad, on November 12-15, 2012, upon the invitation of H.E. Hina Rabbani Khar, Minister of Foreign Affairs of the Islamic Republic of Pakistan. The delegation called upon H.E. President Asif Ali Zardari and H.E. Prime Minister Raja Pervez Ashraf and met with H.E. Foreign Minister and General Ashfaq Kayani the Chief of Army Staff. The delegation also held meetings with Pakistan's religious and political leaders. Both sides had an extensive exchange of views including briefing by the Pakistan authorities on the investigation of the assassination of Shaheed Ustad Burhanuddin Rabbani. Both sides agreed on the following joint statement:
2. The HPC delegation briefed the Pakistan side on the progress made in the peace and reconciliation process and underlined the importance of Pakistan's role in this regard. Pakistan supports Afghanistan's vision and roadmap for achieving durable and lasting peace in Afghanistan.
3. The two sides appealed to the Taliban and other armed opposition groups to participate in the Afghan-led and Afghan-owned reconciliation process to end violence.
4. In support of peace and reconciliation process and in response to the requests of the Afghan government/HPC, a number of Taliban detainees are being released.
5. All concerned countries including Pakistan, Afghanistan and USA will facilitate safe passage to potential negotiators to advance the reconciliation process.
6. Pakistan and Afghanistan will work closely with other international partners to remove the names from the UN sanctions list of the potential negotiators amongst Taliban and other groups to enable them to participate in peace talks.
7. The two sides agreed to jointly work for holding an Ulema Conference which will include religious scholars from Pakistan, Afghanistan and other Islamic countries. The conference could either be held in Saudi Arabia, Afghanistan, Pakistan or any other Islamic country. The Ulema Conference would address the issue of rising militancy and suicide attacks in the name of religion and the defamation of our glorious and peaceful religion Islam due to its unjustified linkage with terrorism.
8. Pakistan and the High Peace Council called on the Taliban and other armed groups to sever all links with Al-Qaida, and other international terror networks.
9. The two sides recognized that close and consistent cooperation between Afghanistan and Pakistan is key to building trust and confidence between the two countries and strengthening joint bilateral efforts in promoting

peace and stability as well as overcoming the ongoing trends of violence and extremism. They called for long term and consistent mutual cooperation based on mutual interest and respect.

10. The two sides stressed that talking to and maligning each other through media leaves little space for serious dialogue. Therefore, all government officials and spokespersons should refrain from making hostile statements and avoid blame game.
11. The High Peace Council and Pakistani authorities discussed the issue of cross border incursions and shelling. It was decided to discuss ways and means to create conducive conditions and initiating bilateral mechanisms that would completely end the cross-border shelling. The contacts between Pakistan Army and Afghan National Army in this regard were lauded and encouraged.
12. To initiate an effective mechanism in order to facilitate consistent and practical steps, the Ministry of Foreign Affairs of Pakistan and the High Peace Council of Afghanistan agreed to have more frequent contacts to enhance peace and stability in Afghanistan and the region.

Islamabad, 14 November 2012

5. Joint statement issued on the occasion of the seventh trilateral summit of the presidents of the Islamic Republic of Afghanistan, the Islamic Republic of Pakistan and the Republic of Turkey

His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan, His Excellency Asif Ali Zardari, President of the Islamic Republic of Pakistan and His Excellency Abdullah Gül, President of the Republic of Turkey held their seventh Trilateral Summit Meeting in Ankara on 11 and 12 December 2012.

The three Presidents also held cordial exchange of views together with His Excellency Recep Tayyip Erdoğan, Prime Minister of the Republic of Turkey.

At their Trilateral Summit Meeting, the Presidents,

Underscoring the valuable contribution that the Trilateral Summit Process has made to the dialogue and cooperation among the three countries through its six Summit Meetings since 2007 and the joint work carried out based on the decisions thereof,

Aware of the crucial importance of connectivity among the three brotherly countries, at the level of their people, institutions, infrastructures and economies,

Noting the need for further developing the transport connectivity among the three countries as a basis for increased economic cooperation,

Reiterating the crucial importance of regional cooperation for addressing regional challenges,

Mindful of the importance of the efforts of the High Peace Council of Afghanistan in bringing peace to Afghanistan and thus also contributing to regional stability; also welcoming the recent visit of its Chairman Mr. Salahuddin Rabbani to Pakistan and taking note of important initiatives taken by Pakistan in support of the peace and reconciliation process in Afghanistan,

Recognizing the common challenge posed by terrorism, extremism and narcotics trafficking as a major threat to regional peace, security and stability, and in this context, especially, denouncing strongly the recent terrorist attacks on Asadullah Khalid, Director of National Security of Afghanistan; and on Malala Yusufzai, an icon of girls' education in Pakistan, and wishing them both a speedy recovery,

Welcoming the progress achieved in the Istanbul Process for a Secure and Stable Afghanistan and reiterating their strong commitment to the Process as a regional political dialogue platform and the development of confidence building measures within its framework, and looking forward to the success of the Baku and Astana meetings next year,

Reaffirming their commitment to the decisions of the Regional Economic Cooperation Conference on Afghanistan (RECCA-V) held in Dushanbe on 27 March 2012,

Welcoming the Regional Conference on Countering Narcotics held in Islamabad on 12 November 2012 as an important regional initiative to address this significant challenge,

Recognizing the value of the efforts of regional organizations and initiatives, such as the Economic Cooperation Organization which held its 12th Summit in Baku on 16 October 2012,

Noting the commitment made by the international community to the future of Afghanistan in the Bonn, Chicago and Tokyo Conferences held since the sixth Trilateral Summit Meeting,

Decided the following:

1. In its sixth year, the Trilateral Ankara Summit Process has proven its worth as a platform for high level dialogue, security cooperation and economic development partnership,
2. Noted the results of the Trilateral Foreign Ministers Meeting with the participation of the Chairman of the High Peace Council of Afghanistan and high level officials of relevant agencies, where the latest efforts of the peace and reconciliation process in Afghanistan was discussed extensively,
3. Based on the comprehensive exchanges of views among the relevant Ministers and high ranking officials, including the Chairman of the High Peace Council of Afghanistan, reiterated their determination to intensify the cooperation among the three countries in Afghan-led and Afghan owned

peace and reconciliation efforts and address the security challenges affecting the region, in this regard a joint working group comprising relevant agencies of Afghanistan and Pakistan will address the recent attack on the National Security Director of Afghanistan,

4. Expressed their resolve to foster connectivity among the institutions of the three brotherly countries, the hotline communication system being recently established among the presidential offices setting a concrete example in this regard,
5. Further emphasized the need to use the full potential of the three countries in order to achieve the development objectives for the prosperity of their peoples, recognizing the need to improve the transport connectivity among the three partner countries,
6. In this regard, welcomed the results of the Trilateral Meeting of Ministers Responsible for Transport, whereby the inter modal goods transport capacity among the parties will be enhanced, utilizing the full potential of existing regional transport infrastructure and legal framework, in particular with close cooperation among authorities responsible for railways,
7. Welcomed the results of the Trilateral Interior Ministers' Meeting, which identified the need to improve cooperation in border management in order to address all cross-border challenges, including terrorism, narcotics and human trafficking,
8. Regarding the already existing trilateral military cooperation which was discussed among the Highest Level Military Officials prior to the Summit, emphasized that the ongoing joint military training programmes and exercises which provide invaluable opportunities to share experience and foster connectivity among the armed forces of the three countries as well as improving their inter operability, should be continued and expanded, the Joint Special Forces and Natural Disaster Search and Rescue Exercise, conducted among the armed forces of the three countries between 5-9 November 2012 in Ankara, was highly commended in this regard,
9. Expressed their conviction that the Trilateral Trade Council being established today will allow the three countries to connect their economic and trade institutions closer in order to realize the full potential in the economic and trade partnership among Afghanistan, Pakistan and Turkey,
10. Reiterated their support for the Istanbul Forum mechanism, comprising the apex organizations of the private sectors of the three countries, welcomed the work of the Forum for strengthening logistics connectivity among the three countries and further to Eurasia, and appreciated their efforts to foster connectivity among entrepreneurs,
11. Tasked senior officials to review and expand the list of concrete cooperation projects based on the Ankara Summit Process decisions and follow-up their implementation.

His Excellency Hamid Karzai, President of the Islamic Republic of Afghanistan, His Excellency Asif Ali Zardari, President of the Islamic Republic of Pakistan conveyed their thanks to His Excellency Abdullah Gül, President of

the Republic of Turkey and to the Government and brotherly people of Turkey for hosting the seventh Trilateral Summit.

Islamabad, 12 December 2012. Source: www.mofa.gov.pk

B. PAKISTAN-INDIA RELATIONS

1. Joint statement issued after a meeting between foreign secretaries of India and Pakistan in New Delhi

During the second-round of the resumed dialogue process, the Foreign Secretaries of India and Pakistan met in New Delhi on July 4-5, 2012 for bilateral talks on Peace and Security including CBMs, Jammu & Kashmir and Promotion of Friendly Exchanges.

2. The talks were held in a frank and constructive atmosphere. Both sides reiterated their desire to carry forward the dialogue process in a purposeful and result-oriented manner.
3. The issue of Peace and Security, including CBMs, was discussed in a comprehensive manner. Both sides emphasized the need to promote greater trust and mutual understanding through constructive dialogue.
4. The Foreign Secretaries reviewed the ongoing implementation of the already adopted Nuclear and Conventional CBMs. It was decided that separate meetings of the Expert Level Groups on Nuclear and Conventional CBMs will be held to discuss implementation and strengthening of the existing CBMs and suggest additional mutually acceptable steps that could build greater trust and confidence between the two countries, thereby contributing to peace and security. The dates for the meetings of Expert Level Groups will be determined through diplomatic channels.
5. The Foreign Secretaries noted that both countries recognize that terrorism poses a continuing threat to peace and security. They reaffirmed the strong commitment of the two countries to fight and eliminate terrorism in an effective and comprehensive manner so as to eliminate the scourge in all its forms and manifestations.
6. The Foreign Secretaries had a comprehensive exchange of views on the issue of Jammu & Kashmir and agreed to continue discussions in a purposeful and forward looking manner with the view to finding a peaceful solution by narrowing divergences and building convergences.
7. Both sides recognized the need to strengthen the existing Cross-LoC CBMs for streamlining the arrangements to facilitate travel and trade across LOC. They decided to convene a meeting of the Working Group on Cross-LoC CBMs on July 19, 2012 in Islamabad to recommend steps for strengthening, streamlining and effectively implementing the existing trade and travel arrangements and propose modalities for introducing additional cross LoC CBMs.

8. Both sides underlined the importance of greater people to people contacts and friendly exchanges in building a relationship of trust and friendship between the two countries. They noted that the text of a revised bilateral Visa Agreement has already been finalized and decided to work for its early signing. They emphasized the importance of greater parliamentary exchanges; promotion of cooperation in various fields including facilitating visits to Religious Shrines; and cessation of hostile propaganda against each other.
9. The Foreign Secretaries also emphasized the need to promote media and sports contacts.
10. During his visit the Foreign Secretary of Pakistan will be calling on Minister of External Affairs of India, H.E. Mr. S.M. Krishna and National Security Adviser H.E. Mr. Shivshankar Menon.
11. The Foreign Secretaries will meet again in Islamabad, on a date to be decided through diplomatic channels, to prepare for the meeting of the External Affairs/Foreign Ministers in September 2012.

New Delhi, 5 July 2012

2. Joint statement issued following a meeting between the Minister of Foreign Affairs of Pakistan and the Minister of External Affairs of India

The Minister of Foreign Affairs of Pakistan H.E. Ms. Hina Rabbani Khar and the Minister of External Affairs of India H.E. Mr. S.M. Krishna met in Islamabad on September 8, 2012, for a meeting to review progress in the Dialogue process.

2. The Ministerial level talks were preceded by a meeting between the Foreign Secretaries of Pakistan and India on September 7, 2012.
3. The talks were held in a cordial, candid and constructive atmosphere.
4. The Ministers reviewed the status of bilateral relations and expressed satisfaction on the holding of meetings on the issues of Counter-Terrorism (including progress on Mumbai trial) and Narcotics Control; Humanitarian issues; Commercial & Economic cooperation; Wullar Barrage / Tulbul Navigation Project; Sir Creek; Siachen; Peace & Security including CBMs; Jammu & Kashmir; and promotion of Friendly Exchanges.
5. The Ministers noted that the dialogue process is guided by the commitment of leadership of the two countries, expressed at the highest level, to find peaceful and mutually acceptable solutions to all outstanding issues and to build a relationship of trust and all round cooperation between Pakistan and India.
6. The Ministers expressed satisfaction at the increase in high level bilateral exchanges between the two countries since their last meeting in New Delhi in July 2011, namely, leadership level meetings between President Asif Ali

Zardari and Prime Minister Manmohan Singh at New Delhi and Tehran in April and August 2012, the first ever bilateral visit of the Speaker of Lok Sabha to Pakistan at the invitation of the Speaker of the National Assembly of Pakistan, visit of the Commerce Minister of Pakistan to India, after 35 years, in September 2011, another visit by the Commerce Minister of Pakistan to India in April 2012, and the first ever bilateral visit of the Commerce and Industry Minister of India to Pakistan in February 2012. The Ministers underlined the importance of continued high level exchange between the two countries.

7. The Ministers held substantive discussions on the whole range of issues within the framework of the Dialogue process and expressed satisfaction over the progress achieved since their last review meeting in July 2011.
8. The Ministers reaffirmed the importance of carrying forward the dialogue process with a view to resolving peacefully all outstanding issues through constructive and result oriented engagement, and to establish friendly, cooperative and good neighborly relations between Pakistan and India.
9. The Ministers agreed that terrorism poses a continuing threat to peace and security. They reaffirmed the strong commitment of the two countries to fight terrorism in an effective and comprehensive manner so as to eliminate the scourge in all its forms and manifestations.
10. The Ministers noted the commitment given by Pakistan during the Interior/ Home Secretary talks in May 2012 to bring all the perpetrators of the Mumbai terror attacks to justice expeditiously in accordance with due process of law.
11. The Ministers noted that during the Interior/ Home Secretary talks in May 2012 Indian side had conveyed that the investigation in the Samjhauta Express blast case is still ongoing and updated information will be shared with the Pakistan authorities, through diplomatic channels when the investigation is completed.
12. The Ministers welcomed the signing of the Memorandum of Understanding on ‘Drug Demand Reduction and Prevention of Illicit Trafficking in Narcotics Drugs/ Psychotropic Substances and Precursor Chemicals and related matters’ between the Anti Narcotics Force of Pakistan and Narcotics Control Bureau of India in September 2011 and expressed the hope that the MoU will help enhance mutual cooperation between Pakistan and India through effective and sustained steps to control the growing menace of drug trafficking.
13. The Ministers welcomed the release of prisoners and fishermen, including those suffering from ailments, in the past year or so. They agreed that the Agreement on Consular Access should be implemented in letter and spirit including immediate notification of arrests by either side, consular access to all persons within three months of arrests, release of prisoners within one month of completion of sentence and confirmation of their national status. The Ministers also welcomed the continued work of the Judicial Committee and agreed with the need to implement its recommendations on various

aspects of release and repatriation of prisoners and fishermen of each country by the other and adoption of the humane approach in dealing with cases of fishermen and prisoners, especially women, elderly, juvenile, and those terminally ill or suffering from serious illness or physical/ mental disability.

14. The Ministers noted that talks were held between the Director General of the Pakistan Maritime Security Agency and the Director General of the Indian Coast Guard in New Delhi in July 2012 and agreed to the importance of continuing their meetings. They further directed that the issues relating to fishermen as contained in para-10 of the Joint Statement issued after the Interior/Home Secretaries talks between Pakistan and India in March 2011 would be further examined by the relevant authorities of the two countries.
15. The Ministers welcomed the decision during the last meeting of the Home/ Interior Secretaries of the two countries in May 2012 to initiate discussions in order to strengthen mutual cooperation in criminal matters.
16. The Ministers attached importance to promoting Peace and Security, including Confidence Building Measures, between the two countries and agreed to convene separate meetings of the Expert Groups on Nuclear and Conventional CBMs, in New Delhi in the second half of December 2012.
17. The Ministers held discussions on the issue of Jammu and Kashmir and agreed to the need for continued discussions, in a purposeful and forward looking manner, with a view to finding a peaceful solution by narrowing divergences and building convergences.
18. The Ministers reviewed the existing Cross-LoC CBMs and acknowledged that the ceasefire was holding since 2003. They also reviewed the implementation of the decisions taken regarding travel and trade across the Line of Control (LoC) in their last meeting in July 2011. They expressed satisfaction at the increasing number of people of Jammu and Kashmir who are able to avail of the facility to travel across LoC, and also at the growing Cross-LoC trade benefitting them on both sides of the LoC. They also welcomed the enhancement of the number of days for conducting trade across LoC from two to four per week, as had been agreed by them. Taking note of the recommendations made by the Joint Working Group (JWG) on Cross-LoC CBMs in its meeting in Islamabad on July 19, 2012, the Ministers decided the following:-

Cross-LoC Travel:

- (i) Cross-LoC travel would be expanded on both sides of LoC to include visits for tourism and religious pilgrimage.
- (ii) Tourist and Pilgrimage sites will be designated on both sides of the LoC and information will be available with the designated authorities.
- (iii) Such visits will be conducted by designated Tour Operators in groups not exceeding 15 persons.

- (iv) Permits for such visits will be single entry, non-extendable and valid for up to 15 days.
- (v) Travel for tourism or pilgrimage will be arranged during summer season i.e. April to October.
- (vi) Crossing for such visits will initially be from Chakothi-Uri and Rawalakot-Poonch Crossing points.
- (vii) Both sides will facilitate speedy clearance of applications for travel across LoC. The process time should not be more than 45 days.
- (viii) Both sides will extend necessary assistance to valid entry permit holders to cross the LoC in emergency situation on crossing as well as non-crossing days. This will be facilitated by designated authorities.

Cross-LoC Trade:

- (i) List of 21 products of permissible items for Cross-LoC trade will be respected by both sides.
 - (ii) Regular meetings between the traders on monthly basis on both sides will be facilitated.
 - (iii) The designated authorities will resolve operational issues concerning Cross-LoC trade through regular meetings.
 - (iv) Improvement of roads and bridges for Cross-LoC trade will be facilitated.
 - (v) Transportation links on operational crossing points will be upgraded.
 - (vi) Both sides agreed to facilitate the exchange of business delegations.
19. It was agreed that the JWG on Cross-LoC CBMs will meet on a bi-annual basis to review existing arrangements and suggest additional CBMs and measures for Cross-LoC travel and trade.
 20. Both sides agreed to the need for promoting friendly exchanges between the two countries. They also discussed measures for promoting cooperation in various fields including facilitating visits to religious shrines, media exchanges, holding of sports tournaments and cessation of hostile propaganda against each other.
 21. The Ministers welcomed the signing of the new Visa Agreement which liberalises bilateral visa regime and introduces a number of measures aimed at easing travel of business persons, tourists, pilgrims, elderly and children, thereby facilitating contacts between peoples of the two countries, who should remain at the heart of the relationship between Pakistan and India.
 22. The Ministers welcomed the signing of the Memorandum of Understanding on cooperation in the field of culture between the Pakistan National Council of the Arts and the Indian Council for Cultural Relations.
 23. The two sides exchanged views on Siachen, Sir Creek and Wullar Barrage/ Tulbul Navigation Project, agreed that there is the need to effectively address these issues by finding mutually acceptable solutions and reiterated

their commitment to do so. They also reaffirmed the importance of abiding by the provisions of the Indus Waters Treaty.

24. The Ministers expressed satisfaction at the progress registered towards normalizing bilateral trade and commercial relations. The Ministers firmly reiterated that both sides will scrupulously adhere to the roadmap drawn up by the two Commerce Ministries for full normalization of trade relations. They agreed that a strong and enhanced economic partnership is in the interest of peoples of both countries.
25. The Ministers welcomed reactivation of the Pakistan-India Joint Commission, in accordance with their decision taken last year. They Co-Chaired the Plenary of the Joint Commission, which met for the first time after 2007. They expressed satisfaction at the meetings of all eight Technical Level Working Groups and noted that these Groups have made a number of suggestions for exploring mutually beneficial cooperation in areas of agriculture, education, environment, health, information and broadcasting, information technology and telecommunication, science and technology and tourism. They took note of and approved the Report by the Foreign Secretaries, which is annexed.
26. The Ministers reaffirmed their commitment to the goals and objectives of SAARC and agreed to make joint efforts to promote cooperation for regional development in the SAARC framework.
27. The Ministers agreed to the launch of the next round of Secretary level dialogue on all eight segments, as contained in para-4 above. Schedule for these meetings will be worked out through diplomatic channels. They further agreed that all these meetings will be held prior to their next review meeting in New Delhi in 2013.
28. The External Affairs Minister of India called on the President and the Prime Minister of Pakistan.

Islamabad, 8 September 2012

Annex 'A'

Areas Identified For Cooperation by Technical Level Working Groups of the Pakistan-India Joint Commission

- The Pakistan-India Joint Commission met in Islamabad on 8th September 2012 in pursuance of the decision taken by the Minister of Foreign Affairs of Pakistan and Minister of External Affairs of India during their last meeting in New Delhi on 27 July 2011. The reactivation of the Joint Commission was welcomed by both sides. The following eight Technical Level Working Groups (TLWG) discussed and identified avenues of mutually beneficial cooperation in the respective fields:
 - Agriculture
 - Education
 - Environment

- Health
 - Information
 - IT & Telecom
 - Science and Technology
 - Tourism
- The working group on Agriculture discussed avenues of cooperation and identified certain areas for collaboration including exchange of experts and training of scientists in the areas of crop improvement through the use of biotechnology, cooperation in seed sector, quarantine related matters, livestock and dairy development sector, high efficiency irrigation system and rain water harvesting.
 - The working group on Education explored avenues for furthering cooperation in the fields of school and higher education, non-formal education and adult literacy. It also explored furthering cooperation through institutional linkages between Higher Education Commission of Pakistan and University Grants Commission of India, linkages between National Vocational Technical Training Commission of Pakistan and All India Council for Technical Education of India and exchange of experiences between National Book Foundation of Pakistan, National Book Trust and National Council of Educational Research and Training of India.
 - The working group on Environment discussed various issues relating to environment and agreed to enhance cooperation in the fields of climate change, renewable energy, environmental protection, energy conservation and Clean Development Mechanism, Bio diversity and sustainable forest conservation, solid waste management. It agreed to share experiences and best practices including establishing institutional linkages for knowledge sharing and capacity building.
 - The working group on Health agreed to enhance cooperation in polio eradication and increasing immunization coverage, cooperation in women and child health, sharing experience for retaining human resources in rural area exchange of information on regulatory regime and institutional collaboration between Drug Regulatory Agency of Pakistan and Central Drugs Standard Control Organization of India. They also agreed to enhance cooperation in Quality Assurance and Drug Testing laboratories in pharmaceuticals and biological.
 - The working group on Information discussed issues concerning Information and Broadcasting. In this context, exchange of journalists and information professionals, organizing film festivals in each other's countries, holding of seminars/workshops, between Indian Institute of Mass Communication (IIMC) and suitable Pakistani Institute; and between Film and Television Institute of India (FTII) and Academies of Pakistan Television Corporation and Pakistan Broadcasting Corporation; news exchange between official news agencies and exchange of TV and Radio programmes were identified

for future collaboration. Both sides agreed that media can play a pivotal role in building and enabling environment between the two countries.

- The Working group on IT & Telecom discussed avenues of cooperation. Pakistan invited Indian companies to participate in ICT events in Pakistan. India offered to organize a customized e-governance workshop in India for Pakistan. They also discussed possibilities of collaboration in International Domain Name (IDN), sharing best practices on e-governance, Open Source Technologies and IT Enabled Services. The Group emphasized improved visa facilitation for IT & Telecom professionals. India offered to forward a proposal for establishing telemedicine linkages between the two countries.
- The working group on Science and Technology discussed National Science, Technology Innovation System in Pakistan and India. They agreed to work on common areas of interest by holding joint workshops / seminars and short training programmes. They identified areas of medicinal plants and herbal medicines (in Pakistan), renewable energy (in India) and Standards for such collaboration. Both sides also agreed to participate in each other's Science popularization programs / activities.
- The working group on Tourism held discussion on tourism industry and potential in both countries. They explored and identified areas for cooperation particularly in information sharing, Research and Development, human resource development in the field of tourism, Destination management, marketing and promotion, Meetings Incentives Conference and Exhibition (MICE) tourism, travel and hospitality industry.

Islamabad, 8 September 2012

3. Joint statement issued at the 6th round of India-Pakistan expert level talks on conventional CBMS

Pursuant to the agreement between the Foreign Ministers of India and Pakistan during their meeting on September 8, 2012 in Islamabad, the Sixth Round of Expert Level Talks on Conventional CBMs between India and Pakistan was held on December 27, 2012 in New Delhi.

The Indian delegation to the talks was led by Mr. Y.K. Sinha, Additional Secretary (PAI), Ministry of External Affairs. Mr. Aizaz Ahmad Chaudry, Additional Secretary (UN&EC), Ministry of Foreign Affairs, led the Pakistan delegation.

The talks were held in a cordial and constructive atmosphere.

The two sides reviewed the implementation of existing CBMs, including the ceasefire along the LoC, exchanged ideas to further advance the CBM process and reaffirmed their commitment to continue discussions with the aim of strengthening conventional CBMs.

The two sides also agreed to report the progress made during the current round of talks to their respective Foreign Secretaries.

Islamabad, 27 December 2012

4. Joint statement issued at the seventh India-Pakistan expert level talks on nuclear CBMs

Pursuant to the Agreement between the Foreign Ministers of India and Pakistan during their meeting on September 8, 2012 in Islamabad, the Seventh Round of Expert Level Talks on Nuclear CBMs was held in New Delhi on December 28, 2012.

The Pakistani delegation to the talks was led by additional Secretary (UN & EC), Ministry of Foreign Affairs Mr. Aizaz Ahmad Chaudhry. The Indian delegation was led by joint Secretary (Disarmament and International Security Affairs), in the Ministry of External Affairs Mr. D.B. Venkatesh Verma.

The talks, which were held in cordial and constructive atmosphere, focused on review of implementation and strengthening of existing CBMs in the framework of the Lahore MoU, as well as possibilities for mutually acceptable additional CBMs.

Both sides reviewed working of existing agreements on Pre-Notification of Flight Tests of Ballistic Missiles and Reducing the Risk from Accidents relating to Nuclear Weapons and expressed satisfaction that the latter was extended for a further five year period from February 2012.

The two sides will report progress made in the talks to their respective Foreign Secretaries.

Islamabad, 28 December 2012. *Source: www.mofa.gov.pk*

II: Human Rights

A. Experts from HRCP's Report on Balochistan

Introduction

Balochistan is Pakistan's largest province in terms of area, and also its least populous and most troubled. The most dominant feature of the province today is a violent insurgency in Baloch-majority districts of Balochistan that had started after the 2006 killing of Nawab Akbar Bugti in a military operation.

But that is hardly the only serious problem facing Balochistan where the Pakhtun insist that despite constituting a substantial part of the population they have been neglected in representation and access to education and

employment.

Enforced disappearance blamed on state agencies and dumping of dead bodies of victims of disappearances are among the most blatant violations of human rights in the province.

The religious minorities in Balochistan have faced challenges that are among the most grave anywhere in Pakistan and large numbers have been forced to migrate to other provinces or abroad. The excesses are not confined to non-Muslims alone. The Hazaras of Balochistan are by far the most frequently targeted community on account of their faith. Many Hazara young men try to escape the seemingly inevitable recurrence of violence by any means possible, often relying on human smugglers.

There are excesses by the insurgents against 'settlers', essentially members of all ethnic groups other than Baloch, and those considered to be pro-federation, including teachers at schools in Baloch-majority areas who are threatened and targeted if the national anthem is played in the morning assembly or the national flag is flown. The so-called settlers, ethnic Punjabis, Sindhis and Urdu-speaking, who have lived in Balochistan for generations, and some for centuries, have been hounded out of Baloch-majority areas by threats and violence by insurgents and at times also by opportunistic property mafia keen to capture land and buildings of the settlers and the more intimidated the settlers the more likely they were to accept any price for their property as they seek shelter elsewhere. The general law and order has also plummeted across the province.

The financial resources at the disposal of the provincial government and autonomy in the administrative sphere have certainly grown following changes in the constitution, but the people are yet to see benefits of that. This is the complex landscape that is Balochistan today.

The Human Rights Commission of Pakistan (HRCP) has observed the deteriorating human rights situation in the province for a long time. The nationalist insurgency has overshadowed all the other problems in Balochistan, but HRCP has consciously called for respect for the rights of all people who call Balochistan home. HRCP not only calls for human rights for all citizens including the right to govern their affairs, but also believes that all federating units must have equal rights within the federation. Prior to the assessment mission in May 2012, HRCP had conducted four fact-finding missions to Balochistan.

Disturbed by reports of renewed armed conflict in parts of Balochistan, two HRCP fact-finding missions visited various districts of the province in December 2005 and January 2006. Besides other areas, a team visited the troubled areas near Kohlu in December 2005, and in January 2006 as fighting expanded, another HRCP team visited Dera Bugti and Sui.

An HRCP team also met with Nawab Akbar Bugti, the chief of the Bugti tribe, at an undisclosed location after the Nawab had left his house in Dera Bugti following escalation of violence on December 30, 2005.

Among other recommendations, the missions in 2005-06 advised the government to recognise the people as stake-holders in the decision-making process in Balochistan; pursue a sustained process of negotiations and

dialogue to resolve all contentious issues; make the security forces accountable for their actions; and take steps to address human rights violations and mistrust of the government and rebuild its credibility. The missions cautioned the authorities that use of force to resolve political issues would only aggravate the situation.¹

In 2009, the entire HRCP Executive Council spent a week in Balochistan, meeting representatives of religious and political parties, as well as various ethnic groups and other stakeholders to understand their concerns, and also taking up these issues in meetings with senior government officials, elected and otherwise, and police and security officials. In the report of the 2011 fact-finding mission to Balochistan, HRCP had regretted the fact that recommendations made by the 2009 fact-finding mission had not been heeded and if they had been the slide into chaos might have been stemmed.

Based on the information HRCP had been receiving from its Balochistan chapter office in Quetta, a field office in Turbat, and volunteer groups in districts as well as communications from individuals and civil society organisations and media reports, it was abundantly clear in early 2012 that violations by all actors in Balochistan continued.

It was against this background that the HRCP Executive Council decided that it was crucial to revisit the situation to not only assess the impact of the recent measures by the government but also to hear suggestions from the stakeholders on a way out of the lingering crisis.

The fact-finding mission visited Balochistan at a time when the Supreme Court had convened in Quetta to hear a case relating to the law and order situation and human rights violations in the province. General elections were due in less than a year, which could provide an opportunity to key political parties in Balochistan including the nationalists who had boycotted the 2008 general elections to try their hand at solving the complex problems.

When the fact-finding team arrived in Balochistan, it had been over 14 months since the March 1, 2011 target killing of Naeem Sabir, HRCP Core Group Coordinator in Khuzdar district, and more than a year since the bullet-riddled body of Siddique Eido, HRCP Core Group Coordinator in Pasni, Gwadar, was found on April 28, 2011. Siddique was abducted by men in Frontier Corps uniform on December 21, 2010 and remained missing until his body was found. The two coordinators, their tireless work for human rights and their brutal murder had not been forgotten. Despite repeated reminders to the authorities by HRCP, there had been no progress in identifying or apprehending the killers in either case. When this could happen to well known human rights defenders and the killers roamed free, law enforcement agencies' ability to provide security to the common citizens or apprehend the criminals in everyday violence did not inspire

¹ 'Conflict in Balochistan', report of HRCP fact-finding missions to Balochistan, Dec 2005-Jan 2006, <http://www.hrcp-web.org/pdf/Conflict%20in%20balochistan--%20Complete.pdf>

much confidence.

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Findings and conclusions

The mission was of the considered opinion that if there was a genuine will and commitment to find solutions, the numerous challenges in Balochistan could be addressed. It was plain to see that the strategy that the government had pursued in the province had not worked. Maintaining the same course was about the worst thing that could be done if the objective was to improve the situation. The fact-finding team made the following observations at the conclusion of the mission:

1. In many fundamental respects the situation had not changed in Balochistan since HRCP's last fact-finding mission to the province in 2011. Enforced disappearances continued in Balochistan as did dumping of bodies and impunity for the perpetrators. Frontier Corps and intelligence agencies were generally believed to be involved in enforced disappearance of people. In some cases their involvement had been proved beyond doubt. Failure to punish the perpetrators or to probe that involvement in a meaningful way was aggravating the situation. The law and order situation had worsened and sectarian killings increased in all districts.
2. However, there were some positive changes, each with a caveat, which offered hope for improvement in Balochistan's situation. The Supreme Court hearings in Quetta had certainly had a positive impact, although it remained to be seen if the impact would endure. The mission found youth and political activists were more willing to talk and more keen to engage in efforts to resolve the crises politically. Sincerity and reciprocity were needed to avail the opportunity. There was keen awareness that change was vital and a lot of people looked towards the forthcoming elections to deliver that change. If free and fair elections were held progressive elements were expected to participate. Some nationalists might not contest but others would. If the nationalists became part of the government things were generally expected to improve. However, lawlessness made preparation for the elections difficult for nationalist parties, many of which had constituencies in insurgency-hit districts. There were apprehensions that elections might be rigged and demands were made for national and international monitors for the elections. Law and order had prevented many parliamentarians from visiting their constituencies. As of now, the people only got a chance to go to elections once every decade. There was a general feeling that if there was genuine democracy the Balochistan's woes could have been minimised.
3. There were multiple layers of violence and tension in Balochistan. Law and order was a problem that cast a long shadow on all aspects of life. The crime wave that had engulfed urban Balochistan and the main highways was either a mark of collusion or utter incompetence of the authorities. The government, law enforcement and security agencies had completely failed

- to deal with militant / insurgent, sectarian and criminal elements.
4. Kidnappings for ransom had become a profitable enterprise. No perpetrator had been arrested or tried. It was difficult to see how the kidnappers could operate despite heavy security deployment. The conclusion that most people reached in Balochistan was that the criminals had not been arrested because they enjoyed the patronage of the authorities. The provincial home minister had spoken of fellow cabinet members' involvement in this crime but no action was taken. The people asked who would give protection to the people, to the Hazaras, non-Muslims and to truck drivers who pooled money to pay ransom.
 5. The problems in Balochistan had long been looked at in the perspective of a Baloch insurgency and Baloch rights. There was a need to have a holistic look at all the problems in Balochistan, including those faced by a substantial Pakhtun population, the Hazaras, non-Muslims and settlers as well as economic and livelihood issues in the province.
 6. There were complaints of the state's inability or unwillingness to protect the lives of religious minorities as well as members of some Muslim sects from sectarian killings. Killings and harassment of the settler population by the insurgents had led to the settlers shifting to Pakhtun-majority areas or to leave the province altogether. Target killings and crime on the basis of religious and ethnic identity of the victims had grown. The continued persecution of Hazaras was as ruthless as it was unprecedented. The people the mission met said that if the authorities had the commitment to stop the killings or punish those responsible the killings could not have expanded in the manner that they had. Questions were raised about absence of ability or willingness on part of the government to protect the people from faith-based violence as well as its lack of priorities. Heightened threats including kidnappings for ransom had forced Hazaras, non-Muslims, settlers and wealthy people to migrate to other parts of the country and even abroad.
 7. Talibanisation was growing in several areas. Unlike the past, religious fanaticism was not merely being exported to the province from elsewhere. It was now being bred in Balochistan. A growing network of madrassas had contributed to aggravation of inter-sect tensions. There were fears that the security forces were patronizing militants and Quetta was being turned into a haven for militants. There were said to be militants' training camps in the province.
 8. Aspiring irregular migrants from or passing through Balochistan took great risks in their quest for a brighter future and the human smugglers were only too happy to exploit them. Little was being done to address the reasons that forced people to migrate.
 9. Unlike the past, the insurgents had systematically targeted infrastructure and development work.
 10. Despite the government's oft-voiced desire for a political solution to the crisis in Balochistan no progress had been made on engaging through talks the disgruntled elements in Balochistan. Even preparatory steps towards that end remained lacking.

11. The state abdicating its basic responsibility and NGOs retreating for fear of abduction of their staff had further aggravated the crises. The government and development agencies had abandoned the troubled areas. Healthcare and education were neglected. Many good teachers had migrated. An insurgency in parts of the province did not justify the state ignoring the people's health, sanitation and other basic needs and infrastructure, which were not affected by the ongoing strife. There were places in the province where the people, irrespective of their ethnicity, survived in conditions that were not far removed from the Stone Age. Alleviating their problems was no one's priority.
12. The provincial government was nowhere to be seen in the crises. The chief minister was away from the province for a lot of time and the provincial government held meetings regarding Balochistan outside the province. The provincial government seemed to have earned a lot of discredit in a short span of time. In probably the only example of its kind, all but one member of the provincial assembly was in the cabinet. After the 18th Amendment and the National Finance Commission Award, more funds had certainly become available to Balochistan but those did not seem to have trickled down. A general observation was that corruption had spiked by the same margin.
13. The government had shown little interest in shoring up sagging economic activity and businesses. The industry had collapsed, natural resources had not been tapped nor the requisite expertise created and agriculture that was the mainstay of a large part of the provincial economy was in ruins because of drought-like conditions and lack of irrigation water amid plummeting water table, debilitating electricity shortages and absence of delay-action dams.
14. The total electricity need of Balochistan was very small compared to the needs of the other provinces. Yet the people in the province faced excessive electricity suspension. The people demanded that the government should accept an Iranian offer to supply 1,000 megawatts of electricity to Pakistan and use the same in Balochistan.
15. There was a widespread feeling that the national media had abandoned Balochistan and not given as much coverage to the events and incidents as their importance demanded. Even when whole cities were shut down during a strike the media did not report that. Journalists in the field felt threatened from the security forces, militants and insurgents. The people in the districts affected by the insurgency in general and journalists in particular felt like hostages. If they said one thing they were traitors to one side and if they did not they were traitors to the other side. The stories that the journalists did file were often covered only in Balochistan editions of publications by national level media organisations. That prevented the people elsewhere in Pakistan from getting the true picture of the situation in the province.
16. Members of the mission were shocked at the glut of sophisticated firearms in Balochistan and the people's easy access to them. It defied belief that huge quantities of weapons could pass through a series of check-posts when the common citizen was stopped even for carrying a knife. Had there

been sincere efforts to curtail the free flow of weapons they would certainly have made a difference.

17. The people generally expressed faith in the Levies force because of it being a local force. Police was not well respected.
18. All investigations in Balochistan today seemed to end as soon as claims of responsibility were made by one militant or insurgent organisation or the other. It was a free for all and in cases of target killings or even common crime any investigation or prosecution worth the name was generally missing.

Recommendations

Unfortunately, as noted in the reports of HRCP's previous fact-finding missions, this year too the fact-finding team regretted that the recommendations made in the previous years had not been heeded. HRCP believes that had those been followed the situation would not have been quite as bleak. The mission called upon all stakeholders to heed the suggestions put forth earlier and made the following recommendations:

1. The first step towards resolving the crises in Balochistan is to acknowledge their gravity and talk to the stakeholders with a view to finding solutions. The mistrust and the perception that the state is interested not in the people of Balochistan but only in the land and resources needs to be rebutted by actions and not merely by words. If statements of various officials are any yardstick, the government clearly understands the need for political means out of the morass. It is high time that rhetoric in that regard is translated into action and talks held with all groups, especially the most disenchanted nationalists, in a manner that inspires confidence and sincerity of purpose.
2. The people's aspiration for autonomy and good governance is the most fundamental issue in Balochistan and the urgency of ending military's dominance has increased with time. Every effort must be made to ensure that authority is not only exercised by Balochistan's representatives but is also seen to be so exercised.
3. Despite the fact that many of Balochistan's problems seem to be intractable, a positive change can be smelt in the air. The revival of some interest in taking things over that HRCP noticed must not be allowed to abate. A climate of frank discourse must be guaranteed through the government's affirmative and proactive actions.
4. The prospects for a general election leading to people's genuine representatives' rise to power could make for stability and peace in the province. This increases the need to guarantee free, fair and democratic elections. Failure on that count could irretrievably snap the Balochistan people's ties with the rest of Pakistan.
5. Nothing says more about a state than the way it treats its minorities. The record is particularly damning in Balochistan. A holistic view of the difficulties and concerns of all people in Balochistan, including the Baloch, Pakhtuns, Hazaras, settlers and non-Muslims, must be taken in the ongoing strife. The most fundamental of all rights, the right to life, should be given the sanctity it deserves and all efforts of the state should be focused on securing that right. Those taking

away that right should be pursued with the diligence that reflects a conscientious society's respect for life. The alarm expected of a responsible state at the migration of a considerable number of its citizens due to safety concerns should not remain absent in the case of Balochistan. Excesses against Hazaras are a test case of the state's resolve to protect its citizens. So far the state has failed this test miserably. Bringing the killers to justice at the earliest is the only way to reassure the Hazaras and to belatedly salvage the reputation of the law enforcement and security agencies and of the government itself. People wonder how state agencies are easily able to pick up nationalists they suspect of terrorism, but fail to check the Lashkar-e-Jhangvi. Many sectarian and ethnic killings appear to be aimed at instigating wider violence and conflict. Instead of being a passive spectator the government should take note of that and formulate a strategy in consultation with the communities concerned. HRCP hopes and expects all political parties in the province to express their condemnation of unlawful killings of members of any ethnicity or religious belief by any actor in the same manner as Pakhtunkhwa Milli Awami Party had voiced their disgust through words and actions at the killing of settlers and as other political parties had at the senseless killings of Hazaras.

6. Enforced disappearances and dumping of mutilated bodies are the biggest causes of resentment and alienation in a large part of Balochistan. Anyone accused of any offence should be tried in accordance with the law with due process rights and not disappeared. Every single allegation of state agents' involvement in enforced disappearance and extrajudicial / unlawful killings must be investigated. Even if criminals and insurgents resort to violence and killings, the state must hold itself to a higher standard in its response. Deference to rule of law and respect for rights and abhorrence of barbaric practices like enforced disappearances and dumping of missing persons' bodies would not undermine the actions of the security forces in any way. They would only serve to heighten respect for the manner the authorities operate in.
7. The Supreme Court hearings held in Quetta to consider the situation in the province are a positive development. But that alone is not much to celebrate. The cases registered against at least a few security officials on charges of involvement in enforced disappearances are only a good start and nothing more. These should be followed through in such a manner that the state's desire to unearth any wrongdoing is manifestly apparent.
8. Additional measures need to be made to maintain peace during the coming elections. All political parties should be actively encouraged and helped to participate in elections. Election observers from Pakistan and abroad should have access to all areas to monitor all polls-related aspects.
9. Rather than the security forces, the government that emerges following the elections must be the principal actor authorised to deal with the challenges of the province. It must be allowed to work without hindrance. The security forces must play a role only when summoned by the civilian authorities, must not exceed the authority delegated to them, must act in a lawful manner and must be held to account for any infraction.

10. Without peace, economic and industrial activity would not exceed the bare minimum. Challenges for industry and agriculture both should be addressed simultaneously to avoid any further loss of livelihoods for the people and to generate employment opportunities. A failure to develop the vast natural resources of the province has added to a sense of deprivation in the province. Ensuring that the people in Balochistan benefit from the resources in the province should be the focus in both short and long terms. The required wherewithal including the machinery, infrastructure and expertise must be provided on priority.
11. The inability to meet the relatively small electricity needs of the province shows lack of commitment, imagination and foresight. The Iranian offer to provide 1,000 megawatt to Pakistan could be one of several ways to plug the gap between supply and demand in the province. Despite international pressure to the contrary, Pakistan should negotiate this facility on priority.
12. The steep rise in crime and lawlessness in the last few years points to a systematic degeneration of policing and deeper socio-economic problems. Kidnappings for ransom, once unheard of in Balochistan, no longer raise an eyebrow there. The police talks about 70-odd gangs and the home minister about patronage of kidnappers by other cabinet members. Only the provincial government and the home minister can shed light on why action has not been taken against any of those. It is imperative that the criminals are vigorously pursued and brought to justice in every case. The people's confidence should be revived in the state's ability to protect them from criminals rather than abandoning them to perpetually pooling money and negotiating release of their relatives from their captors.
13. There are conflicting views on whether there should be a single law enforcement agency in the province and if so which it should be. Advocates of the Levies system value the fact that they are a local force. The trust in police is not where it should be. An agency that includes the positive attributes of both forces may be the answer. But the change must be made in consultation with the people under a gradual timeframe.
14. Making every member of Balochistan Assembly a minister might have pressing reasons for better governance, but those are lost on the people in the province. The cabinet costs the province approximately Rs 6.5 million a day according to one account. In the absence of any performance whatsoever, this expense cannot be justified. The strength of the cabinet should be in line with the constitutional parameters. There is an urgent need to institute ways to share with the people information that restores confidence in transparent and judicious spending of development funds. It is time to remind the lawmakers in Balochistan and indeed across Pakistan to focus on their primary role of lawmaking and relieve themselves of the burdens of thinking of ways to use the development budget. The latter responsibility should be left to the elected local bodies members with proper audit of funds and accountability of all spending.
15. The provincial government has been passive and content with pretending to be powerless and devoid of any authority as critics have slammed the handling of

the situation. That is the exact opposite of the sort of governance that the crises in the province demands. Rather than using the insurgency as a fig leaf, the government must prioritise people's health, sanitation and other basic needs. The lack of interest of the political government in the people's problems and the people's lack of expectations from the government both present serious cause for concern. It is exceedingly unfortunate that at this crucial juncture competence, honesty and transparency are not attributes associated with the provincial government. That must change. Balochistan needs a government that is mindful of the challenges and is responsive to people's needs. It is hoped that the people of the province will have a chance to elect such a government in the forthcoming elections. Local government system can help address many problems at the grassroots and should be revived forthwith.

16. The increasing Talibanisation in the province should be flagged and stopped now. The state should expose the funding for the hate mongering business from Pakistan and abroad. All countries that call themselves Pakistan's friends should be reminded to restrain their generosity towards religious extremists in order to help put an end to bloodletting in the country. Domestic actors who are facilitating Talibanisation should also be named, shamed and proceeded against. One would like to think that the bitter lessons of the policy of keeping Islamist militants as the country's auxiliary force have been learned once for all. However, accounts of safe havens and training facilities for militants in Balochistan seem to suggest otherwise. At the risk of stating the obvious, this policy must be abandoned.
17. Those engaged in human smuggling should be dealt with through inter-provincial collaboration, and proper investigation and prosecution. The root causes should be addressed in order to prevent human smuggling.
18. If there is any desire to stem the rot, the free flow of weapons in Balochistan must be choked as the first step. The people need to be reassured of the state's keenness and ability to protect them and an across the board deweaponisation drive initiated.
19. The continued neglect of the government to bridge Balochistan's distance with other provinces is a scandal. The distances are there not only in the form of lack of communication and shared concerns and aspirations but are also physical. There is no reason why air fare for flights operating in and out of the province should be the highest in the country. In fact, there is all the reason in the world for it to be the lowest to spur interaction, end isolation and, in time, boost trade, tourism and travel in general. The desired results cannot be obtained without making highways and trains safe for travel again.
20. The criticism of the role of the media in the Balochistan crisis is entirely justified. The media has failed to keep the people informed as the province plunged into crises. It must set about remedying that. The journalists should be responsible and unbiased in reporting and should follow up on stories rather than being content with breaking news. Meaningful measures should be taken to protect journalists from intimidation and violence by any actor.

Source: Hopes, fears and alienation in Balochistan, Report of an HRCP fact-finding mission, www.hrcp-web.org, pp.5-6, 44-50.

B. Excerpts from HRCP fact finding mission report on Karachi

Introduction

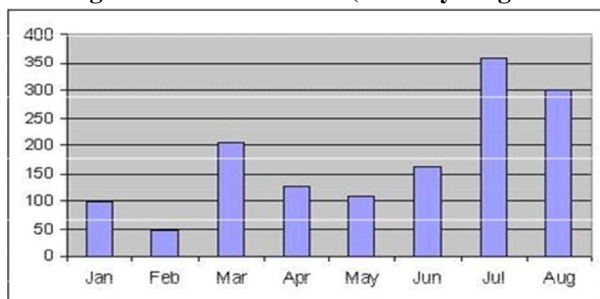
Karachi, the capital of the Sindh province, is Pakistan's financial capital, the country's largest city, and also one of its most dangerous. In addition to crimes common to most big cities, organised gangs of extortionists, land grabbers, mercenaries in turf wars among political parties, ethnic groups and criminal gangs alleged to be linked to and protected by political parties have complicated the city's law and order woes. For decades, Karachi has held a place of unenviable prominence in Pakistan in terms of sectarian, political and ethnic strife that has grown increasingly violent in recent years. HRCP's first major report on lawlessness and violence in Karachi was issued in 1995. Since then there have been sporadic periods of relative peace but violence is never far from being sparked by any party interested in doing so.

A major and widely shared concern has been the glut of weapons in the city. Those involved in violence are armed with sophisticated weapons, including automatic rifles and hand grenades, and even rockets have been used in clashes with rivals. Questions have been raised about how weapons find their way into the city on such a large scale when everyone acknowledges that they are not manufactured in Karachi. Even though there have been vociferous calls for de-weaponisation, the government has failed to take meaningful steps to ensure that or to even facilitate a consensus in that respect among political parties that are—or have been—in the ruling coalition at the provincial and federal levels.

Although the city has a history of political, ethnic and sectarian violence, the year 2011 saw horrific bloodshed that was unprecedented even by Karachi's standards. This latest violence would erupt without a warning, claim dozens of lives and would subside as abruptly and inexplicably as it had emerged. This sequence of killings was often repeated several times a week. In July alone, at least 358 people were killed in flare-ups of violence that paralysed the city. Many of the victims were tortured, shot and stuffed in burlap sacks that were dumped in the streets or in sewerage drains.

The history of armed violence in Karachi in the last two decades has been such

Killings in Karachi violence (January-August 2011)



that residents found that common sense, familiarity with the lay of the land and avoiding troubled areas could help keep them safe but that has changed in recent months. At the height of the recent unrest, people in many areas were reluctant to leave their homes for fear of being killed. Even rescue workers and emergency staff have been targeted. Although it has vowed to get a handle on the security situation, the government has consistently failed to stem the violence, or identify and prosecute the killers.

In the middle of July, when the intensity of recurring violence in Karachi spiked once again, HRCP decided to organise a fact-finding mission to look into the causes of violence in the city and to discuss solutions for sustainable peace.

The fact-finding mission

Members of the HRCP fact-finding mission visited various areas of Karachi affected by violence from July 29 to 31 and held meetings with representatives of a cross-section of society.

Several volunteers had carried out surveys in the riot-affected localities before the mission's arrival in Karachi and the process of gathering information and checking on facts continued for many days after July 31. Members of the fact-finding mission were: HRCP Chairperson Zohra Yusuf, vice-chairpersons Tahir Hussain Khan (Balochistan), Sher Muhammad Khan (Khyber Pakhtunkhwa), and Amarnath Motumal (Sindh), HRCP Council members Hina Jilani, Perveen Soomro, Uzma Noorani, Ghazi Salahuddin, Roland deSouza, Asad Iqbal Butt, and HRCP Secretary General I.A. Rehman. The mission members were assisted in their work by HRCP Sindh chapter staff including the coordinator, Syed Shamsuddin, Abdul Hai, Taranum Khan and Kashan Kashif, HRCP District Core Group coordinators for Karachi Qazi Khizar (District West), Hassan Athar (District East), Shafi Sayal (District Malir), Masood Jamil Warsi (District Central), Makhdoom Ayoub Qureshi (District South), and volunteers Bilqias Khattak and Zainab Abdullah. Members of the mission were divided into a number of teams for the meetings and visits in order to get first hand information on the situation from as wide an area as possible.

The mission's aims were:

- To assess the number of casualties and the background (ethnic, social and economic) of the victims.

- To assess the immediate and long-term consequences of disturbances, including economic loss, displacement and migration of people from one area to another.
- To assess effectiveness or otherwise of the measures adopted by the authorities to prevent lawlessness.
- To probe the role of political factions and officials in fomenting strife.
- To elicit the views of political parties and associations and civil society representatives on the causes of disturbance and solutions to the problem.
- To formulate a set of workable recommendations that could help Karachi return to sustainable peace.

Even though the team stayed in Karachi for a number of days and made several attempts to meet the provincial government, it did not succeed in that. The HRCP team also held a public hearing which was attended by citizens of Karachi, including those from the severely affected areas, who shared their experiences with the mission. The interim findings of the HRCP mission were released at the conclusion of the fact-finding mission on July 31. As far as possible, an attempt has been made in summarising the meetings to retain the exact words and expression of all those who met the team.

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Political Parties Perspective

Almost everyone that the HRCP mission talked to spoke of the involvement of the main political parties in Karachi and their armed/militant wings in violence and other crimes. This role of political parties extenuated concerns because there was widespread agreement that the crisis in the city needed to be resolved politically in order for peace to be sustainable. That seemed difficult as long as the preferred initiators of peace were seen to be involved in armed conflict. The HRCP mission held meetings with major political parties in Karachi to learn their views on the situation in the city.

Awami National Party

The HRCP team met Awami National Party (ANP) leader Bashir Jan, the party's Secretary General in Sindh, and other office-bearers at Bacha Khan Markaz. Shahi Syed, President of ANP Sindh, was abroad. The ANP leaders said that Karachi was the city where democratic movements were initiated. The present problems of Karachi had their roots in military dictator Gen Ziaul Haq's efforts in the 1980s to divide the city along ethnic lines. He fostered intolerance and lack of acceptance of other communities. The ANP leaders made the following observations:

- MQM is engaged in ethnic cleansing and expulsion of Pakhtuns from Mohajir-dominated areas of Karachi. Poor people who are not even politically affiliated are being killed on ethnic grounds. 69 ANP activists and 260 Pakhtuns have been murdered during violence in Karachi over the last two months. Many Baloch and Pakhtuns who operate small hotels, hardware shops and carpet shops in Mohajir-dominated areas such as

Gulshan, Gulistan-e-Jauhar, Shah Faisal Colony and Korangi in District East of Karachi have been targeted and are being forced to vacate these areas. People feel compelled to sell their shops and businesses at throwaway prices. Between 200-300 people, predominantly Pakhtun hotel owners, have been killed.

- Altaf Hussain called upon his workers to arm themselves and made a speech in London in 2008 where he talked about hotels run by Pakhtuns. After that speech Pakhtuns in Karachi started receiving threats to close their hotels and other businesses.
- Mohajir-majority areas are being created in Karachi and delimitation of constituencies is being manipulated to influence election results. MQM has occupied numerous amenity plots in non-Urdu-speaking areas of Karachi, such as North Nazimabad, Gutter Baghicha, Mahmoodabad Sewage Treatment Plant, etc. All these plots have been sub-divided and allotted to Mohajirs to achieve favourable election results. Plots have been taken over at gunpoint. Waziristan Colony near Orangi was demolished for creating Altafnagar, named after the MQM chief.
- MQM lacks political tolerance. Unlike other parties who have many splinter groups and factions, MQM-Altaf cannot tolerate the existence of MQM-H or other parties in Karachi. Even Mohajirs live in fear of MQM. Urdu-speaking industrialists/ businessmen pay bhatta (extortion money) to MQM and some Mohajir houses along Manghopir Road in Orangi cannot close their doors at night because MQM activists might need the houses to hide or use them for other unlawful activities. All this is being done in the name of politics.
- If MQM was not well-armed, it would be in trouble even with the Urdu-speaking community from whose businessmen, industrialists and shopkeepers they extract bhatta.
- The level of intimidation and coercion is such in Karachi that if anyone refuses to donate a sacrificial animal's hide to a party on Eidul Fitr those demanding the hide shoot the animal.
- Pakhtuns and non-Urdu speaking communities face multifaceted discrimination. Discriminatory hiring and other practices are affecting the Pakhtun. Plots in government schemes are only being given to Mohajirs. Students with matriculation certificates from Peshawar are not allowed admission in colleges in Karachi. Pakhtuns are not hired at the Karachi Port Trust and Port Qasim Authority. The Karachi Electric Supply Company (KECSC) has sacked 4,500 non-Mohajir workers and has hired in their place, through a contractor, 7,000 Mohajir/Urdu-speaking workers. Pakhtuns working as watchmen and security personal in apartment buildings have been sacked on a large scale. They are common people and not political workers and have been victimised only because of their ethnic identity. Pakhtun and non-Urdu speaking areas remain less developed. The Benaras Chowk Flyover remains incomplete even after five years. All people living in Karachi are migrants and settlers. There must be no

discrimination against communities settled in the city and all citizens must be given equal rights.

- Police are hand in glove with criminals, and mafias operate under government and police patronage. There is abundance of weapons in the city. Political groups are armed and criminal elements are used to spread violence. Criminal elements expelled from ANP have been taken in by MQM. Pakhtuns are being eliminated in a bid to take over their space. Certain forces with vested interests may be involved in instigating clashes and exploiting political violence to sustain divisions and promote instability in Karachi and elsewhere in Pakistan. Rangers have better resources than the police but both forces have failed to provide security even when they have worked together.
- Sipah-e-Sahaba and Taliban presence in Karachi is not new but there was no uproar about that during Gen. Musharraf's regime when major terrorist incidents occurred in the port city, including an attack on the US consulate, and on the Corps Commander's motorcade. MQM has never been targeted by Taliban elements, who regularly target ANP. ANP opposes the Taliban and is suffering for that in Khyber Pakhtunkhwa.
- Media is not free to report the facts on the killings because of pressure from MQM.
- MQM is trying to establish its hegemony over Karachi. The demographics are being changed in non-Mohajir areas of Karachi and delimitation of constituencies manipulated in order to influence the outcome of elections. In the next elections there must be electronic balloting, polls should be held under army supervision and effective measures must be taken to prevent the use of weapons on or before the election day.
- ANP supports the Commissionerate system and opposes the local bodies system.
- MQM's electoral gains are due to manipulation of polls.

Muttahida Qaumi Movement

The HRCP team met MQM leaders Kanwar Khalid Younus, Nasreen Jalil, Mustafa Kamal and Wasay Jalil at the party's secretariat in Azizabad on July 30. The team members were shown display boards with photographs of MQM workers and supporters killed during 1992-95 and 2008-2011. The party leaders denied charges that MQM had staked an exclusive claim on Karachi. Separately, MQM leaders Dr. Farooq Sattar and Wasay Jalil visited HRCP Karachi office on August 16 for a meeting. They also handed over documents on targeting of MQM workers in the violence and lists of individuals stated to be involved in violence and other crime, including those with alleged links to MQM-H, ANP, and from a gang in Lyari. They also shared with the HRCP team MQM's proposals for maintaining law and order in Karachi. In the two meetings the MQM leaders stated:

- Everyone unjustly blames MQM for the May 12, 2007 violence in Karachi

even though MQM activists were actually victims of violence on that day. 16,000 Urdu-speaking people have been killed to-date and genocide of Urdu-speaking people has been going on for 20 years.

- Pakistan People's Party (PPP) and Awami National Party (ANP) have conspired to marginalise MQM in some areas of Karachi, through groups such as Lyari Aman Committee. Sindh minister Zulfikar Mirza's inflammatory statements represent official views of the PPP. Sindh ANP chief Shahi Syed is recognised as a land grabber.
- 85 percent of Karachi had voted for MQM, and yet elected MQM lawmakers cannot even build a sewerage line in their constituencies.
- It is a false assertion that only Mohajirs are treated at Abbasi Shaheed Hospital. 55 percent of the patients there are non-Urdu speaking.
- It is untrue that Mohajirs demolished two Goths in Gadap Town in 2006/07 and later occupied them and named them Altafnagar. There is no locality named as Altafnagar. (The locality is shown as Altafnagar in a water-supply tender document of City District Government Karachi.)
- Why had Rangers/police not intervened for days in the shootings and siege at Orangi?
- The Peace/Coordination Committee being advocated now had been set up earlier as well, without much success.
- MQM is restraining the Urdu-speaking people of Karachi, otherwise there would be such mayhem and bloodshed that the people would not be able to count the bodies. Since November 2008, there have been killings in Karachi without any reason, which have been called 'targeted killings'. Various political parties and groups have been held responsible for the killings. It is the responsibility of all political parties to maintain law and order in Karachi city, but they have failed to do so or one may say that they have been involved in creating this situation. But the role of political parties in the law and order situation is secondary. The main responsibility lies with crime syndicates. 70 percent crime in Karachi is committed by drug mafias, and groups of land grabbers and kidnappers (for ransom), while 30 percent may be committed by groups who have linkages with political parties. MQM is ready to play its role as it believes that Karachi's law and order situation stimulates lawlessness elsewhere in Pakistan.
- In the last five years, MQM has expelled criminal elements from the party who were damaging its image. Many of them were arrested and some left the country. Some MQM workers had indulged in crimes during the time when the party leadership was arrested and behind the bars. MQM has made no attempt to get any of the arrested criminals released. Due to extrajudicial killings of the years 1992-95, some MQM workers whose close relatives were killed might have indulged in revenge killings.
- For three years, the Karachi administration has been ignoring Taliban's crimes and is hand in glove with them. Law enforcement agencies are also collaborating with them.

- By creating all sorts of criminal activities and killings, the establishment has tried to confine MQM to Karachi and prevent the party from playing its role in national politics.
- MQM has tried its best to convince other political parties to adopt a joint strategy to fight crime, stop the killings and maintain law and order in Karachi. MQM submitted a bill in parliament for de-weaponising of Karachi, but is not clear about other political parties' objectives. There must be no politics in de-weaponising the city. (At the first meeting Mustafa Kamal enthusiastically supported deweaponisation but Farooq Sattar said MQM had reservations.)
- The majority of people killed in violence in Karachi are MQM workers and supporters.
- MQM does not ask people for any contribution, except on the two Eid—it appeals to its supporters to donate hides of sacrificial animals on Eidul Azha and Zakat on Eidul Fitr.
- MQM has names of 500 gangsters operating in Karachi who are responsible for 70 percent of the criminal activity in the city.
- Taliban are responsible for killings in Karachi and their activities are helping religious parties and fanatics. They are also involved in kidnappings for ransom and armed robberies.
- MQM is being compelled by criminal elements and the establishment to react. If the situation persists the party would have no choice but to counterattack against these criminals.
- Peace in Karachi is contingent on all parties accepting each other's political status.

Pakistan People's Party

The HRCP team met Pakistan People's Party (PPP) leaders Taj Haider, Najmi Alam and Saeed Ghani at the PPP Secretariat. The team was shown a gallery displaying photographs of PPP activists killed in violence in the city. The PPP leaders stated:

- In order to comprehend the situation in Karachi, one has to understand how in the 1980s a dictator pushed Pakistan into a conflict between two superpowers in Afghanistan and then fractured the unity of residents of Karachi in order to prolong his rule. The city was developed in such a manner that people considered themselves unsafe and were pitted against one another.
- Land, drugs, weapons and other mafias have captured the resources of Karachi. Criminal elements use political parties as sanctuaries and even PPP has such elements. Many of them have been expelled from the party. PPP believes in enhancing its vote bank but by serving people, not by subjecting them to torture.
- Every political party should make a written commitment not to harbour criminals, not to seek release of criminals from police custody, promote

peace through peace rallies and all-parties conferences, promise not to pressurise law enforcement agencies and form a joint front in collaboration with civil society against armed groups.

- Nawaz Sharif and his party cannot abandon extremism.
- An unbiased approach is required to fix the situation in Karachi but in view of the piles of weapons in Karachi use of force alone would lead to extensive bloodshed. Political sagacity and strategy need to be employed. There is so much weaponry in Karachi that any incident can turn the city into a Beirut.
- Values have now changed and the new heroes of youth are those who have murdered many men and possess sophisticated weapons.
- The circumstances in Khyber Pakhtunkhwa have an impact on the situation in Karachi. If an operation is carried out there, families relocate to Karachi and riots begin here.
- Some crimes are organised and others are not. PPP also has weapons but those are for defensive purposes. The party does not have the firepower to match or take on MQM which is organised, and fires hundreds of thousands of bullets on a single utterance and then, on one word, stops it all.
- The city has been divided along linguistic lines and people are fearful of going to other parts of the city.
- Law enforcement agencies do not dare take action. 150 policemen have been killed in the city.
- Women's help should be sought in the campaign against weapons. They should ask men in their families to register their weapons.

Jamaat-e-Islami

Jamaat-e-Islami (JI) leaders Muhammad Hussain Mehnati, Naseem Siddiqui, Dr. Wasay Shakir, Muslim Pervez, Nasrullah Shajee and Asadullah Bhutto met members of the HRCF fact-finding team. They stated:

- Terrorism raised its head in Karachi in 1986. Then there was a massacre in Hyderabad and MQM picked up a fight particularly with Pakhtuns, Sindhis, Balochis and Punjabis. From 1988 onwards, clashes also occurred in educational institutions in Karachi.
- There used to be one terrorist group in Karachi. Now many more have emerged.
- A major factor has been the 2008 elections. The JI boycotted those elections and the two seats it used to win were bagged by ANP, which has also adopted the known path of bloodshed. PPP has also done the same and similar has been the case with Sunni Tehreek, Sipah-e-Sahaba and Sindhi nationalists wherever they hold sway.
- Ninety-five percent of those killed in ethnic/linguistic clashes are innocent people. ANP, PPP and MQM are part of the government. They patronise terrorists and secure the release of anyone who is arrested. The political parties are essentially armed groups that provoke clashes. The three main

political parties in Karachi in particular have abundant licenced and illegal weapons. They capture dead bodies and claim that the deceased were their activists. They are responsible for the bloodshed in Karachi as are the provincial and federal governments.

- There are no Taliban in Karachi. Taliban have separate objectives.
- MQM has illegally encroached upon parks and amenity spaces and has built houses for its activists there.
- Across the world, people migrate to coastal areas. MQM fears that Pakhtuns' migration to Karachi would change the city's demography. This too is a factor in violence. Efforts have also been made to reduce employment opportunities for new migrants.
- From the police station in-charge to the provincial police chief all appointments are made on political basis. How can the police then take action against the rulers?
- There have been efforts to instigate clashes between Shias and Sunnis, Deobandis and Bareilvis and Mohajirs and Sindhis but all these attempts have failed so far because the common man is neither interested nor involved in these fights. Mercenaries are involved in the killings, as are CIA, RAW and Mossad.

Jeay Sindh Mahaz

Jeay Sindh Mahaz (JSM) leader Abdul Khaliq Junejo said in a meeting with the HRCP team:

- The immediate cause of the law and order situation in Karachi is twofold: unregulated population influx from other parts of Pakistan and beyond; and the government's setting up and using armed/criminal groups rather than stamping them out. There are around three million illegal immigrants in Karachi from 27 countries. Over the past two decades fights over land have increased. Karachi has become a safe haven for criminal elements. Active political parties, both local and national, are involved in land grabbing and other criminal activity.
- The government's response to the law and order situation is inadequate and apathetic. All political parties are well armed and have armed militant wings. Each group murders people and throws their bodies in the other's area. Every party promotes its holier than thou image and blames other parties for violence and criminal activity. ANP, PPP and MQM claim that certain areas are their strongholds. They should also accept responsibility for keeping peace in those areas. Criminal activity is carried out under patronage of law enforcement agencies, which in turn are patronised by the government.
- Unemployment is endemic and growing in Karachi. The unemployed are used for vested interests in exchange for easy money.
- Rather than ethnic and sectarian groups watching out for their respective interests, the state should be working to protect everyone's interests.

- 99 percent people have unlicensed weapons. All weapons should be confiscated.

Jeay Sindh Qaumi Mahaz

Jeay Sindh Qaumi Mahaz (JSQM) leaders Illahi Bukhsh, Asif Bilal and Muhammad Khan Sheikh said:

- The various problems in Karachi are interconnected. The real problem is political and economic and is linked to overpopulation in Karachi. Innumerable people from all parts of the country have come to Karachi and continue to do so. Even immigrants from other countries flock to Karachi where they are not registered and just join the crowd. They buy property here, acquire national identity cards and become citizens of Pakistan. This has led to the law and order crisis as well as the energy and unemployment crises.
- Sectarian politics is common. Religious parties are very strong and ethnic/linguistic tensions aggravate the situation even further.
- The state has failed to provide education to the people. Tolerance has disappeared from everywhere and the mindset about tolerance has been isolated in educational institutions. Education and educational institutions have been ruined to promote religious extremism. Lack of education is in the interest of political groups.
- Human rights are denied and the most glaring denial is that of the right to life. The killers, their victims and the motives for killing remain unidentified. The day Zulfiqar Mirza issued a statement against Mohajirs, 20 JSQM activists were murdered in Lyari. Their throats were slit. The killers roam free. Even if they are apprehended they are allowed to walk in the name of reconciliation after one phone call.
- The government has given up on rule of law and is itself a party in the law and order situation in Lyari.
- ANP has decided to expand the strength of the Pakhtun along with their weapons and bring MQM to heel. Karachi today is a throwback to a tribal society where 'Mohajir tribes' and 'Pakhtun tribes' are at each other's throat. Urban and rural feudal interests have coalesced.
- There are land grabbers in all parties. MQM has captured all parks of Karachi. Zulfiqar Mirza has formed a terrorist organisation in the name of Aman Committee (peace committee). All parties are striving to gain the maximum number of weapons and hoodlums.
- There are so many Taliban in Karachi and they are so strong that they can topple the government.
- Since 1992, no less than 900 policemen have been murdered in Karachi. No government has taken notice of that.
- The local bodies system was being operated from Islamabad. Introduction of the Commissionerate system was a longstanding demand of JSQM, which welcomes the move.

- Religious hatred is being fomented in Karachi with a view to exploiting it whenever deemed necessary.

Jeay Sindh Tehreek

Jeay Sindh Tehreek (JST) leaders Dr. Safdar Sarki and Habib Baloch stated in a meeting with the HRCP mission members:

- The ANP-PPP-MQM alliance that is purported to be the outcome of a reconciliatory policy is nothing more than an arrangement for each party to get maximum share in power and money. They are shareholders in land grabbing, narcotics, bhatta (extortion) and kidnappings for ransom. The real dispute is about who owns the city and the claimants have their daggers drawn.
- A whistle blows and the killings start. Another whistle and they end. Who is responsible for the people killed after Zulfiqar Mirza issued a statement against Mohajirs? All three parties have blood of the people on their hands.
- Weapons from other countries come to Karachi overland and by the sea. In tribal areas of Sindh weapons can be bought on credit, installments or even rented. Why is action not taken against the agencies responsible for preventing weapons smuggling? It is obvious that the government is not interested. The agenda of political parties and of the agencies appears to be the same.
- If weapons are not controlled there would be such a ferocious civil war in Karachi that the bloodshed in Beirut and Palestine would pale in comparison.
- The Taliban and Mullah are being pampered and the religious minorities in Sindh are paying the price.
- JST supports the Commissionerate system but wants it improved and its flaws removed.

Pakistan Muslim League-Nawaz

Pakistan Muslim League-Nawaz (PML-N) leaders Saleem Zia, Dr. Bahadur Khan Dahari, Syed Hafizuddin, Zahid Shahmir, Khalid Mehmood Awan, Saeed Tanoli and Malik Muhammad Taj met the HRCP team. They stated:

- Before 1986 Karachi was a peaceful city. Beginning that year, politics based on linguistic identity was intentionally promoted and the city has been burning in the fire of linguistic and sectarian hatred ever since. Pakistan is reaping what its rulers had sown.
- The government is there only in name. Even in the presence of police, Rangers, army and intelligence agencies, thousands of people have been killed and the killers have not been apprehended. Property worth billions and businesses worth hundreds of billions of rupees have been destroyed.
- Two PML-N activists were killed the previous day and those responsible for the killings took away the body of one of the killed activist by force, claiming that he was their activist, and organised his funeral prayers.

- The mandate that the political parties talk about in Karachi is fake. PML-N had tried to “reason with the mandate-holders of Karachi” that contesting elections in this manner is detrimental to their credibility, but we did not succeed in convincing them.
- Other people in Karachi are not as organised as the ‘mandate holders’ and also lack civic facilities. They have been intimidated and harassed so that they would not take part in any activity. People are now being killed in Karachi for no reason other than their appearance. Anyone who appears to be Sindhi, Baloch or Pakhtun is killed even if he is in fact Urdu speaking.
- All political parties in the government engage in power politics and harbour criminal elements. MQM’s appetite for crime is now spreading to ANP and PPP’s Aman Committee. It seems that only criminal elements will be able to contest the next elections in Karachi.
- There is no ambiguity about the identity of perpetrators of unrest in Karachi. The provincial senior minister has publicly stated how many target killers had been held and which party they belonged to, but still politics of give and take continues. There can never be peace in Karachi through such devices. Peace is possible only through across the board and indiscriminate action in accordance with law.
- The mafias interested in land grabbing, bhatta, drug, weapons and political influence are behind the unrest in Karachi. Police, Rangers and intelligence agencies are also responsible. There is no likelihood of peace through Rangers. The role of police will have to be improved.

Concerns of business community

HRCP teams also met Talat Mahmood, Senior Vice President of Karachi Chamber of Commerce and Industry (KCCI) and office-bearers and members of KCCI as well as Shafiq Baig, from the Federation of Pakistan Chamber of Commerce and Industry (FPCCI). They observed:

- The law and order situation in the city is creating a negative image in the West, reducing foreign investment and trade, causing flight of capital and shuttering of industries/businesses.
- 68% of government revenue in Pakistan is generated from Karachi, which has two seaports. Each day of strike in Karachi costs the country a loss of Rs 2.5 billion in industrial areas and commercial markets alone.
- The government should guarantee law and order. The situation right now is such that entrepreneurs are unable to do business. If the three main political parties play their role the city would not be in this mess. ANP, PPP and MQM are coalition partners and should be able to resolve their differences. There should be no killings. Recent peace initiatives are very important.
- De-weaponisation has been a constant and repeated demand. All weapons should be confiscated.
- The government cannot run commercial/industrial enterprises. PIA, Pakistan Steel Mills, Railways, etc., are incurring billions of rupees in

losses every month on account of poor management, corruption and overstaffing with political motives. Privatisation of these industries is unlikely in view of the three-month law and order problem created by 4,500 Karachi Electric Supply Corporation workers who were sacked.

- Political parties' flags and wall chalking across the city must be removed. Only the national flag should be displayed on Independence Day.
- KCCI established Police Chamber Liaison Committee in 2003, including Grade 18 government members from Intelligence Bureau, Federal Investigation Agency, police, and National Crisis Management Cell, and provided six vans and 100 motorcycles for police patrolling in Saddar Town. This has helped in curbing cases of extortion and kidnapping, but the problems still exist.
- Karachi Police operate under political pressure and patronage, and fail to uphold the law.
- Infrastructure in Karachi has deteriorated, especially electricity and gas supply, water availability, quality of roads, the transport system and garbage collection. This has generated frequent public protests, strikes and affected commercial activity and industrial output.

Transporters

Karachi Goods Carrier Association President Noor Khan Niazi and representatives Raana Aslam, Malik Sher and Abdul Razzaq as well as representatives of Karachi Transport Ittehad met the HRCP team and highlighted their concerns.

- The government has completely failed in restoring law and order. The three main political stakeholders in Karachi still sit together in government for their own interests. If so many people are dying in the city why do they not quit this disgraceful coalition?
- PPP, ANP and MQM have divided the city among themselves. Every party is short on tolerance and stakes an exclusive claim on Karachi. This is a power struggle with no writ of the government and no respect for the judiciary. Whenever there is unrest or a strike in the city buses and other vehicles are the first to bear the brunt of anger and are often torched even on the night preceding the strike. Initially MQM used to do that. Now all parties do that, particularly ANP, PPP, Sunni Tehrik and religious organisations. All these organisations also collect bhatta. When Sindh minister Zulfiqar Mirza delivered an inflammatory speech against Mohajirs, businesses of Pakhtuns were torched in inexplicable and entirely unfounded retaliation.
- Peace can be restored to the city if and when the government so desires. No one can take on God or the government. There is abundance of weapons in Peshawar as well but the mayhem in Karachi is unmatched. There is no concept of crime and punishment in Karachi. All manners of mafias operate in the city under official patronage. If the terrorists are arrested they are

released on a phone call. There are now four parallel governments in Karachi.

- On the eve of a strike transporters' vehicles are torched. The next day people do not bring their vehicles on the road out of fear and thus the strike automatically becomes successful. In no city other than Karachi are vehicles fired on during protests. In Karachi, minibuses, buses and trucks are fired on as soon as the law and order situation deteriorates. Karachi has 3,000 buses, 7,000 coaches and 8,000 minibuses. Since Benazir Bhutto's assassination 138 buses and 468 minibuses have been torched. Around 35 drivers/conductors/cleaners have been severely injured and 16 of them killed. Families of some of the deceased have been given compensation. The law and order situation of Karachi, in fact in the whole of Pakistan, is so precarious that countless trucks have been torched and yet the government has not given any compensation.
- Whenever there is a strike or demonstration trucks and buses become the first target of arson attacks. The terrorists now use such inflammable chemicals that the targeted vehicles light up instantly. Whenever such incidents occur the two most affected communities are Pakhtuns and Punjabis, with some Baloch as well. Manifestations of violence against goods transporters are different in different parts of Pakistan. They suffer severe losses in riots and strikes in Karachi, where the criminals stop trucks and torch them along with their cargo. In riots and strikes in Punjab, the trucks are pulled over, the drivers are beaten and windshields smashed. In Peshawar, drivers' faces are painted black. When the goods transporters learn of poor law and order situation in a city, they divert their trucks to other cities, incurring additional expenses as a consequence.
- Even though the truckers offer services 24 hours a day and toil hard no one considers goods transport a worthy vocation. There is a lack of educated individuals in the profession. Transporters and their input in discussions are not taken seriously in government meetings.
- The political parties and mafias receive extortion money. Businesses have been destroyed. People would now sell their buses and get out of this profession as plying buses in Karachi has become impossible. The transporters are forced to pay bhatta (extortion money) and those demanding extortion money smash vehicles' windows if the drivers/owners refuse to pay up. They have also ravaged the Karachi Goods Carrier Association offices and locked the office-bearers and owners out on one occasion because of their refusal to pay bhatta. Karachi Goods Carrier Association also operates vehicles out of an old truck stand at Mauripur where the going monthly rate for bhatta is Rs 1,000 per office and Rs 2,000 to Rs 5,000 for every hotel. Around two million rupees are collected as bhatta every month.
- Even those who have been in the city for over half a century now say that their whole families have become mental patients and the women keep

contacting the men and children outside the house to ask where they are, if they are safe and when they would return home.

- 80 percent policemen do not perform their duties with sincerity. How can policemen protect the citizens when they are unsafe themselves? Only two policemen from the last Karachi operation are still alive.
- The Karachi Goods Carrier Association representatives say that they have been deprived of basic facilities such as safe water, sewerage and roads for over two decades. With the end of the local bodies system and revival of the Commissionerate system there has been improvement in the form of access given to clean water within 20 days. Drains clogged for 20 years are being cleared. The roads would also be completed this year.

Meeting with affected families

Approximately 30 people from Lyari, Orangi Town, Qasbah, Kala Pahari and other affected areas attended a public hearing organised by the HRCP team at the Karachi Press Club on July 31. They shared with the team accounts of the violence they had experienced.

The families that attended the public hearing were from the Pakhtun and Baloch communities; the Mohajir/Urdu speaking community was missing, a fact noted by the HRCP panel. Separate efforts were subsequently made to record their point of view.

It was clear from the personal accounts of the affected families that the killings had an ethnic basis. Most of the family members present at the July 31 public hearing did not hesitate to point the finger at MQM and its activists for the killings. The women present had lost young sons, some of whom were their families' sole breadwinners.

The narratives covered incidents of arson attacks on shops and other property, killing and sometimes torture of family members. There was a general complaint of lack of response from the police, although some cases were registered with the police. The affected families said that the government had failed to provide them compensation. The cases below are examples of the type of violence inflicted and the repercussions for the suffering families:

- Hameeda, a Pakhtun woman, said her house was burned down on July 8 and she had not received any compensation.
- A woman from Qasbah Colony said her son, Shahzad, 20, was killed 10 days earlier in Street #5. Two other boys were killed. Even burying them became a problem because of firing.
- Nusrat from Dubai Chowk, Lyari, said her 22-year old son was burnt alive two weeks earlier. His body was recovered by Edhi staff.
- Sajida from Jumma Goth, Osmanabad, said her husband was killed and an aunt shot at through their house window. Police had registered a case.
- Muhammad Altaf, from West Garden, was shot dead while repairing his rickshaw. Police took no action; however, Sindh minister Zulfiqar Mirza visited the family and gave them a rickshaw.

- Sabrina Gul, a Baloch woman from Garden East, said her 25-year old son was shot outside their home on October 10, 2010, but he could not be taken to hospital due to the unrest and violence. She said dead bodies of Baloch men were frequently found in Karachi.
- Sher Khan from Kala Pahari, Street #12 said he was thrown out of his house on July 8 by armed men who burnt all his belongings and set up a bunker in his house. He said the arsonists were Mohajirs from his neighbourhood. There had been no response from the police or Rangers.
- In Aligarh Colony, Orangi Town, eight shops were torched. PPP and Jamaat-e-Islami leaders had provided some relief. Police and fire brigade had also arrived.

Law enforcement agencies

The HRCP team met Sindh Inspector General of Police (IGP) Wajid Ali Khan Durrani, Additional Inspector General of Police (AIGP) Saud Ahmed Mirza and Deputy Inspectors General (DIGs) of Karachi East, West and Central. In addition to a briefing and answers to queries, the IGP also handed over a report titled “Law and Order/Crime Situation” to the HRCP team. The law enforcement officials attributed violence in Karachi mainly to the following factors:

- Karachi has witnessed five or six cycles of violence in the recent past. Demographic changes in city in the wake of displacement of persons from Khyber Pakhtunkhwa (KP) and FATA as well as influx of economic migrants from KP and South Punjab have also played a role. Fault lines emerged in 2007-2008 and May 12, 2007 was a watershed as one community clashed with the other and one political party realized that another could challenge it. The ethnic interfaces in various parts of the city and the hardened attitudes contribute to violence. District West, East, Orangi Town and Malir have pockets of ethnic fault lines.
- Now there are turf wars for political control and economic leverage (extortion, land grabbing, etc.) as there are more stakeholders in Karachi. That has added to the intensity of violence. The political groups fight to safeguard territories under their control and to expand their control over more territory.
- Mercenaries have entered the picture and they switch parties/groups and join those looking for muscle power.
- Development activity has taken place in only certain areas of Karachi and onethird of the city is extremely poor and can be categorised as one of the biggest slums in the world. Abysmal living conditions and poor environment have also promoted violence. Policing becomes difficult in the circumstances. In Lyari, there is disharmony between the Baloch and Kutchis. Extortion and political patronage of armed group have also played a part in violence in Lyari.

- The requisite planning to curb crime has been lacking. Police work on a day-to-day basis and matters have to be handled politically.
- Apart from major political groups, the Taliban and Baloch nationalists are also involved in violence.
- There is a glut of weapons. It is difficult to control the flow of weapons coming in from abroad.
- The police do not face any political pressure.

Reasons for police inability to curb violence:

- Abundance of sophisticated weapons with criminals is a major deterrence. Police officials rule out de-weaponisation as practically impossible. Police feel vulnerable and insecure in entering localities where criminal groups are heavily armed. These include areas such as Orangi where two million people live in a radius of 20 square kilometers. In the recent spate of violence, 4,000 Rangers personnel and 1,000 policemen were deployed to control the situation. Such deployment is not always possible.
- Acquittals by courts have also encouraged militants / criminals.
- There is no witness protection plan in place; therefore witnesses do not come forward which makes prosecution difficult.
- Criminal elements have joined political parties and are involved in land grabbing and extortion.
- The violence has also affected day-to-day crime handling by the police. About 20,000 incidents of crime occur in Karachi every day. The police/population ratio is also low in Karachi at 1:550. The ratio is 1:250 in Lahore and 1:200 in New Delhi. One-fifth of the police force in Karachi is on VIP duty (which the police officers do not consider a hindrance to their performance).
- Lack of technology for police and absence of surveillance systems has also aided terrorists / criminals.
- There is a need to beef up the police force and provide them with more resources. An additional 5,000 police are needed in urban and another 5,000 in rural areas. They should be provided with better technology surveillance system and better training. Policing has to be done on modern lines.

Steps taken to restore peace:

- The police officials were greatly encouraged by the coordination committees recently set up under three DIGs (East, West and Central). They meet every week to assess the situation and review their goals. The three major political parties in Karachi, MQM, ANP and PPP, are represented on the committee. The stakeholders are to be held responsible for peace in their districts.
- Through negotiations, the police have been able to re-settle families in Lyari.

- 90 people involved in 158 incidents of target killing have been arrested. The police have not faced any political pressure for their release.
- 400 Community Police Centres are being set up. Concerned citizens should come forward and establish peace in their areas.

Findings and conclusions

The fact-finding team believes that all of the main political parties in the city bear responsibility for the people being massacred in Karachi. Even the political parties that have not assigned armed wings to pull the trigger have a lot to answer for. All of the main political parties in Karachi shoulder considerable blame for their consistent and prolonged failure to prevent the loss of human life and of property. There is more than enough blame to go around and little evidence that there is even any realization among the political parties, much less remorse, of how they have failed the people. There are many accessories to these murders. This is one of those instances when no bystander is innocent.

There are no two views that the state has miserably and utterly failed in its responsibility to safeguard the people's right to life. The fact that Karachi is in a state of turmoil should not surprise anyone. More than two decades of myopic state policies were bound to end in disaster. All stakeholders in the city are in agreement that despite the horrific bloodshed in recent months the potential for chaos in Karachi is infinitely more, thanks in no small part to well armed cadre of the main political parties and the huge political and economic stakes involved.

The HRCP mission to Karachi makes the following observations:

1. The main political parties in Karachi point to each other's role in instigating violence and patronising criminals and highlight the number of members of their own ethnic community/party killed. All are reluctant to acknowledge any role of their activists/ militant wings in killing others, and generally state that members of their community (but not party members) may be retaliating against violence by other parties and ethnic communities. The main political actors in Karachi acknowledge that peace can only be restored with a joint approach, yet there is little evidence of efforts to devise such an approach. Karachi continues to attract migrants, mainly from Khyber Pakhtunkhwa and South Punjab and the MQM fears losing the battle of numbers to its political rivals. ANP dreams of increasing their seats in the National / provincial assemblies, provided that elections are free and fair, cannot but cause concern in the MQM camp which would like its present electoral status to remain unchanged. This would be Karachi's main fault-line.
2. Intellectuals describe May 12, 2007 as a turning point in the context of violence in Karachi when another ethnic group (Pakhtuns) asserted itself and a turf war started between MQM and ANP, the emerging political force in Karachi. The problems facing Karachi need a political settlement and although nearly all political parties agree that it is necessary for all to

respect each other's position and legitimate interests and desist from attempts to capture political high ground through violence, they still rely on militant wings to battle it out to protect or expand their turfs.

3. In the form of ruling political parties' patronage for criminals, state power and militant powers have come together and the citizens are viewed increasingly through their identity with an ethnic / linguistic / political group. The political parties focus on and watch out for their own financial and political interests rather than the interest of the people at large. State intervention in Karachi's politics has been unlike that in any other big city in Pakistan. Since 2002, political power and state machinery have been used to grab land. While gangs of land-grabbers and mafias have tried to exploit the breakdown of law and order, they do not appear to be the main directors of the horrible game of death and destruction; that distinction belongs to more powerful political groups and it is they who hold the key to peace.
4. Even issues that everyone acknowledges as crucial have not been addressed, such as de-weaponisation, because of different interpretations of de-weaponisation. There is no reason why an all-party campaign to recover weapons, including the licenced ones, cannot be launched immediately.
5. Not that long ago, ethnic identity was a mantra for the political parties and not for the people themselves. However, Karachi is a deeply fractured city now, in the grip of a multi-sided wave of political, linguistic/ethnic and sectarian polarisation. Nothing epitomises the divisions better than the fact that even the injured and dying victims of violence are taken only to hospitals seen to be sympathetic towards one's ethnicity. The people find that there is no security for life or property and killings have attained an ethnic basis. In upsurges of violence, often pushcarts, rickshaws, trucks, and roadside restaurants—primarily businesses run by Pakhtuns—are targeted, and it is immaterial whether those targeted have any political affiliations or not.
6. Law enforcement agencies are inefficient, ill-prepared, poorly resourced, and lack the political support to be effective. Killing of hundreds of policemen in the city in the past decade has affected morale and the policemen are not keen to stick their necks out.
7. The emergency and paramedical staff are intimidated and have to remain ever vigilant lest they be seen to be sympathising with any ethnic group, simply on account of treating the victims of violence.
8. It seems that the problems inherent in Karachi's urban growth and expansion as an industrial and commercial mega city have not been tackled imaginatively or even properly appreciated. Overpopulation, uneven, ill-planned and poorly implemented development and turf wars have compounded the law and order problems. Organised land grabbing has also resulted in high rents, with the poor being pushed to the margins of society. There has been ghettoisation of large parts of the city and the

official watchdogs have been serving the interest of commercial builders and developers. Low-cost housing has not been promoted, even though the greater part of population increase in the city is of the poor. The glaring problems of employment, housing, transport, education, healthcare, supply of water, electricity and gas continue to aggravate amid apathy from the government.

9. Journalists express a sense of fear in reporting from the areas affected by violence. With a few exceptions, they have not been provided any safety gear by media organisations. They fear all groups equally and say it is extremely difficult to move from one ethnic-dominated locality to another. A journalist that manages to pass through a locality dominated by one ethnic group is viewed with suspicion by the other. The political parties have even briefed the people of their respective ethnic community on what to tell the media and reporters feel that they can no longer be certain of the veracity of their version of events.
10. The government has completely failed to ensure safety of life or property, or provide justice or compensation to the affected families. Families narrate harrowing accounts of killing and torture of family members, and arson attacks on shops and other property. Even when cases are lodged with the police and some arrests made, families do not see the judicial process moving forward. The complaints against law-enforcing agencies received by the HRCP mission range from dereliction of duty, abandonment of post, and long delays in responding to distress calls to downright collusion with criminals. In at least some cases where police have failed to take action, policemen asked the victims' families to take revenge on their own. The people of Karachi feel that unless these shortcomings are removed there is little hope of peace and security.
11. From small to medium and large, all businesses are subject to extortion. The extortionists are believed to have links with all political groups present in Karachi and operate in areas where these political groups exercise greater control. Much of the violence is linked to disputes over who collects from which area. Businessmen feel that police operate under political pressure and patronage, and fail to protect them from extortionists and other criminals or to generally uphold the law. Infrastructure in Karachi has deteriorated, including electricity and gas supply, water availability, quality of roads and transport systems and garbage collection. This has generated frequent public protests, strikes and affected commercial activity and industrial output. The law and order situation has ruined Karachi's image internationally and foreign investment and trade has plummeted, leading to flight of capital and shifting of industries/businesses to other cities in Pakistan or abroad.
12. Lawyers in Karachi are being murdered in targeted killings. The lawyers continue to lodge protests even though they consider it unlikely that their peaceful protests and strikes would achieve anything substantial. The lawyers' target killings are elaborately planned and are certainly not

random. Fifteen lawyers have been killed in the city since March. After May 2007, there is an impression among the legal community that lawyers are being killed because of consciousness among members of the bar who raise important issues from the forum of the bar.

13. Despite the state's weakened capacity to keep order, the ultimate responsibility for the present situation and for addressing it and ensuring people's rights, including their right to life, lies with the state. People expect the state to act not for the sake of votes in the next elections, but simply because that is what the state is under an obligation to do. The arrest, trial and conviction of a few ringleaders will have a salutary effect on the situation.
14. Some people interviewed by the mission expressed complete disappointment with democratic governance and looked up to extra-constitutional forces for deliverance. Other said that the cycles of violence were never as intense under dictatorial rule. HRCP has explained to this tiny minority why it does not share their inclination for out-of-the-frying-pan-into-fire solutions.

* * * * *

Killings in Karachi Violence (Jan 1-Aug 31, 2011)

Date	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Total
1	2	1	5	4	5	5	6	16	44
2	2	1	0	1	0	4	9	29	46
3	4	0	4	4	5	2	5	7	31
4	6	4	5	4	3	5	10	6	43
5	4	2	6	2	5	5	10	1	35
6	0	0	3	2	9	3	31	3	51
7	0	1	5	5	5	8	7	11	42
8	4	1	7	3	5	4	37	6	67
9	3	1	6	2	3	7	38	11	71
10	2	2	4	4	3	4	2	4	25
11	3	4	0	4	3	5	3	6	28
12	5	0	7	5	7	2	7	10	43
13	9	4	13	0	4	5	8	10	53
14	10	3	11	13	3	13	4	7	64
15	12	0	10	5	7	11	17	8	70
16	5	1	6	6	3	13	4	14	52
17	5	0	7	9	6	6	19	1	53
18	1	2	8	3	1	1	14	22	52

19	0	3	5	6	0	2	7	29	52
20	3	4	11	1	3	10	9	35	76
21	3	0	14	5	2	3	3	12	42
22	0	3	6	5	5	6	0	11	36
23	4	2	12	0	2	5	21	12	58
24	3	5	9	5	4	6	11	7	50
25	1	2	15	9	1	7	21	1	57
26	5	1	10	1	4	5	7	3	36
27	1	1	3	4	2	6	7	3	27
28	1	0	2	4	5	3	8	2	25
29	0		1	6	2	3	9	4	25
30	0		5	5	0	3	11	5	29
31	0		4		2		13	4	23
Total	98	48	204	127	109	162	358	300	1406

Source: Karachi: *Unholy alliances for mayhem, Report of an HRCF fact finding mission*, www.hrcf-web.org, pp.1-4, 11-26, 35-41, 47-8.

III: Judiciary

Text of Supreme Court's judgement in Asghar Khan Case

IN THE SUPREME COURT OF PAKISTAN

(Original Jurisdiction)

PRESENT

Mr. Justice Iftikhar Muhammad Chaudhry, CJ

Mr. Justice Jawwad S. Khawaja

Mr. Justice Khilji Arif Hussain

HUMAN RIGHTS CASE NO.19 OF 1996

[Application by Air Marshal (Retd.) Muhammad Asghar Khan]

Air Marshal (Retd.) Muhammad Asghar Khan ... PETITIONER

VERSUS

General (Retd.) Mirza Aslam Baig, former Chief of Army Staff & others

... RESPONDENTS

For the petitioner: Mr. Salman Akram Raja, ASC

Assisted by Malik Ghulam Sabir, Adv.

a/w Air Marshal (R) M. Asghar Khan

For the Federation/: Mr. Irfan Qadir Attorney General for Pakistan
 M/o Defence Mr. Dil Mohammad Khan Alizai, DAG
 Raja Abdul Ghafoor, AOR Assisted by:
 Barrister Shehryar Riaz Sheikh, Adv.
 Commander Hussain Shahbaz, Director (L)
 Wing Comd. M. Irfan, Deputy Director
 For Respondent No. 1: Mr. Muhammad Akram Sheikh, Sr. ASC
 Assisted by Ch. Hassan Murtaza Mann, Adv.
 a/w Gen. Retd. Mirza Aslam Baig
 Respondent No. 2: Lt. Gen. Retd. Asad Durrani, Ex-DG, ISI
 In Person
 For Respondent No. 3: Mr. Muhammad Munir Piracha, Sr. ASC
 For the Applicant(s): Sh. Khizar Hayat, Sr. ASC
 (CMA No. 918/2007)
 Mr. Roedad Khan in person
 (CMA No. 3196/2012)
 Raja Abdul Ghafoor, AOR
 (in CMA 3410/12)

On Court's notice:

For President Secretariat: Malik Asif Hayat, Secretary to the President
 Mr. Arshad Ali Chaudhry, Director Legal
 For SBP: Raja Abdul Ghafoor, AOR
 For NAB: Mr. Mazhar Ali Chaudhry, DPG
 Brig. (R) Hamid Saeed, in person
 For HBL: Nemo
 Date of Hearing: 19.10.2012.

...

ORDER

IFTIKHAR MUHAMMAD CHAUDHRY, CJ.—The Constitution of the Islamic Republic of Pakistan commands that it is the will of the people of Pakistan to establish an order wherein the State shall exercise its powers and authority through the chosen representatives of the people, wherein the principles of democracy, freedom, equality, etc., shall be fully observed, so that the people of Pakistan may prosper and attain their rightful and honoured place amongst the nations of the world, and make their full contribution towards international peace and progress and happiness of humanity. People of Pakistan had been struggling to establish a parliamentary and democratic order since long within the framework of the Constitution and now they foresee a strong system which is established by the passage of time without any threat and which is subject to the constitution and rule of law.

2. The essence of this Human Rights case is based on the fundamental right of citizens enshrined in Article 17 of the Constitution. It raises an important question of public importance to enforce the fundamental rights, *inter alia*, noted herein above, therefore, in accordance with the provisions of Article

184(3) of the Constitution, jurisdiction has been assumed and exercised to declare, for the reasons to be recorded later, as under:-

- (1) That citizens of Pakistan as a matter of right are free to elect their representatives in an election process being conducted honestly, justly, fairly and in accordance with law.
- (2) The general election held in the year 1990 was subjected to corruption and corrupt practices as in view of the overwhelming material produced by the parties during hearing it has been established that an "Election Cell" had been created in the Presidency, which was functioning to provide financial assistance to the favoured candidates, or a group of political parties to achieve desired result by polluting election process and to deprive the people of Pakistan from being represented by their chosen representatives.
- (3) A President of Pakistan, in Parliamentary system of government, being head of the State represents the unity of the Republic under Article 41 of the Constitution. And as per the oath of his office in all circumstances, he will do right to all manner of people, according to law, without fear or favour, affection or ill-will. Thus, holder of office of President of Pakistan, violates the Constitution, if he fails to treat all manner of people equally and without favouring any set, according to law, and as such, creates/provides an occasion which may lead to an action against him under the Constitution and the Law.
- (4) The President of Pakistan, Chief of Army Staff, DG ISI or their subordinates certainly are not supposed to create an Election Cell or to support a political party/ group of political parties, because if they do so, the citizens would fail to elect their representatives in an honest, fair and free process of election, and their actions would negate the constitutional mandate on the subject.
- (5) However, in the instant case it has been established that in the general elections of 1990 an Election Cell was established in the Presidency to influence the elections and was aided by General (R) Mirza Aslam Baig who was the Chief of Army Staff and by General (R) Asad Durrani, the then Director General ISI and they participated in the unlawful activities of the Election Cell in violation of the responsibilities of the Army and ISI as institutions which is an act of individuals but not of institutions represented by them respectively, noted herein above.
- (6) ISI or MI may perform their duties as per the laws to safeguard the borders of Pakistan or to provide civil aid to the Federal Government, but such organizations have no role to play in the political activities/politics, for formulation or destabilization of political Governments, nor can they facilitate or show favour to a political party or group of political parties or politicians individually, in any manner, which may lead in his or their success.
- (7) It has also been established that late Ghulam Ishaq Khan, the then President of Pakistan with the support of General (R) Aslam Baig,

General (R) Asad Durrani and others, who were serving in M.I and now either have passed away or have retired, were supporting the functioning of the 'Election Cell', established illegally.

- (8) Mr. M. Younas A. Habib, the then Chief Executive of Habib Bank Ltd. at the direction and behest of above noted functionaries, arranged/provided Rs.140 million belonging to public exchequer, out of which an amount of Rs.60 million was distributed to politicians, whose incomplete details have been furnished by General (R) Asad Durrani, however, without a thorough probe no adverse order can be passed against them in these proceedings.
- (9) The Armed Forces of Pakistan, under the directions of Federal Government, defend Pakistan against external aggression or threat of war and, subject to law, are to act in aid of civil power when called upon to do so under Article 245 of the Constitution, thus, any extra-constitutional act, calls for action in accordance with the Constitution of Pakistan and the law against the officers/officials of Armed Forces without any discrimination.
- (10) The Armed Forces have always sacrificed their lives for the country to defend any external or internal aggression for which it being an institution is deeply respected by the nation.
- (11) The Armed Forces, in discharge of their functions, seek intelligence and support from ISI, MI, etc., and on account of security threats to the country on its frontiers or to control internal situations in aid of civil power when called upon to do so. However, ISI, MI or any other Agency like IB have no role to play in the political affairs of the country such as formation or destabilization of government, or interfere in the holding of honest, free and fair elections by Election Commission of Pakistan. Involvement of the officers/members of secret agencies i.e. ISI, MI, IB, etc. in unlawful activities, individually or collectively calls for strict action being, violative of oath of their offices, and if involved, they are liable to be dealt with under the Constitution and the Law.
- (12) Any Election Cell/Political Cell in Presidency or ISI or MI or within their formations shall be abolished immediately and any letter/notification to the extent of creating any such Cell/Department (by any name whatsoever, explained herein, shall stand cancelled forthwith.
- (13) Late Ghulam Ishaq Khan, the then President of Pakistan, General (R) Aslam Baig and General (R) Asad Durrani acted in violation of the Constitution by facilitating a group of politicians and political parties, etc., to ensure their success against the rival candidates in the general election of 1990, for which they secured funds from Mr. Younas Habib. Their acts have brought a bad name to Pakistan and its Armed Forces as well as secret agencies in the eyes of the nation, therefore, notwithstanding that they may have retired from service, the Federal Government shall take necessary steps under the Constitution and Law against them.

- (14) Similarly, legal proceedings shall be initiated against the politicians, who allegedly have received donations to spend on election campaigns in the general election of 1990, therefore, transparent investigation on the criminal side shall be initiated by the FIA against all of them and if sufficient evidence is collected, they shall be sent up to face the trial, according to law.

Mr. Younas Habib shall also be dealt with in the same manner.

- (15) Proceedings shall also be launched against the persons specified hereinabove for affecting the recovery of sums received by them with profit thereon by initiating civil proceedings, according to law.
- (16) An amount of Rs.80 million, statedly, has been deposited in Account No. 313 titled Survey and Construction Group Karachi, maintained by MI, therefore, this amount with profit shall be transferred to Habib Bank Ltd. if the liability of HBL has not been adjusted so far, otherwise, the same may be deposited in the treasury account of Government of Pakistan.

Chief Justice

Judge

Judge

Islamabad, the

19th October, 2012

Nisar/*

Approved For Reporting

Source: <http://tribune.com.pk/story/453773/asghar-khan-case-short-order-full-text/>