

CHAPTER 01

1. INTRODUCTION

Crises in the country not only destabilize the country by itself but it also disturbs the whole region especially the neighboring countries. Author Gerald Caplan defined crisis as “a temporary state of upset and disorganization, characterized chiefly by an individual’s inability to cope with a particular situation using customary methods of problem solving, and by the potential for radically positive or negative outcome”¹. A Crisis is not an event; instead, events cause crisis, the result of such events is instability, and the implications or outcomes of a crisis can be significant. Similarly, the Afghan crisis affected the whole region including the Tribal Areas of Pakistan. In the situation of crisis the life of whole society changes accordingly, it has serious consequences on the cultural and social norms of the society. The instability in Afghanistan is impacting the order of life in Pakistan. Due to wars, instability and involvement of world and regional powers, Pakistan has been affected very severely.

The Afghan crisis began in 1979 when Hafizullah Amin, the president of the Khalq², was assassinated. Following this, Soviet soldiers took over the government and replaced him with Babrak Karmal³, a Parchami⁴. With mass arrests, torture, and executions of dissidents as well as

¹ Gerald Caplan. *Principles of Preventive Psychiatry*, (New York: Ann Arbor University of Michigan, 2006), 3.

² khalq was a faction of the People's Democratic Party of Afghanistan (PDPA). Sayed Mohammad Gulabzoy, Hafizullah Amin, and Nur Muhammad Taraki served as its historical de facto leaders. (1979–1990).

³ Babrak Karmal was an Afghan politician and revolutionary who led Afghanistan for seven years while holding the position of general secretary of the People's Democratic Party of Afghanistan.

⁴ One of the divisions of the People's Democratic Party of Afghanistan, known as Parcham, was founded in 1967 following a schism and was presided over for the most of its existence by Babrak Karmal and Mohammed Najibullah. The fundamental belief of the Parchamites was that Afghanistan should gradually transition to Islamic socialism.

aerial attacks and executions in rural areas, the Soviet occupation army of over 115,000 soldiers and the Karmal administration attempted to put an end to the uprisings.

According to a careful estimate, during this time, one million Afghans died, the majority from aerial bombardments⁵. These actions spurred a flood of refugees out of the nation that quickly reached five million out of a population of around sixteen million, and they increased the resistance to the communist government in Kabul. Islamist groups with bases in Pakistan and Iran formed the core of the resistance and were referred to as the *mujahidin* or jihad fighters. The United States and Saudi Arabia in particular gave the opposition a lot of support, almost all through Pakistan, because they saw the conflict as a cold war frontline. Pakistan's status as a "frontline state" after the Soviets had invaded Afghanistan demanded a military presence, and Zia ul-Haq⁶ played a major role in assisting the Afghan resistance. The country also opened its doors to an influx of several million Afghan refugees, the majority of whom were housed in camps not far from the border. The main Afghan resistance leaders also established their headquarters in and around the Federally Administrated Tribal Areas (FATA). Most of them fought alongside the Pashtun groups *Ittihad-i Islami* of Abdul Rasul Sayyaf and *Hizb-i Islami* of Gulbuddin Hikmatyar, which received the most backing from Pakistan and Saudi Arabia. Osama bin Laden was one of them. He entered Pakistan in the early 1980s and established training centers for these foreign recruits inside Afghanistan⁷.

The 1988 Geneva Accords, the culmination of peace talks, contained the Soviet Union's commitment to withdraw all uniformed personnel by February 1989. While the UN desperately

⁵ Rodrick Braithwaite, *Afgantsy: The Russians in Afghanistan, 1979-1989*, (Oxford University, London, 2011), 3.

⁶ Zia ul Haq was a Pakistani chief of Army staff, chief martial-law administrator, and president of Pakistan (1978–88).

⁷ *Ibid*, 12.

strove to put together a transitional mechanism that was acceptable to all parties, the communist government managed to maintain control into the beginning of 1992 with significant Soviet aid. However, it failed. After then, the United States and its allies stopped working on a peace process until the Taliban took over⁸. The UN effort persisted despite the lack of international support for Afghanistan. Donor nations, particularly the United States, kept funding the relief effort, but as the conflict dragged on, donor fatigue and the necessity to address other humanitarian crises led to chronic underfunding of the Afghan relief effort. A coalition known as the Northern Alliance was formed in early 1992 by the armies of the Tajik leader Ahmed Shah Masood, the Hazara group *Hizb-i Wahdat*, and Gen. Abdul Rashid Dostum, commander of a potent Uzbek militia that had been linked with Mohammad Najibullah⁹. Hikmatyar and Gen. Abdul Rashid Dostum, leader of a potent Uzbek militia that had been associated with Najib Ullah until early 1992, joined forces in January 1994 to overthrow Rabbani¹⁰ and his defence minister, Ahmad Shah Masood, sparking a full-scale civil war in Kabul. An estimated 25,000 people died in Kabul, the majority of whom were civilians who were killed by rocket and artillery fire¹¹. The situation went so bad that Pakistan Embassy in Kabul was closed down in July 1994 and Pak Afghan border was soon closed. Suddenly a new force called Taliban emerged over the ashes left behind by the war lords in southern Afghanistan. The organization that centered around Mullah Mohammad Omar, a former mujahid from the province of Qandahar, was founded by ex-mujahidin who were disillusioned with the anarchy that had followed their victory. The term "Taliban" (students) was used by the

⁸ Olivier Roy, *Afghanistan: From Holy War to Civil War*, (Princeton: Darwin press, 1995), 15.

⁹ Afghanistan's president from 1986 until 1992 was Mohammad Najibullah, a military leader in Afghanistan.

¹⁰ Burhanuddin Rabbani was an Afghan politician and educator who ruled over Afghanistan from 1992 to 1996.

¹¹ Ahmed Rashid, *Taliban: Militant Islam, Oil, and Fundamentalism in Central Asia*, (Waterville, Me: Thorndike Press, 2002). 22.

group, many of whom were madrasa students. Commanders in other parties with a predominance of Pashtun people as well as former Khalqi PDPA members made up a large portion of the group's core members. They declared that their goals were to impose (their version of) Islamic law and bring about stability. They immediately developed a reputation for military strength, took control of a large collection of looted weapons, and successfully assaulted local warlords.

During the period of Taliban conquest Afghanistan, the rest of the country was carved up among the various factions, with many mujahidin commanders establishing themselves as local warlords. Humanitarian agencies frequently found their offices stripped, their vehicles hijacked, and their staff threatened. Having consolidated their authority in and around Kandahar, Taliban spread north towards Kabul and West towards Herat. Soon the movement picked up momentum and by February 1995 they were in occupation of nine provinces.⁶⁰ Capture of Charasyab in February 1995, overrunning of Herat in September 1995, Jalalabad on 11 September 1996 and Kabul on 26th September 1996 flushed the movement with success and fame. India provided lot of financial, material and diplomatic support to Rabbani and Ahmad Shah Masood in order to enhance their ability and capacity to withstand Taliban pressure¹².

Osama bin Laden, who had left Afghanistan in 1990, returned to the country in 1996, first residing under the shura's (tribal council's) protection in Jalalabad until the Taliban took over Jalalabad and Kabul. Bin Laden relocated to Qandahar in 1997, when he grew close to Mullah Muhammad Umar, the Taliban leader. His men engaged in combat with Taliban soldiers.

¹² Ibid, 51-71.

With al-Qaeda's¹³ help, the Taliban won control of over 90 percent of Afghan territory by the summer of 2001. On September 9 of that year, al-Qaeda hit men carried out the assassination of famed mujahideen leader Ahmad Shah Masood, who at the time was leading the Northern Alliance (a loose coalition of mujahideen militias that maintained control of a small section of northern Afghanistan) as it battled the Taliban and who had unsuccessfully sought greater U.S. backing for his efforts¹⁴.

The conflict and instability in Afghanistan in the aftermath of 9/11 attacks and their regional implications had very negative repercussions, for the years following the US invasion of Afghanistan not only saw a huge influx of Afghan refugees across the border into Pakistan but also witnessed a sudden spike in the frequency and scale of terrorist attacks in Pakistan. Due to indiscriminate attacks against the civilian population, the emergence of violent extremism and rise in terrorism in Pakistan as a result of the unrest in Afghanistan has done significant economic harm to Pakistan as well as create immense human suffering¹⁵. Pakistan achieved a few successes in war against terrorism, but had to pay a high price by opting for the policy of "Military action". Pakistan's civil population and security forces have suffered heavy casualties because of its leading role in the global antiterrorism effort¹⁶.

¹³ Broad-based, militant Islamist group that Osama bin Laden created in the late 1980s. Al-Qaeda was founded as a support system for Muslims engaged in the Afghan War against the Soviet Union; its members were drawn from all around the Islamic world.

¹⁴ Barnett R. Rubin, *The fragmentation of Afghanistan state formation and collapse in the international system*, (New Haven: Yale University Press, 2002): 321.

¹⁵ Frederic Grare, "Pakistan Afghanistan relations after in the post 9/11 era" *South Asia Project*, (October, 2006): 17. https://carnegieendowment.org/files/cp72_grare_final.pdf

¹⁶ Neta C. Crawford "Afghanistan's Rising Civilian Death Toll Due to Airstrikes, 2017-2020" *The Watson Institute for International and Public Affairs*, (September, 2020): 3. <https://watson.brown.edu/costsofwar/files/cow/imce/papers/2020/Rising%20Civilian%20Death%20Toll%20in%20Afghanistan%20Costs%20of%20War%20Dec%202020.pdf>

Al-Qaeda, the Taliban, the Haqqani network, and Hekmatyar's forces have all crossed the Afghan border into Pakistan as a result of the war there. Pakistan is simultaneously dealing with separatist forces in Baluchistan and Sindh as well as domestic and international neo-Salafi threats with growing ties to al-Qaeda. These dangers include the ongoing conflict in Khyber Pakhtunkhwa (KPK) and the Federally Administered Tribal Areas (FATA)¹⁷.

The Bonn Agreement, which established an interim government, was signed by exiled Afghan leaders in December 2001. Hamid Karzai was chosen as the leader of the Afghan Transitional Islamic State in 2002. The large portions of Afghanistan remained ungoverned by the Karzai administration, as did regional warlords. The Pakistani military launched its first operations in the FATA in July 2002 as a result of pressure from the United States to purge the region of al-Qaeda. Many militants were converted against the state by these raids. Likewise, the actions taken by Pakistani security forces against citizens who were allegedly supporting the Taliban in Pakistan. Tribal area citizens are thus trapped between two forces that seem oblivious to their rights as a result of these violations, for which the frontier legal status of the FATA affords few avenues for redress¹⁸.

When tensions erupted into armed resistance in 2004 as a result of the Pakistan Army's hunt for al-Qaeda terrorists in Pakistan's Federally Administered Tribal Areas, the armed conflict was officially declared to have started. It was claimed that Pakistan's actions were a part of the

¹⁷ Ibid:

¹⁸ Anthony H. Cordesman, "The Afghan War and the Problem of Pakistan", *CSIS*, (June 7, 2011). <https://www.csis.org/analysis/afghan-war-and-problem-pakistan>

American War on Terror. In 2008–2010, fighting broke out between the unified Pakistani Armed Forces and the militant groups from Central Asia that were associated with Arab soldiers¹⁹.

The United States negotiations with the Taliban began in December 2018. In the period before and during those negotiations, the war in Afghanistan escalated as each side attempted to gain territory and leverage. Data from the United Nations Assistance Mission in Afghanistan (UNAMA) shows civilians paid the price with the number of civilians killed annually peaking in 2018 at more than 3,800 deaths²⁰. The Afghan government began direct negotiations with the Taliban on 12 September 2020, 19 years after the 9/11 attacks and the start of the U.S. war in Afghanistan. However, unless there is a ceasefire, both sides will continue trying to gain a tactical advantage while negotiations are underway. The toll on civilian lives is likely to increase²¹.

As Pakistan on its North Western side shares a long 2670 kilometers (1660 miles) border with Afghanistan. Their border called Durand Line founded on 12th November 1893, when British diplomat of the Indian Civil Services (ICS), Mortimer Durand and Afghan Amir, Abdur Rahman Khan fixed the limit of British India and Emirate of Afghanistan for improvement of diplomatic relations and trade. The Durand Line cuts through Gilgit Baltistan of northern and Pashtun tribal areas of western Pakistan, which consists of seven agencies called FATA and south through the Baluchistan region. From a geopolitical and geostrategic perspective, it has been described as one of the most dangerous borders in the world²².

¹⁹ Iram Khalid “Topology of extremism: Implication on the contemporary Politics of Pakistan”, *South Asian Studies*, Vol. 29, No.12, (January-July 2014):39-40.
<https://www.researchgate.net/publication/344298064>.

²⁰ Ibid: 3-4.

²¹ Ibid: 5.

²² Philip Walker, “The World’s Most Dangerous Borders”, *Foreign Policy*. (June 24, 2011).

The Soviet invasion of Afghanistan, and the war have not only invoked fears of an uncertain future in Southwest Asia but have also injected urgency into Pakistani discussions of an old problem: the question of security in the area. The spotlight, however, was quickly focused on Afghanistan by Pakistan's security planners as the Afghan crisis profoundly and directly threatened Pakistan's security. From its inception, Pakistan has never really enjoyed what can be termed friendly or even correct relations with Afghanistan.

when Soviet Union attacked Afghanistan, it was clear that this war will affect the foreign policy and economy of Pakistan as war always have negative consequences on neighbors. Pakistan was not only neighbor of Afghanistan but was also having Islamic brotherhood and cultural similarities with Afghani people, so its impacts were directly on it. Therefore, when people from Afghanistan were in need of support, Pakistan could not refuse to help them. Thus, Pakistan decided to participate in Soviet-Afghan war in order to support Afghan brothers. But as war always brings poverty, security issues and economy problems, so as for Pakistan this war brings these ingredients as well. Afghan refugees were coming to Pakistan in large numbers and these were being adjusted in Khyber Pakhtunkhwa and Baluchistan the two bordering provinces of Pakistan. For the support of Afghani Mujahideen, many training centers were established in tribal areas of Pakistan including Kurram agency. As Kurram agency was connected to Afghanistan by three sides, so it was for most importance for the training of Jihadi and settling of Afghan refugees.

The Soviet Afghan war enforces the people of Afghanistan to migrate to nearby and safe region. As Pakistan was having a long border with similar cultural and social attributes with Afghan people, so it was easiest way for them to come to Pakistan and settled there. As Being a supported Islamic state and security concern, General Ziaul Haq took it upon himself to house and feed 35

million Afghan refugees while also supporting the Afghan independence fighters on a moral, financial, military, and diplomatic level. The refugees flow started in April 1978 when the changes occurred but it increased rapidly in December 1979, after the Soviet occupation²³. The camps for these refugees were established in different regions of Pakistan, among which was Kurram Agency also. These refugees rushed in large numbers beyond expectations which was also a big concern for the government of Pakistan.

After Soviet-Afghan war, administrative issues occurred for providing food, shelter and education to these Afghan refugees. Like in all other areas, Kurram agency also effected due to these refugees. Adjustment of these refugees here was a huge challenging task as it was Shia sect region, and the Afghan refugees were a Sunni sect, thus sectarian issues arise among people. The Afghan war and instability inside Afghanistan directly reflect on the economy and violence in Pakistan and Kurram Agency as extremists were using most of the roots of its for their movements into Pakistan. These movements of extremists through Kurram results in the cultural crises and sectarian war inside agency between Shia and Sunni casts ruined the peace of agency. These sectarian war costs many lives in Kurram and hatred among people results in violence's which also spread into other areas of Pakistan.

The Turis, a predominantly Shia tribe that was at odds with a nearby Sunni tribe, gave the British authority over their land in 1892. The region came under British administration when the Kurram agency was soon established there. Kurram militia was established in 1893. For them, pickets and posts were constructed. As a result, the British gained control over the Kurram road connecting Ghazni and Kabul with the Peiwar Kotal Pass. The Amir of Kabul was worried by this expansion,

²³ Ibid:5

which is one of the reasons he signed the Durand Line agreement in 1892 to halt further British encroachment²⁴.

For insurgents with an eye toward Afghanistan, Kurram is a location of particular strategic importance. The Afghan Mujahideen used it as a base during the 1980s conflict with the Soviet Union. Kurram is still highly sought-after land because it provides easy access to multiple Afghan provinces and is the fastest way to get to Kabul from anywhere in Pakistan²⁵.

One of the seven agencies from the period of FATA, the Kurram agency, is situated on this perilous international boundary in the form of a bird's beak. The 3380 square-kilometer Kurram Agency, currently known as District Kurram, was established in 1892. Its population is approximately 5 lacs, and Parachinar is where its headquarters are located²⁶. Kurram agency is divided into two main regions i.e. upper Kurram, and lower & central Kurram. In the upper Kurram, most of the population belongs to the Shia sect while in the lower & central Kurram agency most of the population is Sunni. Almost 98 % people use Pashto language for their communication. Besides 2 % people belongs to Hazara and Khushi community uses persian language as source of communication. Kurram agency consists of many tribes including Turi, Bangash, Orakzai, Mangal, Muqbil, Zazai, Paracha, Mamozai, Ghilzai, Chamkani, Hazara, and Khoshi tribe. There are also Hindu and Sikh as well as Christian minorities living in Kurram. Kurram and Orakzai agencies are the only Shia sect among seven FATA agencies where often Shia Sunni clashes took

²⁴ Noor ul Haq, et al., *Federally Administered Tribal Areas of Pakistan*. (Islamabad Policy Research Institute, 2005),11.

²⁵ Jeffrey Dressler. *The Haqqani network in Kurram, The Regional Implications of a Growing Insurgency*. (Washington DC: Institute for the Study of War, 2011).3.

²⁶ Charles R. Meissner, et al. "Geology of the Parachinar Quadrangle, Pakistan." *Professional Paper 716 F*, (2013): 10-11. <https://www.amazon.com/Geology-Parachinar-Quadrangle-Pakistan-Professional/dp/1288997116>

place. Its border with Afghanistan is of most importance as it is connected with three provinces of Afghanistan named as Khost, Paktia and Nangarhar.

New tensions have emerged in Kurram as a result of the most recent entry of Taliban militants and the Haqqani Network following the 9/11 attacks, which sparked sectarian conflict, and the entry of the Haqqani Network and Lashkar e Jhangavi after they lost their traditional bases across the Durand Line as a result of American pressure. Since 2007, sectarian violence and other militant groups became the real players in Kurram. After the military operation and US-Pak counter-terrorism cooperation to address the root causes of extremist violence which drastically affect the area of Kurram. Because of the three-year road closure during the Taliban's presence in these areas, Kurram Valley residents were compelled to go to Peshawar through Kabul and Jalalabad²⁷.

The sectarian issues ruined the life of inhabitants of Kurram which results in the migration of people to different cities of the country. Thus, socio-economic issues arise which affects the situation of the Kurram. It was huge task for government to control the sectarian issues and economic problems of people of Kurram²⁸. In short, the Afghan war totally demolished the infrastructure, peace and education of Kurram Agency. Many people lost their homes and their properties. For government it was very difficult to address all issues at a time. For government, the top most issue was to control the movement of extremists to enter into Pakistan and Kurram Agency. For that they closed the Pak Afghan border and start fencing on the border to stop the militant's entry into the region. They also give incentives to Internally Displaced People's (IDP)

²⁷ Suba Chandran." Sectarian Violence in Pakistan's Kurram Agency." *Pakistan Security Research Unit (PSRU)*, (2008):4-9. <https://www.durham.ac.uk/media/durham-university/research-/research-centres/pakistan-security-research-unit/papers-and-briefings-pdfs/psru-papers-and-briefings/brief-archive/Brief40.pdf>

²⁸ Ibid:4.

of Kurram agency and start to build education institutes and sports facilities to provide peace and stability in the region. Government arranged many peace talks between the different sects and provides them every facility to bring back the peace to the region²⁹.

The administration of Kurram Agency was controlled by Political Agent and where FCR (Frontier Crimes Regulations) was established by British Indian government and were applied in Pakistan since 1947, that's from almost 71 years. The Pakistan government declared Kurram agency as District in 2018 and remove the set of laws established by British Indian government in order to bring the Kurram agency in government of Pakistan rules and regulations³⁰.

All the agencies were merged into the Khyber Pakhtunkhwa government so that the people of tribal areas could be brought into the mainstream, their fear of inferiority could be removed, and they could trust the decisions of the government. The change in pattern of administration in the region is bringing back the peace and stability in region gradually and until now is bearing good results. The new administration led by DC (Deputy Commissioner) with the support of his team bringing back faith of people on government. The people of the region have been provided many jobs and the infrastructure has been functionalized by a systematic way. The system is working now according to the constitution of Pakistan. The system now can be challenged in Pakistani courts so the people can be provided justice before it was not available in old administration.

1.1. Literature Review

²⁹ Reza Jan and Jeffrey Dressler, "The Haqqani Network in Kurram", *Critical Threats*, (May 9, 2011).

³⁰ Sayed Akhtar Ali. "Governance Challenges in Mainstreaming of Federally Administered Tribal Areas into Khyber Pakhtunkhwa", *FWU Journal of Social Science* 13, (2019): 11-12.

http://sbbwu.edu.pk/journal/FWU_Journal_Summer%202013_Summer%202019.

Pakistan, Regional Security and Conflict Resolution, The Pashtun 'Tribal Areas' written by Farooq Yousaf. Author writes about the background of the former Federally Administered Tribal Area (FATA) region, the role of Pashtun conflict resolution mechanism of Jirga system and the persistence of colonial-era Frontier Crimes Regulations (FCR) in the area and how the Jirga system and Frontier Crimes Regulations system has adversely impacted the security situation in the region and even after the FATA's merger with the Khyber Pakhtunkhwa province, little has changed in the region, especially regarding the management of tribal Pashtuns as equal citizens of Pakistan³¹. In this book in comparison with other books I found, that he discussed all points like the Pakistan policies in FATA and the political and local government system but the point he missed in the book is, what are the challenges and conflicts in District Kurram as well as FATA which became the hub of terrorist activities that effected the Kurram socially and economically.

Shuja Nawaz in his report *FATA a most dangerous place meeting the challenges of Militancy and Terror in the Federally Administer Tribal area Pakistan* gave the comprehensive note that Federally Administered Tribal Areas remains a most dangerous place, with the failure of governance and how rise of militancy affecting the Pakistan and FATA areas³². But the author did not highlight the Kurram which is not only important significantly but it was the hub for the mujahideen training camps. In the present research, the political and sectarian problems will be discussed.

³¹ Yousaf Farooq. *Pakistan, Regional Security and Conflict Resolution: The Pashtun 'Tribal' Areas*. (London: Routledge, 2020), 5-9.

³² Shuja Nawaz, "Fata - a Most Dangerous Place Meeting the Challenge of Militancy and Terror in the Federally Administered Tribal Areas of Pakistan", *University of Michigan, CSIS Press*, (28 July, 2009), 6-7.

The Terrorist Threat and the Policy Response in Pakistan by Aarish Ullah Khan discusses about the historical, political and strategic background of Pakistan's experiences with religiously motivated terrorism as both a tool and a curse³³. This article give the comprehensive note that how the Pakistani leaderships used the religion as a slogan to enhance the power, which has adversely affected the minority religion, specifically increase the tensions among Shia and Sunni but the writer did not discuss the common border that runs towards Afghanistan and how Afghan crises impacts on District Kurram like sectarian conflicts. This study will examine all the aspects that remain unaccounted for by the writer.

Zahid Hussain in his book *Frontline Pakistan: The struggle with Militant Islam* describes that how Pakistan as a frontline state in the 'war on terror' postured the political, religious, sectarian, and civil society elements within the country³⁴. In his book the author gives the details about the Pakistan policy response in the instability in Pashtun tribes which are also related to the present research work and how the Pakistani Government has appeared unable to manage the militant Islamist forces but the author did not mention the details before the 'war on terror' that was the major cause of instability in FATA specially District Kurram. The present study addresses all the issues which author misses in his book.

Noor ul Haq in his publication on FATA entitled paper *Federally Administered Tribal Areas of Pakistan* has examined the socio-political situation of the FATA and also gave the reasons for the lack of progress of political development. The writers discusses that in 1892, Turi were in conflict with neighboring Sunni tribe, they allowed the British to exercise control over their territory.

³³Aarish Ullah Khan. *The Terrorist Threat and the Policy Response in Pakistan*. (Stockholm: IPR I, 2005), 12-14.

³⁴ Zahid Hussain. *Frontline Pakistan - the Struggle with Militant Islam*: (Columbia University Press, 2008), 4-5.

Kurram was soon set up in the area bringing it under British control³⁵. The present research will discuss the socio-political issues of the District Kurram in further details.

The book *Militancy and Political Violence in Shiism: Trends and Patterns* by Assaf Moghadam discusses the sectarian violence in District Kurram. The author described that the crises in Kurram district provoked the Shiis in Karachi, some of whom threatened the government. The author also mentioned that the Pakistani's Shia are angered in recent years over a series of killings of Shias in the Kurram and their economic blockade at the hand of militant³⁶. But author did not give much details about the area like the geostrategic significance of Kurram and why peoples of Kurram are always the victim of militant groups.

Jeffrey Dressler in his book, *The Haqqani network in Kurram: The Regional Implications of a Growing Insurgency* discussed that Kurram is a region of special strategic importance to Afghanistan-focused insurgents. It served as a base to the Afghan Mujahideen during the war against the Soviet Union in the 1980s. Kurram is still a popular place to provide access to many Afghan provinces and it is also connected with the Kurram. The author examines the Haqqani group, which has been increasingly focusing on Kurram Agency and affiliated terrorist groups, which could have negative implications for stability and security, not only in Kurram as well as for the whole country in general, since it will be harder to identify and track down both international and national terrorist groups³⁷. The present research will fill the gap that author

³⁵ Noor ul Haq, et al., *Federally Administered Tribal Areas of Pakistan*. (Islamabad: Policy Research Institute, 2005), 11.

³⁶ Assaf Moghadam. *Militancy and Political Violence in Shiism: Trends and Patterns*. (UK: Routledge, 2012), 172-174.

³⁷ Jeffrey Dressler. *The Haqqani network in Kurram, The Regional Implications of a Growing Insurgency*. (Washington DC: Institute for the Study of War, 2011).7.

missed and did not discuss that why this region has emerged as the premier hunting ground for the militant groups.

The book *The Shias of Pakistan: An Assertive and Beleaguered Minority* by Andreas Rieck give the details about the sectarian based terrorist violence in District Kurram, one of the most affected by sectarian violence. The author discussed that how Afghan crises and instability have influenced in District Kurram during 1986 when the Afghan militant took an all-out offensive against the Kurram. This book is an excellent source of information as it gives us details about the Kurram geostrategic importance, sectarian violence and the role of Pakistan leadership and ulama which is also my topic of interest. However, the book doesn't give us details about the political problems of Kurram. The present study will fill this gap.

According to Mashal Saif's book, *The 'Ulama in Contemporary Pakistan: Contesting and Cultivating an Islamic Republic* explores that the sectarian rise in Pakistan specially in Kurram District where this area has a sectarian divide in Upper Kurram and Lower Kurram since 1930 were a major sectarian violence. The author also discusses the differences of the Kurram sectarianism, ethnic and the insurgency of Afghanistan which affected the relations between both sects in Kurram³⁸. The author also gives the historical background of the sectarian violence and the socio-economic losses of Kurram but did not include much details about the Afghan disputes which had a direct impact upon the area of Kurram. The present study hopefully will cover the gaps.

The book entitled, *Taliban and Anti-Taliban* written by Farhat Taj elaborated the struggle of the local population against the militant groups and the involvement of the sectarian violence in

³⁸ Mashal Saif. *The Ulama in Contemporary Pakistan: Contesting and Cultivating an Islamic Republic*. (Cambridge University Press,2020).221-234.

Kurram, i.e. the violence in this area Inter-Services Intelligence (ISI) in chase of the strategic depth in Afghanistan³⁹. The author also discuss that the Upper Kurram peoples always resisted the Taliban and militant groups but some people of Kurram were linked with these militant groups as well as *Sipa-e-Sahaba* Pakistan that has led to violence and militant groups blockade of Kurram. The author also informs us that Kurram people were cut off from the rest of the country for more than four years and the access to Upper Kurram was only possible through Afghanistan and through Peshawar by air. The author did not examine the displacing innocent people, shortage of medicine, foods and thousand people loss of life. The present study will fill this gap.

Eamon Murphy in his article, *The Making of Terrorism in Pakistan: Historical and Social Roots of Extremism* explains the origins of terrorism in Pakistan and examines the political and socio-economic factors that have contributed to the rise of political violence there. The author also discusses the strategic importance of Kurram and the fact that it is just the parrot's beak, into the middle of the eastern region of Afghanistan that is surrounded by Kurram from three angles, and therefore provides the most efficient routes across Afghan as well as Pakistan. This was the main route to the movement from Jihadi during the Soviet Afghan conflict⁴⁰. The author failed to analyze the socio-political problems of Kurram after the Afghan war. The present study will fill this gap.

In *Pakistan: A Kaleidoscope of Islam* is a book written by Mariam Abou Zahab discusses the historical background of Kurram tribes Turi and Bangash, their conflicts and sectarian violence, that how the Afghan crises strained the relations between the Sunni's and Shia's and Afghanistan always gain the benefits of Shia Sunni conflicts because of the long boarder with the Afghanistan

³⁹ Farhat Taj. *Taliban and Anti-Taliban*. (Cambridge Scholars Publishing, 2011).50.

⁴⁰ Eamon Morphy. *The Making of Terrorism in Pakistan: Historical and Social Roots of Extremism*. (New York : Routledge, 2015).133-135.

and shortest route for the Mujahidin movement. The author further discusses about the role of Shia leader Sayed Arif Hussain Al Hussaini in Parachinar Kurram and how the rising Shia activism in Pakistan when president Zia's announced the promulgation of the Islamization policy which involved a state monopoly on religion⁴¹. The author only discusses the problems occurred during the Zia's regime but the present study will also focus on the current problems of Kurram.

Jamal Shah in his article *Zia-Ul-Haq and the Proliferation of Religion in Pakistan* discusses about that the events of 1979 that provided an opportunity to Zia to initiate a process of Islamisation to legitimize his regime and how religiously it has induced Islamic radicalism and sectarianism which was directly facing political, economic and strategic consequences of the Afghan crisis in Pakistan⁴². However the writer did not discuss the Afghan militant group's impacts upon the minority of District Kurram and how they suffered more losses to life and finances.

The article *Pakistan's Parachinar problems* by Suba Chandran mentioned the socio economic problems of Parachinar and also described the strategic and demographic significance about the District Kurram. The author examined that the sectarian factions and franchisees of Pakistan Taliban became the real players in Kurram instability⁴³. The author did not mention the political problems of District Kurram. The present study will fill this gap.

Imtiaz Ali in his article *Mainstreaming Pakistan's Federally Administered Tribal Areas*" discussed about the socio-political structure of FATA's that how lack of accountability in the FATA administrative system has been a source of corruption and he also mentioned the political

⁴¹ Mariam Abou Zahab. *Pakistan: A Kaleidoscope of Islam*. (Oxford University Press, 2020). 146-150.

⁴² Jamal Shah," Zia-Ul-Haq and the Proliferation of Religion in Pakistan", *International Journal of Business and Social Science* 3, no. 21 (2012): 4-6. http://www.ijbssnet.com/journals/Vol_3_No_21_November_2012/33.pdf

⁴³ Suba Chandran." Sectarian Violence in Pakistan's Kurram Agency." *Pakistan Security Research Unit (PSRU)*, (2008):4-9. <http://spaces.brad.ac.uk:8080/display/ssispsru/Home>.

and administrative changes after FATA merge with Khyber Pakhtunkhwa that governments must be aware that giving justice to the masses isn't just an issue of the state's accountability, it's an integral part of the state's responsibility to defend the FATA people's rights⁴⁴. The author, however, hasn't discussed the sectarian violence in Kurram. The present study will focus upon it.

Sayed Akhtar Ali et al, in their article *Governance Challenges in Mainstreaming of Federally Administered Tribal Areas into Khyber Pakhtunkhwa* described the political structure and governance challenges after the merge of FATA with the Khyber Pakhtunkhwa province. The article discusses the challenges of FATA and further stated that in order to reach the goal of building a state and strengthening governance, the government should expand the production of revenues, and ensure that law enforcement is in place and has jurisdiction over FATA⁴⁵. The article didn't mention the social and political issues of District Kurram.

The Special Status of the Federally Administered Tribal Areas of Pakistan article by Zahid Shahab Ahmad demonstrates the strategic importance to the FATA. The author explains that there were certain zones such as Kurram, Khyber designated as buffer zones under British rule to defend them from threats from the North. Author also discussed how British to keep their place in Central Asia in competition with Russian empires, they sought to maintain control over the FATA region, including Kurram, Khyber and Bolan passes to confront potential threats from the Russian and Russian-controlled sides⁴⁶. The present study briefly discuss about the Kurram Afghan border

⁴⁴ Imtiaz Ali, "Mainstreaming Pakistan's Federally Administered Tribal Areas". *United States Institutes of Peace*, (2018): 3-7. <https://www.usip.org/sites/default/files/2018-03/sr-421-mainstreaming-pakistan-federally-administered-tribal-areas.pdf>.

⁴⁵ Sayed Akhtar Ali. "Governance Challenges in Mainstreaming of Federally Administered Tribal Areas into Khyber Pakhtunkhwa", *FWU Journal of Social Science* 13, (2019): 7-9. http://sbbwu.edu.pk/journal/FWU_Journal_Summer%202013_Summer%202019_Vol_13_No_1/12.%20Governance%20Challenges%20in%20%20%20Mainstreaming%20of%20Federally%20Administered%20Tribal.pdf.

⁴⁶ Zahid Shahab Ahmed, "The special status of the federally administered tribal areas of Pakistan", *Research Gate*, (2014): 11-13.

dispute and a complicated range of geopolitical issues that have had an impact on the events that took place within the Kurram valley, a region that is of great importance to Taliban militants as it provides the easiest access to Afghanistan.

Kirti M. Shah in her article *Too Little, Too Late: The Mainstreaming of Pakistan's Tribal Regions* mentioned that FATA is the areas of home to jihadism and terrorists within South Asia. She also discusses the past and the colonial-era laws and the inadequate governance in FATA and under the Frontier Crimes Regulations (FCR) residents are denied fundamental rights. She also highlights the issues and challenges faced by FATA residents due to drone strikes or militant attacks⁴⁷. The present research focuses on the District Kurram and the reasons why this region was always a participant in the war against terror.

1.2. Statement of the problem

The leading cause of disturbances in people's social, political, and economic lives, terrorism has a significant impact on how people behave. Additionally, it obstructs the government's ordinary operations in the area controlled by terrorists.

Due to their near physical proximity and shared border with Afghanistan, the Federal Administrated Tribal Areas (FATA) of Pakistan were most severely impacted during the direct Soviet occupation of Afghanistan (1979–1989). Kurram suffered the most from confrontations

https://www.researchgate.net/publication/320977502_The_special_status_of_the_federally_administered_tribal_areas_of_Pakistan

⁴⁷ Kirti M. Shah, "Too Little, Too Late: The Mainstreaming of Pakistan's Tribal Regions", *Observer Research Foundation*, (2018):6-7. https://www.orfonline.org/wp-content/uploads/2018/06/ORF_Occasional_Paper_157_FATA.pdf

between the Afghan resistance organizations and the Soviet forces as Pakistan took the lead in the war of resistance against the occupying forces.

Since there was no border control and anyone could enter Pakistan from the Afghan side, the Agencies region had become a conflict zone, and Pakistan had opened its borders to let Afghan refugees enter the country and seek refuge in the border areas. Similar to this, the mujahideen groups would freely cross the Pakistan-Afghanistan border⁴⁸.

The local government, which previously exerted minimal authority over the tribal populace, was completely rendered impotent as a result of the continuous jihad. The end effect was the destruction of all forms of criminal activity, the state of the economy, social, and physical infrastructure, as well as the degradation of the environment.

The current study covers all the problems, including the Afghan crisis, which fundamentally altered the sociopolitical characteristics of Kurram, since it was so difficult to contain radicals in the face of escalating sectarian conflicts, further compromising regional security and law and order. As a front-line ally in the anti-terrorist campaign after 9/11, Kurram had to deal with challenges and complexity, including death, destruction, and other sociopolitical effects.

This research will try out to find the challenges and conflicts like extremism and sectarian conflicts that people of Kurram had face which totally change the environment of Kurram Agency and also focus on the pre-administration structure of Kurram Agency and post-merger inaction FATA.

⁴⁸ Asghar Khan, "FATA as an Ungoverned Territory: A Study into Governance, Security and Terrorism". Central Asia Journal, no. 80. (2017). <http://journals.uop.edu.pk/papers/04%20Asghar%20Khan.pdf>

1.3. Scope and significance of the study

The scope of this study comprises of Afghan crises (1979-2020) and its impacts on FATA but my main focus will be in the District Kurram. This study will not only discuss the Afghan crisis and its impacts upon Pakistan but also focus on the causes which changed of the Kurram peace and prosperity.

This study will also focus on the terrorism/Talibanization, which have not only destroyed the physical infrastructure in conflict zones but have also destroyed sociocultural, economic, and political structures, creating new doors for opportunity during the post-conflict reconstruction period.

The present study tries to fill the gap by identifying the weak policies of the settlement and it's inability to countered the religion radicalism and militancy which had a tremendous effect upon the region.

For the better understanding of the reader my research work also highlights the changes of administrative structure of Kurram after the Federally Administrated Tribal Area (FATA) merger with Khyber Pakhtunkhwa.

1.4. Research Questions

1. What was the Pakistan's policy to participate in Soviet Afghan War (1979-1989) and what were its effects on the tribal Kurram Agency?
2. What are the challenges and conflicts in Kurram Agency which damaged the area socio-economically and what are the factors behind that?

3. What are the impacts of changing pattern of administration structure on the region? And these changes directly affect the Kurram Agency? What were the local and international responses to it?

1.5. Objective of the study

The main objectives of the research are:

- To analyse the Pakistan policy to participated in Afghan war that effect the Tribal areas especially the Kurram Agency.
- To evaluate FATA critically why it became the hub of terrorist activities which affect the people of Kurram Agency socio-economically and culturally.
- To identify the positive impacts of post-merger inaction in FATA, this changes the administrative structure of Kurram Agency.

1.6. Research Methodology

The study is following the descriptive method and also narrative method. The study is relying upon the primary sources and secondary sources in order to get accurate information about that region. An analytical approach will be used to find out the factors that create the instability in this region. The process will involve prevailing trends and notable events, analysis, interviews and observation of available data. Research journal articles and books on Federally Administrated Tribal Areas security, law and order situation and efforts combating the terrorism are the main sources for the data collections.

1.7. Theoretical Framework

This paper work is about neighborhood decline theory. According to which negative development in the physical, social or economic conditions of neighborhood are certain as experienced in past history. Residents are unsafe due to crises in the neighborhood. Their education and health facilities being affected, economically and socially their decline starts. Being a neighbor of Afghanistan, District Kurram faces all these problems. Besides the paradigm shift in administration of District Kurram when it is merged in Khyber Pakhtunkhwa (KPK) province, this is a step towards the development modernization.

1.8. Organizational Structure

The present research is divided into three chapters and a conclusion followed by a bibliography.

The research is organized by Introduction of the topic including the brief discussion about the history and strategic importance of District Kurram. It also includes the literature review, statement of the problem, Objective of the study, Research question, Research Methodology, significance of the study and theoretical framework. In the first chapter, concise and revealing the political, historical and strategic context of Pakistan's experience with extremists motivated by religion, as an instrument and an evil, and Pakistan policies are accountable for the poor governance and attacks by militant groups. The chapter will also explain the way in which Pakistan as a state of frontline in the war against terror acted to avert the politico-religious and sectarian violence that has occurred in Kurram. It also explains the reasons and the conditions that led to show that the government was incapable of governing those militant Islamist forces, which significantly impacted the region of Kurram. In the second chapter focus on the political and social situation in district Kurram has been given. It will also discuss the reasons behind the lack of development in the political sphere that explain why the process of implementing

political changes in these regions has been extremely slow. This chapter, also discusses the sectarian issues their rises and the rise of extremism within the District Kurram. In the third chapter the impact of political and administration reforms following FATA's merging into Khyber Pakhtunkhwa and additionally, the governance challenges in the mainstreaming of FATA in KP with a particular attention to the challenges of law enforcement and jurisdiction will be discussed. It will be following a Conclusion and a Bibliography

Chapter 02

Extremism and Terrorist Threat in Kurram and the Government Response during (1979-2020)

The concept of extremism has several facets that touch on both sociopolitical and religious life. It now requires a more mature approach to address because it has grown more complex⁴⁹.

Terrorism is the unlawful use of force or violent acts against people or property with the intention of intimidating or coercing a government or its people into furthering particular socio-political goals. The social fabric of Pakistan's tribal region has been uprooted by terrorism and extremism, which have also impacted the federally administered tribal areas, particularly Kurram. The ongoing Afghan crisis and rising militancy continue to exact a heavy price in the form of weak economic expansion, fatalities, and infrastructure degradation. The soft perception of Pakistan in the world community has also been shattered by this plague⁵⁰.

The primary effects of terrorism and the ongoing Afghan crisis are affecting Kurram society in all ways, including their outlooks, social behaviors, stringent cultural norms, and way of life.

Following the Soviet Union's entry in Afghanistan in December 1979, radicalism began to rise in Kurram. Many traditional mullahs and religious leaders launched a holy war in Afghanistan during this time, which had an impact on Pashtun-populated communities on both sides of the border⁵¹.

⁴⁹ Iram Khalid "Topology of extremism: Implication on the contemporary Politics of Pakistan", *South Asian Studies*, Vol. 29, No.12, (January-July 2014):39-40. <https://www.researchgate.net/publication/344298064>.

⁵⁰ Aarish Ullah Khan. *The Terrorist Threat and the Policy Response in Pakistan*. (Stockholm: International PeaceResearch Institute 2005): 3-4.

⁵¹ Zahid Hussain Zaidi, *Frontline Pakistan: the Struggle with Militant Islam*. New York (Colombia University Presse 2008): 5.

The Pashtun society's culture, art, and literature were impacted by the proxy war both directly and indirectly. In this conflict waged in the name of Islam and holy jihad, the Pashtun were treated as fuel for the fire⁵². After the withdrawal of Soviet Union from Afghanistan, the United States and its allies left religious extremist groups unchecked, which deepened their roots in Khyber Pakhtunkhwa's tribal region, particularly in Kurram. The Kurram people are still suffering from the poison of this proxy conflict. It has a terrible effect on the Pashtun community's culture and religion.

Following the 9/11 attack, for which the Taliban and Al-Qaeda were blamed, the US declared “war on terror” in Afghanistan. After the Taliban administration in Kabul was ousted, its top officials were able to flee and seek asylum in Federally Administrated Tribal Areas, which lies on Afghanistan's eastern border with Pakistan. Kurram was a Tehreek-i-Taliban Pakistan (TTP) stronghold until 2008, when the Pakistan Army directed a military operation in the Agency to drive the terrorists out. “Operation Koh-e-Safaid”, a military offensive, came to a close in 2011, and Pakistan regained control of the agency's Lower and Upper Subdivisions. While a military operation was ongoing in Central Kurram's Masozai Area in August 2012, the Upper and Lower Subdivisions were de-notified as conflict zones⁵³.

The renowned Fazal Saeed Haqqani, who is infamous for his murderous ambushes against the Shia people of Kurram Agency, is the leader of the Haqqani Network's Kurram faction. From the indigenous Bangash, Watizai and Daudzai tribes, he has thousands of armed adherents⁵⁴.

⁵² Surat Khan, Tayyab Wazir and Arif Khan, “The Effects of Militancy and Military Operations on Pashtun Culture and Traditions in FATA”. *Liberal Arts and Social Sciences International Journal (LASSIJ)*, volume 3, No 1, (June, 2019):4. <https://doi.org/10.47264/idea.lassij/3.1.7>

⁵³ Shafique Ahmed, “Operation Koh-e-Sufaid: Kayani visits Kurram to mark end of campaign Karachi, Pakistan”, *The Express Tribune*, (August, 2011).

⁵⁴ Daud Khattak, "The Significance of Fazal Saeed's Defection from the Pakistani Taliban". *Combatting Terrorism Center*, Volume 4, issue 7, (August 9, 2017):6.

1. Factors behind terrorism in Kurram

1.1. Strategic importance of Kurram

For insurgents with an eye toward Afghanistan, Kurram is a location of particular strategic importance. Due of its parrot-shaped protrusion far into eastern Afghanistan, it is sought after by militants today. It functioned as a base for the Afghan Mujahideen during the 1980s fight against the Soviet Union. This provides easy access to various Afghan regions and is the quickest way from anywhere in Pakistan reach to Kabul⁵⁵. Kurram geographically adjoins Afghanistan along a key border. The Agency just into Afghanistan like South India does into the Indian Ocean; Kurram shares a border with Nangarhar, Paktia, and Khost, three districts in eastern Afghanistan. Upper Kurram's Parachinar, rather than Peshawar or Torkham, is the FATA/Pakistan town that is physically closest to Kabul. The Taliban militants who arrived in Kurram Valley most recently after 9/11 and their affiliates.

The Haqqani Network's arrival into Kurram after losing their traditional bases across the Durand Line as a result of American pressure has exacerbated tensions there more than the Afghan Taliban. Foreign militants from Central Asia, including the Haqqani network, were also thought. Both sectarian militants from Pakistan, mainly those from Punjab commanded by Lashkar-e-Jhangvi⁵⁶, and foreign militants from Central Asia, including the Haqqani network, were believed to have

⁵⁵ Jeffrey Dressler. *The Haqqani network in Kurram, The Regional Implications of a Growing Insurgency*. (Washington DC: Institute for the Study of War, 2011):7.

⁵⁶ The Lashkar-e-Jhangvi, also known as the "Army of Jhangvi," is an Afghan-based Deobandi Sunni militant group that promotes terrorism and jihad.

invaded Kurram⁵⁷. In terms of both geography and demography, Kurram agency is unique within FATA. Kurram shares Orakzai Agency in FATA's large Shia population. The high, middle, and lower sections of the geographically split Valley are drained by the Kurram River. The town of Parachinar is located at the northwest corner of the Kurram Agency and is connected to the rest of Pakistan by way of lower and central Kurram. Middle and lower Kurram are required for travel to the closest town in the Hangu district of Khyber Pakhtunkhwa. While Sunni Pashtuns inhabit the middle and lower portions of the Kurram valley, Shia Pashtuns reside predominantly in the upper Kurram valley, particularly in and around Parachinar. Since 2007, sectarian groupings and Pakistan Taliban franchises have emerged as the main players in Kurram throughout this phase⁵⁸. The Shia Turis of Kurram are related to the Afghan tribes ethnically and have a common history. The Turis had their own social and political institutions that set them apart from the subsequent political systems in Peshawar and Kabul. This isolation was impacted by the British expedition and numerous back-and-forth invasions. Kurram and its inhabitants joined the FATA in 1947, yet it remained an anomaly for both Islamabad and Peshawar psychologically. After 1947, the Agency was impacted by the Soviet invasion in 1979 and the ensuing mujahideen project⁵⁹.

1.2. The Afghan Connection

The unrest in Kurram is clearly related to both what is going on in the nearby Agencies and what is happening on the other side of the Durand Line. The evidence indicates that the instability and

⁵⁷ Suba Chandran." Pakistan Parachinar problem", *National Institute of Advanced Studies*. (July, 2017):3. <https://www.nias.res.in/sites/default/files/Pakistan%E2%80%99s%20Parachinar%20Problem.pdf>

⁵⁸ Suba Chandran." Sectarian Violence in Pakistan's Kurram Agency." *Pakistan Security Research Unit (PSRU)*, (2008):9. <http://spaces.brad.ac.tk:8080/display/ssispsrt/Home>.

⁵⁹ Zahid Shahab Ahmed, "The special status of the federally administered tribal areas of Pakistan's" *Research Gate*, (2014):11. <https://www.researchgate.net/publication/320977502>.

sectarian fault lines in Kurram Agency were a direct result of Pakistan's involvement in Afghanistan in the 1980s and 1990s, despite the Pakistani State and its intelligence agencies' reluctance to acknowledge it⁶⁰. The Shia Turis feared real and imagined threats during the 1980s, which led to sectarian warfare in Kurram. While using Afghan factions to fight the Soviet troops in Afghanistan, then-General Zia ul-Haq did not treat all the groups and commanders equally. The *Hezb-e-Islami* of Gulbuddin Hekmatyar received the most funding and weapons. Saudi Arabia, in addition to Pakistan, also backed the Hezb, which had bases in Paktia, Kunar, and Jalalabad⁶¹.

The sectarian strife grew as a result of arming the various Afghan groups. Shias in the FATA, particularly in the agency of Kurram and Orakzai, became frightened when the battle saw the disproportionate armament of militants. The Shias, particularly the Turis in Kurram, asked that the Pakistani State likewise provide them with weapons despite their refusal to join the Afghan war. A growing number of Afghan immigrants raised suspicions among the Shias as well. The Turis believed that the arrival of Afghan refugees most of whom were Sunnis was an intentional attempt by the Pakistani government to alter Kurram Agency's demographics⁶². Thus, the sectarian conflict that broke out in Kurram Valley in 1997 coincided with the Taliban's rise to power in Afghanistan. The sectarian rift has grown not just within Afghanistan but also in Pakistan, notably in the FATA region, as a result of the Taliban's growing power, their puritanical views of Islam, and their mass slaughter of Afghan Shia⁶³.

⁶⁰ Suba Chandran." Sectarian Violence in Pakistan's Kurram Agency." *Pakistan Security Research Unit (PSRU)*, (2008):7. <http://spaces.brad.ac.uk:8080/display/ssspsrt/Home>.

⁶¹ Jamal Shahe" Zia-Ul-Haq and the Proliferation of Religion in Pakistan" *International Journal of Business and Social Science*,3 no. 21 (2012): 4-6. http://www.ijbssnet.com/journals/Vol_3_TNo_21_TNovember_T2012/33.pdf

⁶² Ibid: 3-4.

⁶³ Noor ul Haq, "Federally Administered Tribal Areas of Pakistan", *Islamabad: Policy Research Institute* (2005):9.

Cross-Durand Line linkages can be found in the most recent sectarian massacres. Many Taliban, al Qaeda, and their local allies in the FATA have moved to the east of the Durand Line since the War on Terrorism began in Afghanistan in the wake of 9/11. This recent movement in the FATA, known as "Talibanization," saw the rise of the Taliban and Sunni support for its puritanical interpretations of Islam. *The Sipah-i-Sahaba Pakistan* (SSP) has also built a significant stronghold in the Kurram, encompassing the Hangu, Kohat, and Orakzai regions, during this era⁶⁴.

1.3. Causes of Militant extremism in Kurram

Following the dissolution of the USSR, and lost of American interest in the region the numerous jihadist organizations in Pakistan and Afghanistan were allowed to operate unchecked. As a result, warlords, mujahideen, and extremism gained a lot of power over time, and , the Federally Administrated Tribal Area, particularly in Kurram, has seen the impact and presence of two organizations, Al Qaeda and Taliban.

The Zia regime gave the jihadists full reign as a result of the 1979–1988 Afghanistan crisis, which also increased the position of the Muslim clergy. Madaris (religious seminaries) started to sprang up all throughout the country in significant numbers as private and official funds of both local and foreign provenance were progressively funneled into their construction. Since then, the madrasas have continued to be the primary source of labour for jihadist activities, and their numbers have greatly expanded. These Madaris produced jihadi militants during the Afghanistan Crisis who were inspired and trained to fight against communism in Afghanistan with the active support of numerous other countries, particularly the United States.

Throughout the 1980s, the Mujahideen utilized Parachinar, the Kurram agency's capital, as a distribution hub and a rehabilitation location. Fighters for the Mujahideen travelled to places in

⁶⁴ Mariam Abou Zahab, *Pakistan: A Kaleidoscope of Islam*, (Oxford University Press, 2020):147.

Parachinar where they collected supplies and weaponry brought by truckloads every three to four days from Peshawar. Fighters advanced from Parachinar to various border positions near the southeastern provinces of Afghanistan. There were no notable reports of violence in Kurram between 2002 and 2007 despite the fact that al-Qaeda militants were apprehended there in 2001. However, as the Taliban insurgency against the Pakistani state gathered steam in 2004, it eventually spilled north from its birthplace in Waziristan to other areas of the Federally Administered Tribal Areas, bringing with it an influx of Sunni militant Islamist groups, including Al Qaeda and its affiliates.

After being outlawed in 2002 by the Musharraf administration, several of these organizations, such as the *Sipah-e-Sahaba Pakistan* (SSP), *Lashkar-e-Jhangvi* (LeJ), and *Jaish-e-Muhammad* (JeM), which are located in the Punjab, started migrating to the FATA. The existence of these organizations which have a track record of committing acts of anti-Shia violence elsewhere in the nation, made it all but certain that communal sectarian violence would worsen in Kurram.

When the 9/11 attack converted the entire globe into a theatre of the war on terror, the Afghan crisis had a direct impact on Pakistan, particularly the Kurram. Because of the Musharraf administration's intervention, the Pakistani mujahideen in the tribal regions reformed under the umbrella of the Tehreek-i- Taliban Pakistan (TTP) and other militant organizations.

Following the US-led war on terrorism, numerous local and international terrorist organizations have fostered local sectarianism for their own ends. The extremism has incited and inspired locals to engage in sectarian violence, severing the ties of unity between the various sects that existed prior to the recent surge of terrorism⁶⁵. They began intervening in confrontations between Shia and Sunnis after Afghan immigrants entered Kurram area. The tribal district of Kurram in Khyber

⁶⁵ Assaf Moghadam, *Militancy and Political Violence in Shiism: Trends and Patterns*. (UK: Routledge, 2012): 172.

Pakhtunkhwa has seen numerous fatalities as a result of ongoing sectarian violence.

The Tehreek-i-Taliban Pakistan (TTP) camp at Orakzai was used by well-known Pakistani jihadist Baitullah Mehsud to increase TTP influence in Kurram. Mullah Toofan (also known as Maulana Noor Jamal) became the primary TTP leader in the FATA's central rim after Bait Ullah's death. Since the Pakistani army drove the TTP out of South Waziristan in a late 2009–early 2010 ground battle, Mullah Toofan has been in charge of efforts to take out Kurram from Orakzai, which has turned into the organization's primary hub⁶⁶.

Later, a large number of insurgents relocated to Kurram. To establish a sanctuary in Kurram, the TTP forged connections with the Sunni tribes⁶⁷. Therefore, the protracted Afghan conflict was to blame for extremism and terrorism, which had an obvious impact on the Kurram population.

Massive amounts of guns, drugs, smuggling of goods, a decline in law and order, domestic political pressure, stress on the economy, unemployment, and human trafficking all followed by the growth of militant extremism had a negative impact on the social fabric of Pakistan Pushtoons society, particularly in Kurram.

1.4. Haqqani Network influence in Kurram

The most capable and sophisticated insurgent network operating in Afghanistan is the Haqqani Network⁶⁸. In Pakistan's tribal regions near the Afghan border, the Haqqani have a safe haven. The Haqqani have utilized their haven in the North Waziristan Agency of Pakistan to conduct

⁶⁶ Ibid: 174.

⁶⁷ Mujib Mashal "Community under siege in tribal Pakistan's" *Al Jazeera*, (June 25e 2011).

⁶⁸ The Haqqani network is an Afghan Islamist organization centered on the same-named family that has waged asymmetric warfare in Afghanistan against Soviet forces in the 1980s, US-led NATO forces in the 21st century, and the government of the Islamic Republic of Afghanistan.

operations across the border in southeast Afghanistan with the support of individuals in the Pakistani security establishment⁶⁹.

In order to continue fighting coalition forces for control of southeast Afghanistan, the Haqqani Network has increasingly sought for new Pakistani havens and new infiltration routes in reaction to growing coalition activities against them in both Pakistan and Afghanistan. Over the past few years, the Haqqani Network has increasingly focused on Kurram Agency as a potential haven for the Haqqani and associated terrorist groups⁷⁰.

1.5. Sunni vs. Shi`a in Kurram

Kurram is important to the Haqqani network because of its long history of tribal conflict as well as its strategic advantages. In addition to the Baishara and the Muqbal tribes, who are Sunni allies of the Haqqani's, the Turi, Bangash, and Hazara make up a sizable portion of the region's population. There were significant sectarian conflicts in Kurram between these Shia's and Sunni's tribesman.

Other human terrain and strategic advantages can be found in the Kurram region. The Haqqani network is present in Upper Kurram, particularly in and around the villages of Mata Sangar and Baishara, where it has joined with Sunni tribesmen who had previously been continuously besieged by Shi'a Turi tribesmen⁷¹.

Haqqani and international fighters, including al-Qaida, are hosted by the Sunni tribes Baishara and Mata Sangar. Additionally, Mata Sangar was the site of the widely reported NATO cross-border

⁶⁹ Jeffrey Dressler, *The Haqqani network in Kurram, The Regional Implications of a Growing Insurgency*. (Washington DC: Institute for the Study of War, 2011):6.

⁷⁰ Ibid:3.

⁷¹ Mariam Abou Zahab "Unholy Nexus: Talibanism and Sectarianism in Pakistan's Tribal Areas", *Sciences Po*, (July 2009):2-3. https://www.sciencespo.fr/cepi/sites/sciencespo.fr/cepi/files/art_Tmz.pdf.

helicopter raids in September 2010 that forced Pakistan to temporarily close the Torkham Gate⁷². Fighters for the Haqqani network and their affiliates (such as al-Qaida or the Tehreek-i-Taliban Pakistan) may easily reach their main bases of operation in the Afghan districts of Jani Khel, Paktia, and Sabari via Mata Sangar and the adjacent territories. The Haqqani have formed an alliance with members of the Sunni Muqbal tribe, which rules the region, in order to defend their presence along the Paktia-Khost border⁷³.

Conflicts between Sunnis and Shias in the agency in 2007 were typically brought on by minor sectarian quarrels and old grudges. When these minor conflicts did arise, they were promptly handled by the intervention of tribal elders and government representatives. A procession of Shias was attacked on April 6, 2007, in the 70,000-person city of Parachinar, which sparked sectarian violence throughout Kurram. Heavy weapons including mortars and rocket launchers were employed in the attacks by both Sunni and Shia fighters. In the previous two years (2007–2008), more than 1500 people had died and 5000 more had been injured in Kurram, which at the time was under the control of a violent sect⁷⁴. The Thall-Parachinar route was shut down as a result of the fierce fighting. The road serves as Kurram's primary thoroughfare and links all agency locations to Peshawar and the rest of Pakistan. Due to the route being closed during the fighting, there was a significant lack of supplies and it was impossible to take the injured to Peshawar hospitals when there was insufficient local medical care. Even though the shooting had stopped by late April 2007, the situation in Kurram did not improve. There was a brief ceasefire between

⁷² Jeffery Dressler "Haqqani Network Influence in Kurram and its Implications for Afghanistan's, *Combating Terrorism Center*, Volume 4, No 3. (March 2011):5.
https://tnderstandingwar.org/sites/default/files/Haqqani_TNetwork_Tin_TKtrram_Tweb.pdf

⁷³ Ibid:7.

⁷⁴ Khan Shehram Eusufzaye and Kahar Zalmay, The battle for Kurram, *The News*, (August 24, 2014).

Kurram's Sunnis and Shias. Fighting restarted in November 2007 and was significantly bloodier this time. Over a hundred individuals were murdered in the first two days of the renewed fighting, including eleven Pakistan Army soldiers in Parachinar. Shoot-to-kill orders were given to troops in an effort to stop the bloodshed. There were numerous reported fatalities as fighting went on until January 2008. To flee the fighting, several Sunni families even started crossing the border into the Afghan regions of Khost and Paktia. For the first time in a long century, refugees from Pakistan crossed the border into Afghanistan. Over 900 families, or more than 6,000 individuals, reportedly fled to Afghanistan to escape the violence, according to the UNHCR. In Kurram, the TTP was a key player in igniting sectarian conflict. The TTP's head and commander for the Kurram, Orakzai, and Khyber Agencies at the time, Hakimullah Mehsud, is thought to be responsible for a large portion of the renewed violence. As a result of Pakistani military operations in South Waziristan in October 2009, a large portion of the TTP's leadership and hundreds of its fighters were driven out of the region. They then made their way to the Orakzai and Kurram agencies, significantly aggravating the situation. As a response, the Pakistani military started regularly conducting airstrikes and gunship assaults against TTP locations in Kurram and Orakzai. In the middle of December 2009, a number of troops also entered a portion of the Kurram agency. Shia and Sunni tribes in Kurram were reportedly negotiating a peace deal when reports in September 2010 suggested that the Haqqani Network was involved. The Shias rejected any deal with the Haqqanis because they were adamantly opposed to granting the Network unrestricted passage through Shia strongholds of Kurram into Afghanistan. Despite this, the Haqqanis continued their efforts to penetrate the area since a new entry point into Afghanistan as well as a new haven in Pakistan were becoming more and more vital. Shia and Sunni communities in Parachinar, Kurram, declared the end of their four-year feud on February 5, 2011. Nearly 2,000

individuals were killed and over 3,500 were injured over the years of fighting. A 220-member tribal jirga that produced the recently agreed peace pact included tribal people from both clans as well as members of Pakistan's legislative body, the National Assembly. The Sunni-Shia peace agreement persisted for about two months, with all parties appearing to cooperate. Additionally, the Thall-Parachinar Road was reopened to regular, unrestricted traffic for the first time in years. On Shia convoys, however, some attacks started up again in mid-March 2011. On March 25, 2011, an attack on Shia vehicles occurred in Lower Kurram, close to Baggan. As many as forty-five people were abducted, and up to thirteen people were killed. Despite the onslaught on the Shias, there hasn't been any more widespread Sunni-Shia bloodshed. In fact, both the Shia Turis and the Sunni Mangals have called for the government to use military force against the group that is enforcing the peace deal, and both tribes have hinted that they may act against the offending group. To settle the most recent issue, all sides have participated in emergency discussions, including the outsiders who served as peace pact guarantors (i.e., the Haqqani's).

1.6. Exploiting Sectarian Tensions to Gain Access to Kurram

It seems that outsiders who played local Sunni tribes in and around Upper Kurram were partially responsible for stoking this sectarian conflict in Kurram⁷⁵. The Haqqani network and other Taliban fighters are probably the driving force behind the stoking of tribal conflict in Kurram⁷⁶. The Haqqani network appears to have besieged Shi'a communities in Upper and Central Kurram through its connections with associated groups in order to create a new haven for themselves in this region of the Afghanistan-Pakistan border⁷⁷.

⁷⁵ Ibid: 9

⁷⁶ Arif Jamaal "Haqqani Network Shifting from North Waziristan to Pakistan's Kurram Agency" *Jamestown Foundation*, (16 December, 2010). <https://www.refworld.org/docid/4d0fle982.html>

⁷⁷ Mohammad Taqi, "Kurram: The Forsaken FATA," *Daily Times*, (November 4, 2010).

It is a well-known Haqqani strategy to take advantage of rivalry-related tensions in order to achieve strategic goals. For instance, in the late summer of 2009, a conflict over pine nuts (Chalghoza) erupted between the Moqbil tribe and the majority Mangal tribe in northern Khost and southern Paktia. Heavy armament was given to the Moqbil by the Haqqani, thus halting the Mangal onslaught. The Haqqani then intervened as peacemakers to resolve the conflict between the two belligerent groups. The Haqqani obtained support from the Moqbil in exchange for resolving the conflict, as well as refuge for training facilities and infrastructure in the area of the Mangal tribe in northwest Khost⁷⁸.

It seems that the same thing happened in Kurram. Although the Haqqani network probably supported tribes fighting the Shi'a in Kurram, they also helped to arrange a settlement between the two sides⁷⁹. First information on Haqqani involvement in Kurram's efforts to mediate disputes between Sunni and Shi'a tribes came to light in March 2009 during a meeting that also included the influential TTP leader Hakimullah Mehsud⁸⁰. Initial negotiations to forge a cease-fire fell short, and violence persisted throughout 2009 and 2010. A number of additional rounds of negotiations took place between November 2010 and January 2011. Ibrahim and Haji Khalil Haqqani, brothers of Jalaluddin Haqqani, participated in these discussions, which took place as pressure on the Shia in Upper Kurram grew⁸¹. The talks took place in Parachinar, Islamabad, and Peshawar, with participation from tribal chiefs of the Shia and Sunni faiths, prominent militant figures, and

⁷⁸ Jeffery Dressler, "Haqqani Network Influence in Kurram and its Implications for Afghanistan", *Combating Terrorism Center*, Volume 4, Issue 3, (March 2011).

⁷⁹ Assaf Moghadam, *Militancy and Political Violence in Shiism: Trends and Patterns*. (UK: Routledge, 2012), 172-173-177.

⁸⁰ *Ibid*: 181.

⁸¹ Daud Khattak, "A Haqqani-Brokered Peace in Kurram Agency?" *The AfPak Channel*, (February 16, 2011).

officials from the Pakistani government⁸². No agreement was reached, despite the fact that these discussions seemed to make some progress⁸³. Despite the lack of progress, the Haqqani managed to negotiate the release of six Shi'a detainees who had been kidnapped from Lower Kurram in July 2010. Early in February 2011, a 220 person Jirga (tribal assembly) made up of Haqqani network members, Shia and Sunni leadership, and warring groups in Kurram appeared to achieve an agreement. Shi'a tribesmen will now effectively grant terrorists, including those from the Haqqani network, the ability to travel through their area and into Afghanistan in return for ending Pakistani Taliban attacks on the Shi'a and the blockade of the Parachinar-Thall road⁸⁴. On February 3, 2011, a grand jirga of tribal elders and parliamentarians from the Federally Administered Tribal Areas (FATA) announced a new peace agreement to end the violent conflict that has been raging in Kurram Agency since 2007 and forced thousands of Shia and Sunni communities to flee. Reopening of the Thall-Parachinar road was announced by the grand jirga⁸⁵. The Thall-Parachinar Road was closed for fifteen months as a result of the fighting, which had cost in 1,500 fatalities and 5,000 injured⁸⁶.

2. Afghan crisis implications in Kurram

2.1. Displacement of Families and migration

About 8000 families (4800 people) were forced to leave the Central Kurram Agency in the

⁸² Zulfikar Ali, "Taliban Trying to End Tribal Clashes in Kurram," *Dawn News*, (September 16, 2010).

⁸³ Haqqani's Two Sons Mediating in Kurram" *Dawn News*, (October 21e 2010).

⁸⁴ "Kurram Rival Tribes Agree on Peace Accord" *The Nation*, (October 16, 2008).

⁸⁵ Farhat Taj, Kurram, peace accords and state writ, *Dily Times*, (February, 2011).

⁸⁶ Qaiser Butt, "Kurram Tribal Region: Peace Accord Signed to End Years of Bloodshed", *Express Tribune* (February 4, 2011).

Federally Administered Tribal Areas as a result of the unrest. The majority of the displaced families had relocated to lower-class areas of Kurram Agency, including Khar, Khazei Khel, and Balash Khel, where they are without access to basic necessities like food and medical care. People began moving to other parts of the city as life appeared to be difficult. The villages were equally impacted, and when people left, around 10 villages in the upper Kurram and 45 villages in the lower Kurram were fully evacuated and destroyed. Besides moving locally, people also moved abroad. Nearly 7000 young people, many of them educated, sought asylum in Australia and Europe. Due to security activities as well as sectarian clashes, 22,000 households have been forced to migrate⁸⁷.

2.2. Educational Impacts

Militants destroyed a considerable number of educational facilities, while military actions in the conflict zones left many others in ruins or inoperable. Many children were prevented from attending school in this situation. For our generation of school-age children, this was a significantly worsened time. In the Kurram agency in the federally managed tribal areas, on December 30, 2014, Taliban militants burned down two government primary schools. Three schools in Kurram Agency have been closed for the past 12 years due to a disagreement over ownership, including one girl's primary school in central Kurram and two nearby Tari Mangal⁸⁸.

The fact that nearly 69 educational institutions were destroyed or forced to close due to militancy and military operations in the war-torn areas is tragic and deplorable⁸⁹.

2.3. Rise in sectarian violence

⁸⁷ "Kurram Rival Tribes Agree on Peace Accord" *The Nation*, (October 16, 2008).

⁸⁸ Faqir Khan, Bilal Haider and Sumbal Jameel "Geneses, Causes, and Ramification of Militancy in FATA in the Post 9/11 Scenario", *Global Political Review*, volume 2, no.1, (2017).
<https://gprjotrnl.com/jadmin/Atther/31rvIolA2QAQJotq9hkR/wRxOF9qg8F.pdf>

⁸⁹ "Militants torch schools in Kurram Agency in pre-dawn arson attacks", *Express Tribune*, (December 30, 2014).

Shia and Sunni sect battles have a history of causing hundreds of casualties on both sides in Kurram Agency due to sectarian strife. The sectarian violence in Kurram is clearly connected to both what is going on in the nearby Agencies and what is happening on the other side of the Durand Line. Thus, the sectarian conflict that broke out in Kurram Valley in 1997 coincided with the Taliban's rise to power in Afghanistan. The sectarian rift has grown not just within Afghanistan but also in Pakistan, particularly in the Kurram region, as a result of the Taliban's growing power, their strict interpretations of Islam, and their mass murder of Shia in Afghanistan. Since 2007, there have been at least 1,500 deaths as a result of sectarian conflict between Sunni Deobandi and Shia Muslims in the Kurram Federally Administered Tribal Areas (FATA). Tehreek-e-Taliban Pakistan had a base there until the Pakistani Army announced a military operation to expel the militants there in 2008. The arrival of Afghan refugees, *Lashkar-i-Jhangvi*, *Sipah-e-Sahaba* Pakistan, and the influx of deadly weapons during the Afghan jihad are a few of the reasons influencing the severity and frequency of sectarian violence. Sectarian groups have steadily increased their power during the 1990s, particularly the *Sipah-e-Sahaba* Pakistan in the lower Kurram region. Lower Kurram is a component of the sectarian groups' plan to expand their power in the Kurram, Orakzai, Hangu, and Kohat regions. Not only between Shias and Sunnis, but also inside Sunni groups, there are violent divisions. For instance, a new Sunni sectarian conflict between Brelvi and Deobandi groups has been going on in the nearby Khyber Valley for the past many years. Shia-Sunni confrontations in the agency caused more than 36 villages burnet, and hundreds of people were forced to evacuate their homes⁹⁰.

2.4. Blocking Roads and Kidnapping

⁹⁰ Sayed Irfan Ashraf "The Kurram Blockade's", *Dawn News*, (November 11, 2011).

Blocking the main route from Thal to Parachinar is one of the opposing groups key tactics, particularly in the Lower Kurram region. Because of the blocked roads and attacks on the vehicles, neither the vital supplies nor the residents of upper Kurram can get to Thal, from which they can travel to Hangu, Kohat, and Peshawar. Those that require medical care suffer the most, which is more significant. Most of the time, security forces aided civilians in moving in convoys. Despite this defense, attacks on these convoys are still being made by Taliban insurgents with a significant presence in Lower Kurram. These attacks on the Shia tribes along the Parachinar-Thal route have the effect of besieging them. People from the Kurram valley had to go to Peshawar through Kabul and Jalalabad due to the road's closure. Following the murder and kidnapping of a number of passengers when they were passing through Afghanistan, the Afghan government created additional provisions for passengers. After extremists attacked a convoy at Sadda in Lower Kurram, people stopped using the road. In the assault, several trucks were destroyed and over a dozen drivers were killed⁹¹. As a result, upper Kurram's physical connection to the rest of the country was cut off by insecurity. The 500,000 inhabitants of Kurram have been living in seclusion and travelling through the countryside on improvised routes ever since. Initially, entering Pakistan through Afghanistan was done by the Paktia-Gardez-Kabul-Torkham route. It was a challenging and expensive choice. Normally, it takes less than four hours to travel the 250 miles between Peshawar and Parachinar. However, due to the conflict, in which both Afghan and Pakistani Taliban played a significant role, many were forced to travel through Afghanistan, which took about 18 hours. Additionally, the road had grown more dangerous over time. Through various acts of terrorism, more than 40 individuals have already died on this route⁹². Some wealthy residents of Parachinar started a jet service in 2008 in an effort to end the isolation. Later, three more aircraft

⁹¹ "Thal-Parachinar road opens after year-long closure", *Dawn News*, (November 16, 2009).

⁹² Asad Munir "Explaining Fazal Saeed's Defection in Kurram", *Express Tribune*, (July 8, 2011).

were included in the small fleet that transports passengers between upper Kurram and Peshawar.

2.5. Suicide attacks and bomb blast

Most of the suicide bombings and bomb blasts took place in the Upper Kurram, Parachinar. Since 2007, approximately 3000 people have died in terrorist strikes targeting the Parachinar, making it the second-most frequently attacked city in Pakistan behind Peshawar⁹³. Afghanistan encircles the isolated tribal enclave of Kurram in Pakistan. Just 90 kilometers separate its westernmost point from Kabul, the Afghan capital⁹⁴.

According to the Global Terrorism Database™ (GTD) which record the terrorists' attacks around the world since 1970. The GTD has recorded the terrorist incident details, which includes but not limited to the nature of incident, date, location, number of casualties, and the responsible group or individuals. GDA is maintained by the National Consortium for the Study of Terrorism and Responses to Terrorism (START) at the University of Maryland.

Date	City	Fatalities	Injured	Target Type
29-Oct-19	Jamal Mela	0	3	Private Citizens & Property
2-Sep-18	Bezo Sar	1	1	Military
1-Mar-18	Kurram district	1	0	Private Citizens & Property
30-Jan-18	Maqbal	8	1	Private Citizens & Property
15-Oct-17	Kharlachi	4	3	Military
27-Sep-17	Borki	0	4	Military
19-Sep-17	Taray	0	3	Military
10-Jul-17	Tegha	0	5	Military
10-Jul-17	Tegha	2	0	Military
16-Jun-17	Bezo	4	0	Military
17-May-17	Kharlachi	0	5	Military
14-May-17	Olay Cheena	2	0	Government (General)
12-May-17	Parachinar	1	0	Private Citizens & Property
7-May-17	Tindwah	1	0	Private Citizens & Property
1-May-17	Yakhta	1	1	Military
25-Apr-17	Godar	14	9	Military, Private Citizens & Property
31-Mar-	Parachinar	24	136	Private Citizens & Property, Religious

⁹³ M Ilyas Khan, "The little boy killed at the market's", *BBC News*, (January 26, 2017).

⁹⁴ "Pakistan violence: Deadly bombings in Parachinar market", *BBC News*, (27 July 2013).

17				Figures/Institutions
12-Mar-17	Borki	0	1	Private Citizens & Property
11-Mar-17	Takhto	2	4	Private Citizens & Property
17-Feb-17	Shabak	2	0	Unknown
21-Jan-17	Parachinar	26	65	Private Citizens & Property
18-Oct-16	Alizai	1	1	Private Citizens & Property
23-Jul-16	Piwar Hamzai	0	1	Private Citizens & Property
7-Apr-16	Mangora Sar	12	8	Military
26-Dec-15	Kurram district	2	5	Military
6-Aug-15	Sper Kot	11	1	Military
25-Jun-15	Lower Kurram district	6	2	Military
6-May-15	Alizai	4	10	Educational Institution
17-Apr-15	Kurram district	2	3	Private Citizens & Property
21-Feb-15	Kurram district	3	5	Military
17-Feb-15	Kurram district	4	0	Military
15-Feb-15	Kurram district	8	1	Military
9-Feb-15	Kurram district	1	0	Military
3-Feb-15	Kurram district	4	2	Police
27-Jan-15	Kurram district	0	1	Military
13-Jan-15	Kurram district	2	3	Police
8-Jan-15	Shabak	4	3	Military
3-Jan-15	Kurram district	1	0	Military
20-Dec-14	Shaheedyano Dhand	0	2	Police
Date	City	Fatalities	Injured	Target Type
29-Oct-19	Jamal Mela	0	3	Private Citizens & Property
2-Sep-18	Bezo Sar	1	1	Military
1-Mar-18	Kurram district	1	0	Private Citizens & Property
30-Jan-18	Maqbal	8	1	Private Citizens & Property
15-Oct-17	Kharlachi	4	3	Military
27-Sep-17	Borki	0	4	Military
19-Sep-17	Taray	0	3	Military
10-Jul-17	Tegha	0	5	Military
10-Jul-17	Tegha	2	0	Military
16-Jun-17	Bezo	4	0	Military
17-May-17	Kharlachi	0	5	Military
14-May-17	Olay Cheena	2	0	Government (General)
12-May-17	Parachinar	1	0	Private Citizens & Property
7-May-17	Tindwah	1	0	Private Citizens & Property
1-May-17	Yakhta	1	1	Military
25-Apr-17	Godar	14	9	Military, Private Citizens & Property
31-Mar-17	Parachinar	24	136	Private Citizens & Property, Religious Figures/Institutions
12-Mar-17	Borki	0	1	Private Citizens & Property
11-Mar-17	Takhto	2	4	Private Citizens & Property
17-Feb-17	Shabak	2	0	Unknown
21-Jan-17	Parachinar	26	65	Private Citizens & Property
18-Oct-16	Alizai	1	1	Private Citizens & Property
23-Jul-16	Piwar Hamzai	0	1	Private Citizens & Property
7-Apr-16	Mangora Sar	12	8	Military

26-Dec-15	Kurram district	2	5	Military
6-Aug-15	Sper Kot	11	1	Military
25-Jun-15	Lower Kurram district	6	2	Military
6-May-15	Alizai	4	10	Educational Institution
17-Apr-15	Kurram district	2	3	Private Citizens & Property
21-Feb-15	Kurram district	3	5	Military
17-Feb-15	Kurram district	4	0	Military
15-Feb-15	Kurram district	8	1	Military
9-Feb-15	Kurram district	1	0	Military
3-Feb-15	Kurram district	4	2	Police
27-Jan-15	Kurram district	0	1	Military
13-Jan-15	Kurram district	2	3	Police
8-Jan-15	Shabak	4	3	Military
3-Jan-15	Kurram district	1	0	Military
20-Dec-14	Shaheedyano Dhand	0	2	Police
Date	City	Fatalities	Injured	Target Type
21-Mar-12	Jogi	3	10	Military
16-Mar-12	Kurram district	0	16	Transportation
16-Mar-12	Kurram district	0	5	Private Citizens & Property
12-Mar-12	Kurram district	2	17	Transportation
17-Feb-12	Parachinar	40	64	Private Citizens & Property
5-Feb-12	Shaheed Anudand	1	12	Military
3-Feb-12	Shindano Dand	25	3	Military
31-Jan-12	Jogi	43	62	Military
28-Jan-12	Jogi	2	0	Military
26-Jan-12	Kurram district	20	22	Military
25-Jan-12	Jogi	16	17	Military
24-Jan-12	Jogi	9	2	Military
21-Jan-12	Chappari	0	1	Military
21-Jan-12	Amlook Killay	0	1	Military
21-Jan-12	Talai	1	0	Military
17-Dec-11	Kata sarai district	3	0	Military
9-Dec-11	Kurram district	0	1	Military
24-Nov-11	Sadda	0	12	Transportation
15-Nov-11	Marazan district	21	Unknown	Military
3-Nov-11	Sadda	1	2	Police
6-Oct-11	Talo Kunj	1	1	Private Citizens & Property
1-Aug-11	Kurram district	3	1	Private Citizens & Property
17-Jul-11	Kurram district	2	2	Business
1-Jul-11	Kurram district	1	0	Government (General)
16-May-11	Khaiwas	0	1	Private Citizens & Property
16-May-11	Shalozan	0	2	Private Citizens & Property
18-Apr-11	He was	1	0	Private Citizens & Property
11-Apr-11	Kurram district	3	13	Private Citizens & Property
5-Apr-11	Kurram district	2	2	Terrorists/Non-state Militia
27-Mar-11	Kurram district	4	Unknown	Private Citizens & Property
25-Mar-11	Kurram district	13	8	Private Citizens & Property
30-Jan-11	Kurram district	0	8	Private Citizens & Property
4-Jan-11	Kurram district	0	1	Food or Water Supply
19-Nov-10	Shalozan	3	8	Private Citizens & Property
31-Oct-10	Kurram district	1	0	Private Citizens & Property

31-Oct-10	Kurram district	3	0	Private Citizens & Property
9-Sep-10	Kurram district	10	4	Transportation
23-Aug-10	Kurram district	7	Unknown	Private Citizens & Property
23-Jul-10	Kurram district	4	0	Private Citizens & Property
17-Feb-10	Kurram district	6	0	Terrorists/Non-state Militia
18-Jan-10	Kurram district	3	0	Business
22-Feb-09	Kurram district	0	4	Transportation
1-Jan-09	Kurram district	1	0	Private Citizens & Property
10-Jul-08	Kurram district	3	7	Private Citizens & Property
19-Jun-08	Kurram district	7	14	Food or Water Supply, Private Citizens & Property
9-Jun-08	Kurram district	1	6	Religious Figures/Institutions
3-Jun-08	Kurram district	4	7	Private Citizens & Property
5-Apr-08	Kurram district	2	9	Transportation
5-Apr-08	Kurram district	2	18	Private Citizens & Property
27-Mar-08	Parachinar District	6	2	Government (General)
26-Feb-08	Sadda	0	4	Private Citizens & Property
19-Nov-07	Sadda	10	20	Private Citizens & Property
18-Nov-07	Parachinar	90	150	Private Citizens & Property
11-Apr-07	Borki	0	3	Private Citizens & Property
21-Jul-05	Kurram district	2	4	Religious Figures/Institutions
Total		684	1,096	

Table – Fatalities and Injuries due to Terrorism during 2005 to 2019.

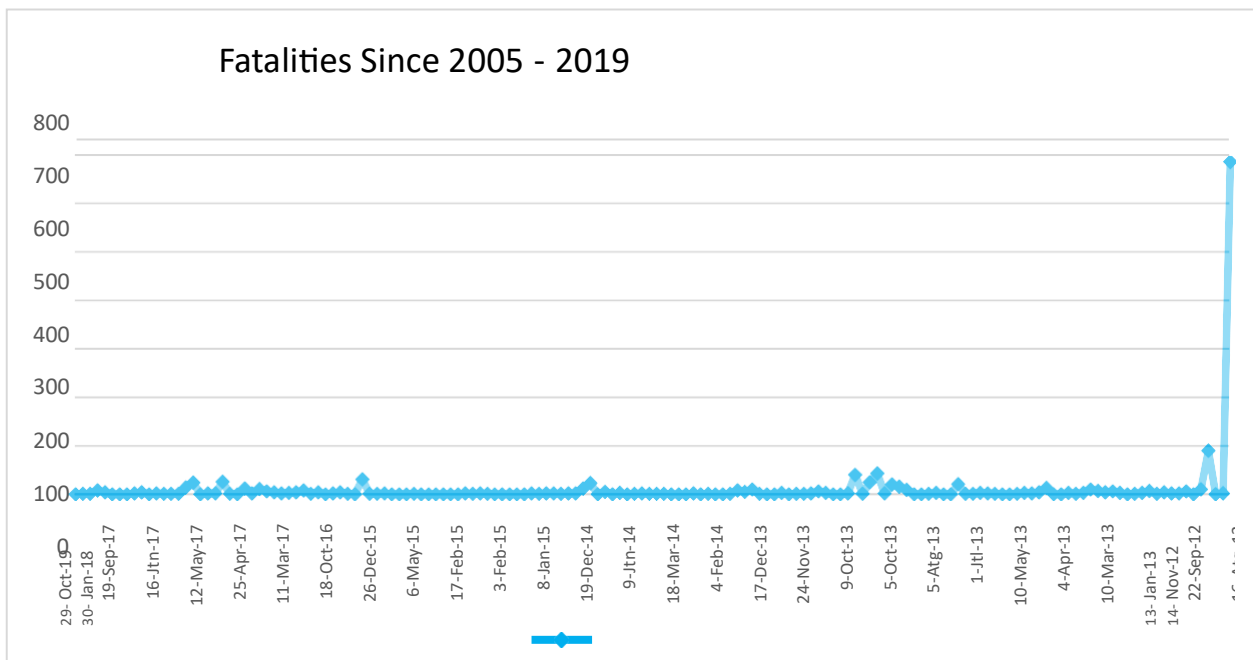
The above data in table shows the number of terrorist attacks happened in Kurram District since 2005 till 2019. Per the available independent data there are over 684 fatalities whereas 1,096 peoples were injured during the terrorist attacks on the number of cities within the Kurram District⁹⁵. It is worth mentioning that terrorist not only attacks the locals but they also attacks the military and para military personnel. The main targets of these majority attacks are however the specific people of region and religion. Apart from the human toll and emotional sufferings, the people of Kurram District also suffered due to damage of their properties, religious places, educational places and other basic infrastructure.

In order to clarify the above tabulated data, I as researcher has place the data in below Line Graph which shows the number of fatalities each year. This chart shows the details of all blast and number of fatalities since 2005 to 2019. Please also note that the all the data in below Line Chart is based

⁹⁵ GDA Global Terrorism Database “<https://start.umd.edu/gtd/>” (accessed dated 17 May 2022 at 7:00 PM).

on the data mentioned in the above-mentioned table.

In 2007, the fatalities were the highest as compared to the rest of years. The terrorists regularly hit different targets in Kurram District from 2008 till 2010 during the start of insurgency and sectarian conflict in Kurram and surrounding FATA districts and the human fatalities and injuries were also enormous. However, according to Global Terrorism Database a huge spike of attacks happened during 2011 and until 2017. This also shows the writ of government was nearly zero and the people were left out at the mercy of the terrorist attacks.



suffered the loss of members due to acts of terror and violence⁹⁶. As a result, half of the population experiences emotional trauma and a strong sense of insecurity, which causes them to lose sleep, focus, and mental tranquilly. The prevalence of mental illness is thought to be up to 20% after every humanitarian crisis. However, this number can be even greater in Parachinar. The extremely high suicide rate among young individuals is possibly the most concerning⁹⁷.

3. Government response

The government of Pakistan decided to launch the military operation to rid the region of terrorists involved in acts of terrorism, including kidnapping and killing local residents, suicide attacks, and blocking the road that connects Lower Kurram with Upper Kurram. This decision was made in response to the ongoing crisis in Afghanistan and its implications for District Kurram.

3.1. Military Operations in Central Kurram

In an operation by the security forces in central Kurram on December 15, 2009, nine insurgents were killed and five were injured. Forty-one militants had been slain in all, including a few foreign fighters. Some terrorists were arrested by the forces along with their weapons, and they transported them to secret locations to be questioned⁹⁸.

With the assistance of their local allies, these militants from the Waziristan and Orakzai agencies closed the Kurram Agency-Peshawar road, forcing it to remain closed for the past three years and putting hundreds of thousands of residents in their territories under siege.

3.2. Operation Khwakh Ba De Sham (I will teach you a lesson)

⁹⁶ "60 per cent people of Parachinar are suffering from post-traumatic stress disorder." *Dawn News*, (July 30, 2017).

⁹⁷ Asma Humayun, "Parachinar Suicides", *Dawn News*, (August 4, 2017).

⁹⁸ "Military offensive: 9 Taliban militants killed, 5 injured in Kurram Agency", *Express Tribune*, (May 14, 2012).

The Orakzai and Kurram offensive, often referred to as Operation Khwakh Ba De Sham (I will give you a lesson), was a Pakistani military operation against the Tehreek-i-Taliban that started on March 23, 2010, in the Federally Administered Tribal Areas' Orakzai Agency and Kurram Agency regions⁹⁹. According to Lieutenant General Tariq Khan, an Army general officer, 121 civilians were slain by the Taliban in Kurram during their most recent occupation, and 18 terrorists were also killed¹⁰⁰.

At least 25 terrorists were wounded in the combat as fighter jets and helicopter gunships assaulted militant strongholds in the Dabori villages. The injured extremists were taken into custody. In the battle, two Pakistani soldiers were also killed. On June 3, the Pakistani Army said that the Kurram Agency had also been cleared of Taliban fighters¹⁰¹.

3.3.Operation Azmari Ghero

General Ashfaq Parvez Kayani, the Chief of Army Staff (COAS), travelled to Kurram Agency. He was briefed upon arrival about the progress of Operation Azmari Ghero in Kurram. This operation began in February 2011 in response to a significant demand from the local populace and political leadership of the region. The successful operation not only secured the Kurram but also severed ties between North Waziristan and FATA-based terrorist organizations. As a result of this huge impact, the operation is marked by tenacious resistance from desperate terrorists against the commitment and drive of the soldiers. During the last two and a half months, 69 Shuhadas were recorded, including 5 officers. 166 terrorists were killed in the meantime¹⁰².

⁹⁹ Muhammad Samrez Salik, "Resilience: Thy Name is Pakistan's", *Hilal English*.

¹⁰⁰ John Ty Grubbs, "The Looming Storm in Pakistan's Kurram Agency", *Jamestown Foundation*, Volume: 10, no.5, (March 8, 2012).

¹⁰¹ "Azmari Operation in Kurram's", *Inter Services Public Relations* (February 8, 2012).

¹⁰² "Operation in Kurram and Upper Dir intensified", *Dawn News*, (July, 2011).

Thousands of people from the conflict-affected area relocated to lower Kurram and the nearby Hangu district during this operation¹⁰³. The families who were forced to flee have already begun returning to the areas that were made clear during the operations. After being compensated, about 6,000 of these families have relocated¹⁰⁴.

3.4. Operation Koh-e-Sufaid

The military launched Operation Koh'e Sufaid (White Mountain) against Taliban terrorists in Kurram agency in July 2011. The main goal of the operation, which targeted militants in central and lower Kurram, was to secure and reopen the Thall-Parachinar road, a crucial highway through Kurram that had frequently been attacked by militants. For numerous years, the Shia community in Parachinar was essentially under siege as a result of the militants' blockade of the Thall–Parachinar Road¹⁰⁵.

During the "Koh-e-Sufaid Operation" against militants in Central Kurram Agency, FRC (Fata Research Center) learned that 700 militants were killed and 75 members of the security forces lost their lives.

In the Koh-e-Sufaid operation, "nearly 700 militants have been slain and 75 army men have embraced martyrdom," according to Brig. Tariq. He added that the militants that were murdered included foreigners as well, who were presumed to be Uzbeks. During the terrorist attacks, militants destroyed a dozen government buildings, schools, and other civilian infrastructure.

3.5. Border Management Mechanism

¹⁰³ "Overseeing Operations: Army chief visits Kurram Agency", *Express Tribune*, (February 9, 2012)

¹⁰⁴ Khan Faqir, Bilal Haider and Sumbal Jameel "Geneses, Causes and Ramification of Militancy in FATA in the Post 9/11 Scenario" volume 2, no.1, (2017):5.

¹⁰⁵ Gordon Corera, "Bin Laden's Tora Bora escapee just months after 9/11", *BBC News* (21 July, 2011).

The system for managing borders is another successful development. To halt militant cross-border infiltration and to end persistent Kabul against Islamabad charges of backing Taliban strikes in Afghanistan¹⁰⁶. The Pak-Afghan border fences are being fenced in for this reason by the Pakistani government. This border management system consists of building numerous military outposts, entry gates, aerial surveillance, and legitimate travel documents.

3.6. Battle of Tora Bora, (December 3–17, 2001)

In one of the most significant military operations of the initial Afghan War, it was thought that Osama Bin Laden, the head of Al-Qaida and the architect of the 9/11 attacks, was camped out in the caverns¹⁰⁷.

In March 1989, Mujahideen fighters in and around the Tora Bora mountains launched their offensive against the Najibullah regime, concentrating on the crucial eastern city of Jalalabad. A small mountainous region called Tora Bora is located southeast of Jalalabad, next to upper Kurram. In the province of Nangarhar, fighters besieged Soviet and Afghan government forces using Mujahideen facilities that Younas Khalis¹⁰⁸ leaders built in and around Tora Bora. Additionally, 20 fighters travelled on routes built by bin Laden in 1987, which ran from Jaji to Tora Bora via Kurram¹⁰⁹. Younus Khalis, the Mujahidin leader in charge of Tora Bora, provided protection to bin Laden and introduced him to Mullah Omar. Some believe that Khalis served as bin Laden's father figure. Between 500 and 2000 fighters, including Bin Laden, were thought to have remained

¹⁰⁶ Ayman al-Zawahiri “Tora Bora Reconsidered: Lessons from 125 Years of Strategic Manhunts”, *semantic scholar*, (2013).

¹⁰⁷ Pepe Escobar “The day bin Laden vanished forever” *Aljazeera*, (8 Maye 2011).

¹⁰⁸ Younas Khalis was an Afghan mujahideen leader during the Soviet-Afghan War.

¹⁰⁹ Jeffrey Dressler. “The Haqqani network in Kurram, The Regional Implications of a Growing Insurgency” *Institute for the Study of War and American Enterprises Institute*, (May 2011):8.

in the mountains until sometime in mid-late December 2001 when they managed to flee. Bin Laden and his supporters were familiar with this road since they had previously used it to fight Soviet soldiers in eastern Afghanistan in the late 1980s. However, in December 2001, over 200 Arabs who were linked with al-Qaeda were handed over to Pakistani government officials by Shias in lower Kurram. This was not what Bin Laden and his supporters had anticipated from the strong Shia community in Kurram. The mission's goal of killing or capturing bin Laden had failed. However, they had already dispatched almost 250 militants who were responsible for Kurram's unrest. Kurram Agency has always faced terrorism as well as sectarian conflict. According to Pakistani military, they apprehended up to 300 fighters who had escaped Tora Bora¹¹⁰.

One of the worst effects of extremism and terrorism attacks in the FATA, including Kurram, was the rise of religious intolerance, people had taken the law into their own hands, weaponization is common, and people had turned against anti-state and law enforcement agencies, including the military, for inflicting this tyranny on the people. Drone strikes and military actions are incredibly controversial. Whether it be the political, social, or economic spheres, terrorism has impacted practically every aspect of human life. which we will discuss in more detail in the next chapter.

¹¹⁰ Sibth ul Hassan Turi, "The Youth are Fleeing the Farms: Aspiration and Conflict in Kurram, Pakistan", *Jamhoor*, (February 17, 2020).

Chapter 3

Socio-political challenges and conflicts in Kurram

The term socio-political is ambiguous. It refers to difficult situations experienced by many members of a given society at a given time. It is often used to convey the view that the situations can be solved by economic and social measures. My thesis is that many important socio-political challenges cannot be solved by such measures because there are some other conflicts and reasons which should be addressed before tackling these measures. The area about which these socio-political challenges are related should be looked by its geographical position and historical background.

District Kurram has its history and has an important geographical background. It was a part of Afghanistan, before the second Afghan War (1878-79). At that time the Upper Kurram tribes (Turis) assisted Sir Frederick Roberts¹¹¹ all over the way from Kurram and Peiwar Kotal to Kabul and gave him all the support in their power. In 1880 as a result, their independence was granted them from the Afghan rule¹¹². However, Turis were unable to achieve satisfactory self-government because of the internal conflict and British interference. On the request of the Turi tribes, the British interfered in 1892 and established their control over the region¹¹³. Kurram Valley administration was technically classified as an agency or governed region rather than a

¹¹¹ One of the most effective military leaders in Great Britain throughout the 19th century was Field Marshal Frederick Sleigh Roberts. He revitalized the British effort in the Boer War and achieved significant wins during the Second Afghan War.

¹¹² Spatial / Structure Plan for Parachinar, Kurram Agency", *FATA urban center project*, (September, 2015):18. <https://urbanpolicyunit.gkp.pk/wp-content/uploads/2020/03/Final-Parachinar-Report.pdf>

¹¹³ Sarfaraz Khan, Khan, Sarfraz. "Special status of tribal areas (FATA): an artificial imperial construct bleeding Asia." *Eurasia Border*, Volume 1, no. 1 (2010): 64.

British district. The Kurram valley's residents later joined the Indian freedom struggle, and as a result, when partitioned in August 1947, this region became a part of Pakistan.

Socio-political factors are important intangible aspects that unifying disparate peoples at local and national levels and promoting cohesion in conflict-affected and fragile states.

After seven decades of independence today erstwhile FATA is not only suffering from lawlessness but also lacks serious structural constraints. The century's old custom based system has given birth to these problems. If the environments are not rectified now it would end up in a serious imbalance in the region. A strong stable, politico-administration system FATA is the need of the time to thwart the risks of the present situation, even more important than the geographical location. The people should be empowered and should be granted basic human rights which are denied by Frontier Crimes Regulations (FCR).

After the 1979 Russian invasion of Afghanistan, erstwhile FATA region including Kurram was most hit. It bore a disproportionate amount of the burden of the migration of refugees, drugs, and weapons. District Kurram is facing too many socio-political challenges due to its position and location. These challenges reflect directly on the social attributes of the region as well as the political immaturity and instability.

There are many socio-political issues like corruption, security, poverty, unemployment, healthcare, human rights, domestic violence, national wealth, income inequality, social integration, governance and political conflicts.

The most prominent socio-political challenges and conflicts which district kurram is facing over years are part of my thesis. Some of important socio-political challenges about district kurram are addressed here.

1. Political Challenges

When the word "political system" is used in relation to tribal areas, it refers to the erstwhile FATA administrative system under the Frontier Crime Regulations, not the national political system. The political system was old customary system called the jirga system, which was having the power in one man hands. in that political system due to the Frontier Crime Regulations (FCR) and constitutional provisions related to that region they were always denied for the constitutional and legal protection for their fundamental rights. Having the judicial authority to settle civil and criminal issues in accordance with FCR and *Pakhtunwali*, a Political Agent was a member of the federal or provincial bureaucracy before the FATA and Khyber Pakhtunkhwa amalgamation. Additionally, the Political Agent exercised several other powers, including executive duties and tax collection responsibilities. As a result, the Political Agent had unchecked power, and when such power is in the hands of one person, it causes anarchy among the FATA population.

There was always a roar from the residents about the political culture immaturity in the region, because there was no political growth at the FATA level. The residents were in need of a system which the other districts have. Then the merger of FATA into Khyber Pakhtunkhwa occurs (On 27 May 2018). So the emergence of a political structure that eventually integrates tribal regions into the national mainstream. Over the course of 10 to 15 years, the current system must be transformed into the new system. It will work on developing an administrative system that can seamlessly replace the current one. Also, the process is started to establish a law enforcement agency that will allow the government to have authority over the area. We need to determine that the administrative failure in Kurram is the result of the political system failing or because it hasn't been given the freedom to function over time. In Kurram, the political leadership has played a mostly inactive role in finding a lasting solution to the situation. The history of sectarian

conflicts shows that political administrations get in when tensions have already risen. It is claimed that the political office failed to take proactive steps to reduce the likelihood of sectarian conflicts. A significant portion of the residents claimed that the political office has a history of failing to demonstrate its seriousness about reducing sectarian violence in Kurram. The crisis in Afghanistan always impacts the socio-political aspects of Kurram. The merged district is still unsecured because of the region is hilly, and the border with Afghanistan is porous.

2. Security Concerns

The security situation in the area is best described as an uneasy calm. Locals feel that a minor event anywhere can trigger an instant flare-up. Security agencies have taken control and set up pickets in specific locations. There are twenty-four pickets on Thall Parachinar Route, which are effective but increase the amount of time it takes to travel on the road. Both sects Shia Sunni have a distrustful attitude toward outsiders; hence it is advisable that they maintain a low profile. As a result, the field work of consultants was severely curtailed, and they had to operate within the constraints set by the security situation. The Turi-Bangash tribes, whose are the majority in Kurram, are keen to oppose any efforts to alter the region's demographics as a result are wary of selling property to prevent encroachment by outsiders. Historically the security situation in district Kurram is always ruined by the outsiders. After the merger, it is a big challenge for the government to address the main reasons of instability in region and developed an organized security system.

3. Youth migration in urban due to unemployment and Depeasantization in Kurram

The majority of Kurram population, according to the Kurram Gazetteer of 1908, was soldiers and farmers. With the exception of the height of farming, most families used family labor for agriculture. Following the entrance of Afghan refugees in Kurram refugee camps in the 1980s, these patterns were altered. Afghans started working as tenants, supplying labor at a low price. Many locals started moving to Gulf nations about the same time in response to the new markets generated by the oil boom. Each home employed at least one worker in the Gulf throughout the 1980s and 1990s.

“The War on Terror” was declared in 2001, and the Kurram war that followed had a negative impact on farming techniques. During the conflict, the land remained uncultivated, and a large number of individuals lost their lives, were hurt, or had to move. Farmers were unable to purchase fresh farming supplies or sell their produce on the open market. Many people were compelled to leave their villages as a result of the battle in pursuit of safety and more prosperous living conditions, especially the young.

Due to a severe labour shortage in Kurram during the battle, land cultivation suffered even more when many Afghan refugees were returned. On the one hand, Kurram was seeing a rapid exodus of young from the countryside. According to a 2013 FATA Secretariat study, Kurram, among the former FATA areas, had the greatest rate of migration, at 25% of the population. The youngsters that stayed behind, on the other hand, had less interest in farming and were unsuccessfully looking for jobs in their field of study. According to the same survey, Kurram’s unemployment rate was 7.8%¹¹⁴. Young people were enormously unemployed or underemployed and preferred to leave the nation as migrant laborers overseas despite the acute need for agricultural labor.

¹¹⁴ Sibth ul Hassan Turi, “The Youth are Fleeing the Farms: Aspiration and Conflict in Kurram, Pakistan”, *Jamhoor*, (February 17, 2020).

Unemployment is one of the big concerns in the district Kurram. The unemployment ratio in FATA as compared to other districts is higher due to the injustice and overlooking of government towards the people of FATA. Government only provided quota system for FATA in government jobs and other private sector jobs. Therefore, even after education, due to very few seats on quota, most of the people did not get job. After merging it with Khyber Pakhtunkhwa, the government is facing dilemma of adjusting these educated people first in the system and all other uneducated who fled away from the villages towards city for earning bread and butter for their families.

The lives of those who reside there are changing as a result of the ongoing instability in the Kurram. Although agriculture is the main source of income, adolescents in rural areas are becoming disinterested due to job instability, poor wages, a labor shortage, and desires for better living outside of the community.

The majority of the population in the rural Kurram Agency is engaged in farming. There are sectarian (Shia/Suni) cleavages as well as tribal divisions among the people of Kurram. The majority of the time, weaker tribes join forces with other tribes of the same faith to attack other tribes, which has led to an increase in sectarian fighting in these conflicts over resources.

Different agricultural practices, where some farmers are moving away and others are coming back; show that Kurram Agency is experiencing both re- and de-peasantization tendencies at the same time. It is therefore too early to predict if this will eventually result in de-peasantization.

Farmers' planting practices have changed as a result of the labor scarcity. Many people no longer farm rice. More farmers are raising animals or developing plum and apricot orchards.

4. Poverty Eradication

The World Social Summit identified poverty eradication as an ethical, social, political and economic imperative of mankind and called on governments to address the root causes of poverty, provide for basic needs for all and ensure that the poor have access to productive resources, including credit, education and training.

Poverty eradication must be mainstreamed into the national policies and actions in accordance with the internationally agreed development goals forming part of the broad United Nations Development Agenda, forged at UN conferences and summits in the economic, social and related fields.

Poverty entails more than the lack of income and productive resources to ensure sustainable livelihoods. Its manifestations include hunger and malnutrition, limited access to education and other basic services, social discrimination and exclusion as well as the lack of participation in decision-making. Various social groups bear disproportionate burden of poverty. In District Kurram the poverty level is not controlled by the government, as the policy makers did not give any attention for the infrastructure development or education of the common men. There is no communication system to the areas which are located in mountains or near border side.

Similarly, their education and basic life needs like drinking water, healthcare and other welfare facilities was not given any importance, so these people are facing much difficulties.

5. Kurram border disruption and local Economies

Disruption of economic activity and cross-border movement not only affects livelihoods but also affected certain types of conflict at the community level. During the 1980s, Kurram Agency served as a staging ground for Mujahideen participating in *jihad* against the Soviets in

Afghanistan. Consequently, Kurram experienced a massive influx of Sunni Afghans¹¹⁵. The Kurram area's demographic and religious balance was distorted at the time due to the large inflow of Afghan refugees. At that time, tensions between the Shia and Sunni groups were caused by the Afghan refugees being permitted to cross the border freely and by certain radicalized mujahideen, who disrupted not only local residents' social life but also their businesses¹¹⁶. Throughout the 1980s, the Mujahideen utilized Parachinar, the district capital in Kurram, as a distribution hub and a rehabilitation location¹¹⁷. Extremist movements throughout Kurram caused cultural crises and sectarian strife inside the agency between Shia and Sunni casts, shattering the tranquilly of the agency. Numerous individuals have lost their lives in Kurram as a consequence of the sectarian conflict, weapons and drug trafficking, and violence has also extended to other parts of Pakistan as a result of racial hatred¹¹⁸. Afghan border closed for several time which effected the Kurram economically. Despite the fact that al-Qaeda terrorists were apprehended in Kurram in 2001, there were no notable reports of violence there from 2002 to 2007¹¹⁹. In order to keep up the fight against coalition troops for control of southern Afghanistan, the main militant terrorist group, the Haqqani Network, has been looking more and more for new havens in Pakistan and new infiltration routes. Over the past several

¹¹⁵ Nasreen Ghufuran. "Afghan refugees in Pakistan current situation and future scenario." *Policy perspectives*, Vol. 3, No. 2 (December, 2006): 86.

¹¹⁶ Shahbaz Khan, et all, "Sunni Shia conflict in Kurram, Pakistan: genesis, factors and remedies." *Elementary Education Online* 20, no. 5 (2021): 7630.

¹¹⁷ Ibid: 7642.

¹¹⁸ Wasim Abbas, et all, "Traditional wild vegetables gathered by four religious groups in Kurram District, Khyber Pakhtunkhwa, North-West Pakistan." *Genetic Resources and Crop Evolution*. (2020): 1523.

¹¹⁹ Mariam Abou Zahab "Unholy Nexus: Talibanism and Sectarianism in Pakistan's Tribal Areas", *Sciences Po*, (July 2009):2-3. https://www.sciencespo.fr/ceri/sites/sciencespo.fr/ceri/files/art_Tmz.pdf.

years, Kurram Agency has drawn more of the Haqqani Network's attention as a potential haven for the Haqqani's and other terrorist groups¹²⁰. Although the Haqqani Network has been battling the Shia in Upper Kurram to open up access to Afghanistan since at least 2008, their engagement in Kurram peace negotiations was only publicly revealed in early 2009. Security and stability would suffer from the growth of the Haqqani Network and its linked terrorist organizations, not just in Kurram but also in eastern Afghanistan and other parts of Pakistan. They also engaged in the Shia-Sunni sectarian conflict in 2008¹²¹. Therefore, despite many terrorist assaults and sectarian tension, the Pakistani government had closed the Kurram four stations border (Kharlachi, Shaheedano Dund, Burki, and Terimengal) for trade, due to which economic crises erupts in Kurram. When it comes to its economic and trading links with Afghanistan, the tribal region's Kurram Agency is a strong hold because they are connecting to Afghan border through with their four stations, like Kharlachi, Shaheedano Dund, Burki, and Tari Mangal. But in 2008 the sectarian strife and due to terrorist attacks, all stations of Kurram had shut down. Now only Kharlachi station is open after the implementation of border management plan in 2014. in February 2021 the Abdul Karim Khan, the former chief minister for industry and commerce in KP, paid a visit to Kharlachi and spoke with local businesspeople. He stated that “We intend to open the Tari Mangal and Shaheedano Dund border crossings to trade. Because it would increase commerce and provide job possibilities”. The federal minister Sajid Hussain Turi said that the inauguration of the Shaheedano Dund border crossing at Lower Kurram has been debated in the

¹²⁰ Jeffery Dressler “Haqqani Network Influence in Kurram and its Implications for Afghanistan’s, *Combating Terrorism Center*, Volume 4, No 3. (March 2011):3.

¹²¹ Ibid:8.

NA committee and also discussed the issue of the operationalization of immigration checkpoints in Kharlachi because some terrorist attacks the security check post¹²².

The Taliban and their supporters reportedly crossed the Durand Line after the US invasion of Afghanistan and the overthrow of the Taliban regime in Afghanistan (October 2001), regrouped, and began conducting cross-border raids against the US and its NATO allies. The ensuing developments have almost brought tribal civilization to its end. As a result, the political establishment has become less powerful, the educational system has been destroyed, and the artistic institutions have been undermined. This formerly remote but otherwise tranquil location has evolved into the world's most dangerous region. So, the fencing of the Durand Line was suggested by Pakistani President General Pervez Musharraf on October 8th, 2001, allowing Pakistani authorities to effectively monitor the less-traveled routes into Pakistan¹²³. Residents of Pakistan's borderlands are seeking a change in their identification from Khyber Pakhtunkhwa provincial citizens to those of a "free" tribal territory. Formerly ignored inhabitants are coerced into a new contract (the rule of law framework and electoral system) with the province through the merging of the former FATA with the KP and the revocation of easement rights, which serve to dissolve community ties with Afghan populations in one breath¹²⁴. The lives of the poorest and most vulnerable populations in the borderland environment have significantly suffered as a consequence of visa restrictions, new border management, and the barrier put together. These measures restrict individual workers from crossing into Afghanistan to work in border

¹²² Muhammad Daud Khan, "Border Trade", *The news on Sunday*, (March 27, 2022).

¹²³ Sayed Wiqar Ali Shah, "Fencing of the Durand Line and its Impact." *Internationals Asienforum*, volume. 44, no. 1-2 (2013): 98.

¹²⁴ Imtiaz Ali, "Mainstreaming Pakistan's Federally Administered Tribal Areas". *United States Institutes of Peace*, (2018): 3-7.

marketplaces. Small business owners and shopkeepers in border markets are impacted negatively by this. Visa restrictions and border regularization both raise the cost of travel for nationals of both countries, rendering cross-border travel either exorbitant or unproductive.

6. Corruption

Corruption is one of the most destructive parasites of the society which not only overwhelmed the current generation but also the coming generation. One of the main problems in district Kurram since its cohesion with Pakistan is the corruption. The administrative system was more open and wider for the corrupt mafia, as the whole district administration was given to Political Agent, who was head of the whole agency at that time when FATA was not merged into Khyber Pakhtunkhwa.

A political agent, security personnel, or even command staff—all of whom were under the leadership of a Colonel of the Kurram Militia could not be held accountable for their actions under the laws and systems of the region. As a result, the mafia, which was involved in the corruption, was being connected by the corrupt system¹²⁵.

Moreover, the situation in district Kurram due to terrorism and sectarian conflicts and poverty, paves the way for corruption. On daily basis the tax was deducted on all security points at Kurram district without any documentation and government instructions. Similarly, materials were transported to Afghanistan without any permit and government guidance. From Afghan side weapon and other items like dry and fresh fruits were transferred only on the permission of

¹²⁵ Sayed Akhtar Ali. "Governance Challenges in Mainstreaming of Federally Administered Tribal Areas into Khyber Pakhtunkhwa", *FWU Journal of Social Science* 13, (2019): 11-12.

Political Agent and other security personnel. Similarly, there was no check and balance on government fund and other government schemes which give the rich ones an opportunity to hijack the rights of common men¹²⁶. There was no judiciary system in the area, as the cases of FATA were not to be heard at the courts of Pakistan. In Jirga system the rich ones was easily escaping by giving bribes to some maliks and political agent.

All this system ruined the economy and peace of the district. Therefore, when the merger of FATA with Khyber Pakhtunkhwa was announced, there was a wild celebration on the face of common resident, as he was fed up from the old system. There was a ray of hope in his mind that the provincial system will catch the corrupt mafia and his way and standards of life will be improved. As corruption was very common in the area, so now to the provincial government it is a huge task to control over it. The government should work on police system and the judicial system so that they can remove the corruption from the region¹²⁷.

Khyber Pakhtunkhwa government established a cell for the eradication of corruption from the subordinate judiciary of Khyber Pakhtunkhwa. This is good step in elimination of the evil of corruption from the society. This will help in combining against the corruption, which ruined every department of the human life.

7. Government Policy and sectarian strife

¹²⁶ Khan, Sarfraz. "Special status of tribal areas (FATA): an artificial imperial construct bleeding Asia." *Eurasia Border Review*, volume 1, no. 1 (2010): 67.

¹²⁷ Sadia Fayaz, Sumaira Gul, and Asia Khatoon Khattak. "Constitutional Status of FATA: Pre & Post Merger Comparison of legal and administrative system", *Global Legal Studies Review*, Volume 4, no 2, (2021): 6.

The region's demographic and religious balance was distorted in the 1980s when the vigor's implementation of a Sunni Islamization program was started by Zia enraged Pakistan's Shias, and the resulting Sunni-Shia hatred served as the foundation for the horrific sectarian battle in Kurram that followed¹²⁸. This struggle was fueled by the jihadi culture that was emerging at the time and Shia radicalized by the Iranian revolution under the leadership of Allama Arif Hussain al Hussaini¹²⁹. Afghan migrants brought a violent strain of Sunni theology to the region¹³⁰. The Zia Government allowed the jihadists full reign as a result of the 1979–88 Afghanistan War, which also increased the position of the Muslim clergy. All laws were to be applied in accordance with Hanafi law as part of the Islamization strategy. For instance, under Hanafi law, the *usher*, *zakat*, and *hudood* laws were introduced. The execution of these regulations differs under Jafri fiqh, which is why the Shia Sunni strife heated up¹³¹. However, the problem was subsequently overcome, and Shi'as was treated according to fiqh Jafri. Increased funding for Madaris construction came from both private and public sources. Since then, the madrasas have been the primary source of manpower for jihadist activity, and their numbers have significantly expanded. In the process, illiterate Muslim populations have had their rights systematically violated in the name of a religious paradise. Particularly Zia ul-Haqq's Islamization effort, eventually gave rise to the Islamic extremism that now forms the basis of terrorism in Pakistani

¹²⁸ Jeffrey Dressler and Reza Jan, "The Haqqani network in Kurram, The Regional Implications of a Growing Insurgency". *JSTOR security studies collection*, (2011):3.

¹²⁹ The creator of the Shia Islamist Movement Tehrik-e-Jafaria in Pakistan, Syed Arif Hussain Al Hussaini (November 25, 1946 – August 5, 1988) was a Shia Muslim religious figurehead.

¹³⁰ Jeffrey Dressler and Reza Jan, "The Haqqani network in Kurram, The Regional Implications of a Growing Insurgency". *JSTOR security studies collection*, (2011).

¹³¹ Jamal Shah "Zia-Ul-Haq and the Proliferation of Religion in Pakistan" *International Journal of Business and Social Science* 3e no. 21 (2012): 4. http://www.ibbssnet.com/botrnals/Vol_T3_TNo_T21_TNovember_T2012/33.

and poses a variety of threats to the nation's stability. Internal unrest in Kurram was caused by terrorism and religious extremism. Even when these forces were supporting some of the government's strategic goals, the Pakistani government occasionally gave the impression that it was unable to control the militant Islamist groups. The first major incident happened in 1986 when the Turis blocked Sunni mujahidin from entering Afghanistan. Since the 1980s, hundreds of tribesmen have perished in sectarian violence.¹³².

The administration of Mian Muhammad Nawaz Sharif passed the Anti-Terrorism Act in 1997 in reaction to the rising sectarian violence in Pakistan. At the time, it was highly criticized for breaking both the constitution's provisions and international humanitarian law due to the excessive amount of authority it provided the government¹³³. In 2001 during the Musharraf era, army operations were started to counter terrorism. Al Qaeda and the Afghan Taliban did not get sanctuary among the Shi'a when they fled Tora Bora. In November 2007, a fresh round of violence began. Taliban from Waziristan, who were operating under Hakeemullah Mehsud's¹³⁴ direction in the Orakzai Agency, joined the local Sunnis. Although the army utilized helicopter gunships to take control of Parachinar, the conflict persisted in the countryside. The fighting worsened over the summer of 2008, and the federal authorities did little to halt it, claiming a foreign power for inciting the conflict between the tribes¹³⁵. When it comes to finding a long-term solution to the sectarian conflict in Kurram, the government plays a passive role. Peace

¹³²“From Kurram-with no love”, *The News*, (March 12, 2009).

¹³³ Aarish Ullah Khan. *The Terrorist Threat and the Policy Response in Pakistan*. (Stockholm: International Peace Research Institute, 2005), 12.

¹³⁴ A Pakistani militant who served as the second emir of Tehrik-i-Taliban Pakistan, Hakimullah Mehsud, also known as Zulfiqar Mehsud, was born Jamshed Mehsud.

¹³⁵ “Over 100 killed in fighting in Kurram” *Dawn news*, (December 16, 2008).

accords are created when it intervenes and offers a momentary reprieve, but they are not permanent. Every time, the army steps in and imposes a curfew, yet nothing lasting is changed. Taliban insurgents in Orakzai barred the Kurram-Darra Adam Khel route to Shia traffic, thereby cutting the only alternate conduit out of upper Kurram other than the Thall-Parachinar Road. To escape the fighting, many families began migrating over the border to the Afghan regions of Khost and Paktia. For the first time in years, refugees poured into Afghanistan from Pakistan. Nearly 900 families (over 6,000 individuals) fled to Afghanistan to escape the violence¹³⁶. The route was blocked for four years due to terrorist attacks on Kurram civilians. The road's prolonged closure has resulted in severe food and medication shortages, as well as substantial inflation in the price of wheat flour, a local staple crop. To alleviate this load, an arrangement was reached with a local aviation operator to conduct a number of weekly flights from Parachinar to Peshawar, but the flights were restricted, the aircraft capacity was poor, and the tickets were too costly for most locals. Following the US drone strike, the Haqqani Network and allied terrorist groups including as *Lashkar-e-Jhangvi* started suicide bomb blasts assaults in Kurram, threatening regional stability. Whatever Haqqani's participation, a peace jirga of 210 people in Islamabad, presided by by the former federal minister Waris Khan Afridi, completed a procedure that had been started more than two years earlier and approved the peace deal on February 3, 2011. The TTP in Kurram also support it. Following two explosions in Parachinar on June 23, 2017, the Turi and Bangash tribes launched an eight-day sit-in protest. This occurred in the aftermath of the heinous sectarian terror assault in Parachinar¹³⁷. The protest *Sada-e-Mazlomeen* Dharna was the name given to this protest. The family and residents of Parachinar

¹³⁶ Amir Shah, "Hundreds of Pakistani families flee sectarian violence", *The Namibian*, (January 4, 2008).

¹³⁷ Mehdi Hussain, "Eight-day sit-in: Army chief helps end Parachinar protest", *Express Tribune*, (June 30, 2017).

have requested that the Chief of Army Staff, Interior Minister Chaudhry Nisar, and other high-ranking officials visit the region. Following the latest in a series of violent attacks, the protestors had been conducting a peaceful march. Civil activists Jibran Nasir, Talha Rehman, Mahim Maher, Meena Gabeena, JDC Secretary General Syed Zafar Abbas, and Saad Edhi (Grandson of Edhi), as well as members of the Christian community, came to Parachinar to show sympathy with the victims' families and to participate in the dharna¹³⁸. On June 30, 2017, COAS General Qamar Javed Bajwa also visited Parachinar, Kurram Agency. He had a briefing regarding the local security situation at that time. The commander of the Army also met with tribal leaders and the relatives of those killed in the explosions in Parachinar. Kurram's situation was brought under control to some extent after a successful dharna¹³⁹. But even a small incident can trigger sectarian conflicts.

8. Failure of the governance and state

Kurram Agency's ethnic divisions are a direct result of Pakistan's involvement in Afghanistan during the 1980s and 1990s. The Shia Turis felt actual and perceived threats during the 1980s, which led to sectarian violence in Kurram. Zia ul-Haq, the then-general-president of Pakistan, did not handle all the groups and leaders equally when he used Afghan groups against the Soviet

¹³⁸ Mahim Maher, "How Parachinar got Pakistan to listen", *Friday Times*, (July 7, 2017).

¹³⁹ Mahim Maher, "Stationers: don't look now, its Parachinar", *Dawn News*, (1 July, 2017).

military in Afghanistan. The Hezb-e-Islami of Gulbuddin Hekmatyar¹⁴⁰ got the most funding and weapons¹⁴¹. The sectarian strife grew as a result of arming the different Afghan groups.

In order to preserve tribal traditions and practices, it permitted the authority of its writ to diminish. It even used those same traditions and conventions to advance its greater geopolitical objectives in Afghanistan. The Pakistani state has been unable to recognize how drastically things have changed over the past ten years. A portion of the FATA is heavily affected by the Taliban-al Qaeda brand of Islam, especially among the youth generation, and prefers to uphold its Islamic ideals above the long-standing secular tribal traditions of the Pashtuns, known as Pashtunwali¹⁴². Another segment of the youth demographic that has been exposed to contemporary education and democratic principles favors the extension of state power into tribal areas. The absence of effective administration also gave other groups a platform to voice regional concerns. While this term has taken on a religious connotation in other FATA regions, it has also developed a sectarian connotation in Orakzai and Kurram¹⁴³. The State can only combat the effect of these sectarian organizations by strengthening the governance structure inside these areas. After FATA and Khyber Pakhtunkhwa merged, it is time to go forward with Kurram's political enfranchisement as the sole way to satisfy Sunni and Shia political aspirations in the agency and lessen the appeal of the Taliban, al Qaeda, and sectarian groups.

¹⁴⁰ Gulbuddin Hekmatyar is a former mujahideen commander, politician, and drug trafficker from Afghanistan. Hezb-e-Islami Gulbuddin is his political organization, and he is both its founder and current leader.

¹⁴¹ Suba Chandran, *Sectarian Violence in Pakistan*. Institute of Peace and Conflict Studies.,(2003).

¹⁴² Aarish Ullah Khan, *The terrorist threat and the policy response in Pakistan*. (Stockholm: Stockholm International Peace Research Institute, 2005):5.

¹⁴³ Mariam Abou Zahab, "The regional dimension of sectarian conflicts in Pakistan." *Pakistan: Nationalism without a nation* (2002): 117.

9. Gender Inequality

Women are respected and honored in Pashtun society, although they are denied some of the basic rights and legal position granted to them by Islam. Men have dominancy in their rights and respects as compare to women. Even males admit in their personal lives that "the lot of women is wretched, they are powerless," or "*khazay ajaiz qam day, be wasa de*". She has been denied a number of daily necessities that are also permitted by Islam, like as the right to divorce their spouses and the right to have their permission sought before marriage. They are also not allowed to file for divorce settlement. The Pashto adage "*khazza ya de kor da, ya de gor da*", states that a women is either for house or for grave. It claims that women have significant limitations and problems in their lives. The tribal belt has consistently denied women the chance to speak up against gender inequality, abuse, and social, cultural, and economic isolation. The area was dominated by customary justice, or *Rewaj*, which gave a male tribal elite dominance. *Rewaj* had a greater impact on women's life than the jihadist movement's subsequent ascent. A woman might be forcibly "claimed" as a wife by a man, a practice known as *ghag*¹⁴⁴, as well as forced weddings, including *swara* (giving away women, to settle disputes). The Frontier Crimes Regulation not only failed to safeguard women from the worst *Rewaj* assaults, but it also treated them unfairly. The male jirgas leaders, known as maliks, were heirs to a hereditary patriarchal lineage and held their position in esteem. Jirgas supported mistreatment of women, including as *swara*, abuses, and so-called honor killings. Tribal customs that place a high value on purdah and honor, discourage the exposure to and movement of women and girls away from their homes and communities. In Federally Administered Tribal Areas along the Pakistan-Afghanistan border,

¹⁴⁴ *Ghag* (claimed) is Pashto word. A guy was essentially stating, "She is mine, and any other man who attempts to claim her will be my adversary," when he used *ghag*.

where terrorists have attacked girl schools in recent years, local socio-cultural barriers and security issues also stand in the way of female education. Lower Kurram's villages, such as Bagan, Manduri, Chapri, Uchat, Doll Ragha, Lanha, Poloseen, Pastawana, Chinarak, and Manatoo, for girls, there is no high school. Females are therefore unable to attend schools outside of their villages due to a lack of secure transportation alternatives and security measures.

Due to sectarian violence, militancy, and military operations, many of households were forced to leave the Kurram area over multiple rounds of war. Peshawar, Kohat, and other safer districts were where they held most of their events. People moved during the displacement to urban and primarily rural parts of settled districts. As the same Pashtunwali customs were observed there, such as keeping purdah and having limited mobility, the impact on those who lived in rural areas outside the camps was not very substantial. No chances existed for women to change their roles or to develop new talents. The government and non-governmental organizations provided housing, food, health care, and educational resources to those impoverished individuals who relocated to camps set up in rural regions. Women also didn't go through a significant transformation in their life. In the camp, the males continued to worry about the safety, privacy, and purdah of the women. Women continued to rely nearly exclusively on males in this circumstance.

Women have been denied access to education, quality healthcare, and economic participation due to their restricted exposure and mobility outside of their families and communities. Many females have been denied access to higher education due to the lack of high schools in the region and financial limitations that prevent parents from sending their daughters to far-off places.

Women are not allowed to walk to school even if they must go long distances to gather water and firewood. Their movement is controlled and monitored.

Women are viewed as inanimate objects in the former district Kurram, with no right to express their own thoughts or live as freely as they like. Women often have to endure excruciating suffering at the expense of their lives because they lack access to healthcare and basic education. Local state officials find it challenging to enter the region because of its volatile character and long-standing militarization. Conditions remain the same even after its merger with Khyber Pakhtunkhwa. Although discrimination against women is pervasive across Pakistan, the situation is significantly worse in FATA than anywhere else. In this area, where social and cultural taboos are prevalent, women are enslaved, tied by familial customs, and forced to carry out generational curses.

10. Psychological impacts of Traumatic Events and Terrorism

Kurram is one of the most sensitive tribal regions since it borders three provinces in Afghanistan and was formerly a major crossing site for militants. In the recent years, it has been the scene of several assaults and kidnappings for ransom. In Kurram the effects of terrorism are felt across many facets of health and medical treatment, including acute and long-term symptoms of anxiety and depression, changes in health-related behaviors, and long-term stress and tension. By using violent actions, bomb assaults, or suicide bomb blasts, terrorist attacks aim to frighten people, impede social interaction, and generally damage the well-being of societies. The persistent sectarian conflict, water and land conflicts, suicide bombings, and target killings caused intense concern throughout the region. After the attacks, many people experienced varied degrees of anxiety related to their geographical closeness to the events, socioeconomic standing, sense of

impending dangers, and subsequent economic developments. In Kurram, every other family has experienced the loss of a son, brother, or father due to terrorism. Unfortunately, I am also the one who lost her father in these terrorist attacks. On May 6, 2015, during a football match in my village Alizai, in the district of lower Kurram, two suicide attackers first started firing on security personnel who were on duty there. During their cross-firing, they were rushing towards the ground. In the meantime, a sudden blast occurred, due to which my father was victimized by the blast. My father was martyred in that blast, along with one other villager. (see Appendix for raw data). It really wreaked havoc on my family, especially on my mother and my brothers and sister. This incident completely changed our lives, as our father was the only earner in my family and all of my brothers were studying at different institutes. It really hurts us financially as well as mentally, because no one can take the place of a father's loss.

Militancy has harmed the basic foundation of modern civilization and impairs people's senses and mental abilities. The terrorist assaults have had the greatest impact on Kurram. Both militancy and sectarian bloodshed have increased in Parachinar the central city of Kurram in recent years. In Upper Kurram Parachinar, a city devastated by terrorism, Prof. Asma Humayun of Meditrina Health Care Team (MHCT), who oversaw a three-day course on mental healthcare and psycho-social support training, claimed that locals were under extreme mental stress as a result of the recent spate of terrorist incidents¹⁴⁵.

11. Land disputes

¹⁴⁵ "60pc people of Parachinar suffer from post-Traumatic-stress disorder" *Dawn News*, (July 30, 2017).

One of the contentious issues that the tribal districts carried over was land disputes, but since the merger, it has been continually escalating into violence as a result of the government's inaction. These conflicts might be generally divided into three categories: 1) conflicts between people, 2) conflicts between tribes, and 3) conflicts between the government and the local population. In the meanwhile, the violence is brought on by the government's lack of interest in creating a land registry, which also hinders the advancement of tribal society.

The establishment of a Geographic Information System (GIS)-based online land records that are public and easily accessible to everyone was one of the proposals the FATA Reform Committee made, keeping in mind the necessity for the land records. Except for a pilot project that was successfully completed in the villages of Alamsher and Dingela of the Kurram district and the land record being made available online, the process of land record has not been initiated in the merged districts since the formal merger of FATA into Khyber Pakhtunkhwa (since May 2018)¹⁴⁶. A plan for land distribution in 2020 was developed by the Khyber Pakhtunkhwa revenue department (and is published on their official website), but no concrete measures have been taken as of yet. Locals orally (informally) acknowledge that land belongs to them, even if there is no obvious official record of this. Nevertheless, disputes over property claims continue to arise, resulting in fatalities (Sherjan and Sago villages in Kurram clashes over *shamilat*/ shared property). Local participation and engagement may help to resolve problems of many different natures amicably, but this requires the government's commitment. Due to the lack of a revenue department and property records, the courts (created after the merger) are unable to defend

¹⁴⁶ Khan Zeb, "Prospects of resolving land issues in KP's merged districts", *Pakistan Today*, (November 15, 2021).

individual land ownership rights. The court demands documentary proof, which the individuals lack, thus the land conflicts cannot be taken before the courts.

Between Sunni and Shi'a tribes, there have long been territorial conflicts over forests, land, and water supplies. Since the 1930s, there have also been intermittent occurrences of intergroup violence. However, the area's demographic and religious balance was distorted as a result of the significant inflow of Afghan refugees in the 1980s. In a territory with a long history of sectarian bloodshed, land disputes in the Kurram tribal district pose a threat to peace and unity as they threaten to take on sectarian proportions. Whereas in the instance of Kurram, sect as a broader identity do offer a common platform, in reality the conflict in Kurram is agrarian in nature.

Rockets and other powerful weaponry were employed by the opposing tribes (Mengal, Turi and Bangash) in Upper Kurram to assault one another's positions¹⁴⁷. The people of Kurram claimed that, the local Jirga system, which in the past was quite efficient at resolving such issues, is now entirely dysfunctional as a result of the merger. Although the former Levi force has been incorporated into the police, it is still ineffective. In the past, both the district administration and the notorious Frontier Crimes Regulations (FCR) with its collective responsibility provision were quite efficient in keeping people under control. Not just in Kurram are things out of hand. In all tribal regions, killings are occurring because of land disputes. They have experienced terrorism both in the past and current land conflicts as victims¹⁴⁸. Every community, tribe, and even every household has land conflicts, and some of them have escalated into violent conflict, though the precise number of people killed over property disputes is unclear. In the amalgamated districts,

¹⁴⁷ "Six injured as Kurram groups clash over land disputes", *Dawn News*, (October 12, 2022).

¹⁴⁸ Mehdi Hassan, "8 killed over Kurram land disputes" *Express Tribune*, (August 27, 2021).

which have been violent for decades, land reform will lessen the instances of violence. Given that the government did not step in to mediate and end the violence, its involvement in such conflicts is called into question.

Conflicts in Kurram

Shia and Sunni sect battles have a history of causing hundreds of casualties on both sides in Kurram Agency due to sectarian animosity. The *Tehrik-e Taliban* had a foothold in Pakistan until the Pakistani Army decided to launch a military campaign to expel the terrorists there in 2008. In December 2009, Pakistani military forces expanded Operation Rahe Nijat to Kurram Agency. In recent years, Taliban activity has been particularly intense in the Kurram Valley, which has once again taken a crucial position. The military's most recent operation against Taliban terrorists in Kurram agency was dubbed Operation Kohe Sufaid (White Mountain) which started in July 2011. The main goal of the operation, which targeted terrorists in central and lower Kurram, was to secure and reopen the Thall-Parachinar Road, a crucial highway through Kurram that had frequently been attacked by militants. The Shia community of Parachinar has been effectively under siege for years due to the terrorists' blockade of the Thall-Parachinar Road. In the first half of 2012, sectarian violence exacerbated the already tense security situation in Kurram Agency. The operation was successfully finished in August of 2012, and the main goals were achieved. While military operations continued in Central Kurram's Masozai Area, the Upper and Lower Kurram were de-notified as combat zones. All traffic was restored on the Thall-Parachinar route, and people of Parachinar were no longer had to travel via Afghanistan.

Sectarian violence has harmed Kurram Agency's security situation, which remained tense in the first two quarters of 2012. Throughout 17 incidents, 133 casualties were reported. There were 80 fatalities and 55 injuries overall. It is argued that sectarian conflict provided the overseas militant groups a foothold in Kurram Agency. The majority of the local population supported the militants who arrived from other tribal areas and across the border from Afghanistan, which opened the door for the creation of regional militant groups by leveraging the local animosity between the Sunni and Shia faiths.

Causes of Conflict

The traditional system, which includes conventional institutions like *Jirga*, *Hujra*, etc., has been abused by miscreants who have received support from external militant organizations. On the other side, the Maliks, who once served on the Jirga court, have endured several threats, which have forced them to flee their residence. The political administration in Kurram's lack of seriousness is another factor that contributes to this militancy. Preventive measures can usually halt any unfair incidence, however in Kurram, unfavorable events scare people's life since political administration and security forces don't take them seriously.

Unemployment and a lack of education are two major factors that lead young people to join the militant, where they can obtain things, they cannot in ordinary life. Not just young people, but also the poor and disenfranchised sectors of society, join militancy in order to gain notoriety and preserve their identity. Most militant commanders have a criminal history. Youth in Kurram remained illiterate due to their dire socioeconomic circumstances, which led to their enlisting in militancy. After enlisting, they blindly obey their Amir (commander). Some less prominent members of society join the militant where they can rise in status and influence. Unfortunately,

corrupt *Maliks* are also in charge of the Jirga system, and they administer so-called justice in accordance with their own whims and desires. A leadership and authority gap developed in the traditional tribal structure as a result of the majority of the elders, particularly those with vision, being removed off militants' paths. This further prepared the way for the leadership of low-profile and criminal individuals in the society. The government ignored the Kurram Agency in providing educational and employment opportunities to locals. Under these circumstances, people preferred to leave the region in search of educational institutions and employment opportunities in densely settled districts of Pakistan. The *Mullah* and *Maliks*, who put obstacles in the path of obtaining education, are one of the reasons for the low literacy rate in the majority of Kurram districts. These *Maliks* and *Mullahs* frequently directly threaten the teachers. Similar to this, it is impossible to overlook the geopolitical situation in which the world's superpower US declared war on terrorist groups and on nations that were allegedly harboring these terrorists. For the sake of maintaining peace in Kurram, this conflict became fatal. The peace in Kurram was once destroyed in the 1980s when Pakistan and other supportive nations sought to prevent the USSR from moving toward "warm water." The two rival sects (Shia and Sunni) are prevented from reconciling by a powerful force. Kurram's residents have designated the force as a "third force." Outside militant organizations, including several foreign nations, have supported the army. Even the locals can see that our security forces and political leadership are assisting the third force¹⁴⁹.

The ongoing crisis, Pakistanis generally agree that subordinating FATA to the judicial and political systems of the rest of Pakistan is the only long-term fix for the region's issues. In an

¹⁴⁹ Farmanullah et al, "Sunni Shia conflict in Kurram, Pakistan: genesis, factors and remedies", *Bibliomed*, volume 20, no.5.

effort to implement political, economic, legal, and administrative changes and bring the tribal territories into line with the rest of the nation, the federal government recently combined FATA into the KP province. The merger itself is a brave move that should be admired. In the next chapter, it discusses the merger in more detail, as well as the causes and challenges facing it.

CHAPTER 4

FATA merger with Khyber Pakhtunkhwa and its impacts on District Kurram

FATA (Federally Administrated Tribal Area) was a semi-autonomous region in northwestern Pakistan. Consisting of seven tribal agencies and six border regions, it was governed directly by the federal government of Pakistan through a special set of laws called the Frontier Crimes Regulations (FCR). Since 2001, when hundreds of militants, including fighters for al-Qaeda, fled to the Federally Administered Tribal Areas (FATA) from the crumbling Taliban government in Afghanistan, the area has been a flashpoint. FATA quickly developed into a haven for all varieties of militants, including both local Pakistani militants and those from outside Pakistan, mainly Afghans, Arabs, Uzbeks, Chechens, and Uighurs. For Pakistan's peace and security, regional stability, and the interests of both East and West globally, defusing this hotbed of uncontrolled terrorism is crucial. Pakistani military officials assert that the militancy in the tribal area has been defeated following military operations in North and South Waziristan agencies in 2014 that resulted in the repatriation of a sizable percentage of the conflict-displaced population. Early in 2017, former prime minister Nawaz Sharif authorized a comprehensive reform agenda for mainstreaming FATA. The proposal includes a number of constitutional, legal, political, and socioeconomic changes and calls for the incorporation of FATA into the neighboring Khyber Pakhtunkhwa (KP) province. Former Prime Minister Shahid Khaqan Abbasi, who will succeed

Nawaz Sharif, has also pledged to reform the FATA governance structure and put the area on par with the rest of Pakistan¹⁵⁰.

Federally Administrated Tribal Area was existed since the day first of Pakistan independence, and was merged into the merged districts of Khyber Pakhtunkhwa in 2018. In order to bring the region under the constitution of Pakistan and demolish the Frontier Crime Regulations (FCR) which was called “black law” by containing extremely harsh, inhuman and discriminatory provisions, the government of Pakistan decided to put forward bill in the Parliament, senate and Khyber Pakhtunkhwa Provincial Assembly according¹⁵¹. However, on 24 May, 2018 the bill was first passed from National Assembly. On very next day that is 25th of May, the bill was passed from Senate and later on, from Khyber Pakhtunkhwa provincial Assembly on 27th May, 2018. The 25th Amendment received approval from President Mamnoon Hussain on May 31, 2018. Thereafter Federal Administrated Tribal Area (FATA) was officially merged with Khyber Pakhtunkhwa¹⁵². The new political strategy that has achieved the merger of the federally administered tribal area with Khyber Pakhtunkhwa is a great step that would steer the great social change and political development in Kurram in the right direction. By merging into Khyber Pakhtunkhwa, the local peoples would be given the identical status enjoyed by the peoples of the other established and developed districts of Khyber Pakhtunkhwa. Kurram Agency is one of the seven agencies which

¹⁵⁰ Imtiaz Ali, "Mainstreaming Pakistan's federally administered tribal areas." *Special Report United States Institute of Peace*, (2018):3.

¹⁵¹ Yousaf Farooq. *Pakistan, Regional Security and Conflict Resolution: The Pashtun 'Tribal' Areas*. (London: Routledge, 2020), 7.

¹⁵² Sayed Akhtar Ali. "Governance Challenges in Mainstreaming of Federally Administered Tribal Areas into Khyber Pakhtunkhwa", *FWU Journal of Social Science* 13, (2019): 11-12.
http://sbbwu.edu.pk/journal/FWU_Journal_Summer%202013_Summer%202019_Vol_13_No_1/12.%20Governance%20Challenges%20in%20%20%20Mainstreaming%20of%20Federally%20Administered%20Tribal.pdf

was part of erstwhile FATA. All six-frontier region and seven agencies were confronted with the exploitation of rights from the beginning. The Government of Pakistan has been unable to provide the FATA with an adequate legal and administrative system and to address many of the tribal areas' problems. Therefore, all the frontier and agencies regions including District Kurram, remain backward and offered a field for terrorism due to the political vacuum¹⁵³.

1. Reasons Behind the Merger of FATA with Khyber Pakhtunkhwa:

Before discuss the merger of FATA with Khyber Pakhtunkhwa and its impact on Kurram, it is necessary to discuss about the reasons behind its merger with Khyber Pakhtunkhwa.

1.1. Undoing Century-Old Laws

It's vital to understand the history of the Federal Administrated Tribal Area (FATA) in order to comprehend why it is such a huge problem for the mainstream. The British-enacted Frontier Crimes Regulations (FCR), which Pakistan eventually adopted after gaining independence, were used to regulate the FATA for many years. The FCR enforced unfair conditions that prevented the right to legal counsel and appeal, such as the incarceration of a whole tribe for a single offence¹⁵⁴.

¹⁵³ Jeffrey Dressler. *The Haqqani network in Kurram, The Regional Implications of a Growing Insurgency*. (Washington, Institute for the Study of War, 2011).9.

¹⁵⁴ Altaf Ullah and Syed Umar Hayat, "The Merger of FATA with Khyber Pakhtunkhwa: An Historical Analysis." *Journal of Political Studies*, volume 25, no.14, (2018): 7. http://pu.edu.pk/images/journal/pols/pdf-files/4_25_2_18.pdf

Pakistan may have kept these laws to win the loyalty of tribal elders (*maliks*) and local bureaucrats (*Political agents*) in exchange for giving them power through the Frontier Crime Regulations¹⁵⁵. The crisis and fallout from the wars in Afghanistan brought FATA under international scrutiny, the US President Barack Obama calling it “the most dangerous place on earth”. The increase in terrorist attacks in Pakistan led to FATA reform becoming a priority under the National (Anti-Terrorism) Plan¹⁵⁶. In the same year, the military began Operation *Zarb-e-Azb* to drive out terrorists and militants from Kurram and other tribal regions¹⁵⁷. In 2015, the government established the FATA Reforms Exploratory Committee, which made the five-year merger of FATA and Khyber Pakhtunkhwa its main recommendation¹⁵⁸.

1.2. Political and Constitutional implications and Threats

It has been noted that decades of conflict in the FATA region have significantly undermined the social fabric of its community. Radicalism arose as a result of the general discontent and disenchantment that followed. A stronger and more effective political administration system for FATA was required, according to the opinions of all social groups, including political parties, who were emerging in response to the unrest¹⁵⁹. The majority of political parties concur that the

¹⁵⁵ Kirti M. Shah, “Too Little, Too Late: The Mainstreaming of Pakistan’s Tribal Regions”, *Observer Research Foundation*, (2018):4-6. https://www.orfonline.org/wp-content/uploads/2018/06/ORF_Occasional_Paper_157_FATA.pdf

¹⁵⁶ Shuja Nawaz, “Fata - a Most Dangerous Place Meeting the Challenge of Militancy and Terror in the Federally Administered Tribal Areas of Pakistan”, *University of Michigan, CSIS Press*, (28 July, 2009), 7-9.

¹⁵⁷ Zahid Ali Khan, “Military operations in FATA and PATA: implications for Pakistan”, *Institute of Strategic Studies Islamabad*, 131. https://www.issi.org.pk/wp-content/uploads/2014/06/133999992_58398784.pdf

¹⁵⁸ Imtiaz Ali, “Mainstreaming Pakistan’s Federally Administered Tribal Areas”. *UNITED STATES INSTITUTE OF PEACE*, (2018): 9-13. <https://www.usip.org/sites/default/files/2018-03/sr-421-mainstreaming-pakistan-federally-administered-tribal-areas.pdf>.

¹⁵⁹Ibid., 10.

repressive FCR must be eliminated, FATA must be included in the mainstream of cultural and financial development, and FATA residents must have access to the same judicial, operational, and educational resources as individuals in the rest of Pakistan.

1.3. Lack of public accountability

The Political Agent has become a corrupt puppet in the hands of the government due to a lack of public accountability, which has caused all trust in governmental systems to evaporate¹⁶⁰. One of the most lucrative positions in the civil bureaucracy were the Political Agent's office which offers plenty of chances for financial advancement. Tribal Area residents were not entitled to legal counsel, and no court in the nation will allow them to challenge their punishment¹⁶¹. The PA is authorized by section 40 of the FCR to place tribesmen in jail in advance if they think doing so will stop a murder or act of sedition. It also enables the PA to collectively punish an entire tribe by imprisoning them or taking their property if they have cause to suspect that members (one or many) are acting in a hostile or unfriendly way¹⁶².

FATA is listed as one of Pakistan's areas in the Constitution. Despite being represented in the National Assembly and the Senate, it continues to be run directly by the President (according to articles 51, 59 and 247). As the President's representative, the Governor of Khyber Pakhtunkhwa continues to run the tribal area. Although FATA now holds 12 seats in the National Assembly, this

¹⁶⁰ Ibid., 5.

¹⁶¹ Zahid Shahab Ahmed, "The special status of the federally administered tribal areas of Pakistan", *Research Gate*, (2014): 7-9. https://www.researchgate.net/publication/320977502_The_special_status_of_the_federally_administered_tribal_areas_of_Pakistan

¹⁶² Kirti M. Shah, "Too Little, Too Late: The Mainstreaming of Pakistan's Tribal Regions", *Observer Research Foundation*, (2018):6-7. https://www.orfonline.org/wp-content/uploads/2018/06/ORF_Occasional_Paper_157_FATA.pdf

is unimportant because FATA does not fall under the normal purview of the federal legislature's ability to pass laws. This implies that until the president issues an executive order, the laws created by the National Assembly do not apply in FATA¹⁶³. The Federally Administrated Tribal Area must be restructured, and this requires the development and execution of clear, doable transition plans. It's possible that a merger with Khyber Pakhtunkhwa would provide tribal region residents additional civil and legal rights as well as better political representation. Granting the FATA people the right to vote, administrative and legal status, and the establishment of suitable courts, police stations, and development authorities is necessary in order to improve the infrastructure and make FATA, including Kurram, a functional, active region in the process of national development. One solution was the combination of Khyber Pakhtunkhwa and FATA. By improving FATA's legal, constitutional, and administrative status, this would ensure its prosperity. The merger of FATA into Khyber Pakhtunkhwa was one potential option. By enhancing the region's legal, constitutional, and administrative status, this will ensure its growth.

1.4. Causes of failure of administrative system in FATA

After independence, Article 247 of the Pakistani Constitution was used to impose the Frontier Crimes Regulation (FCR) on the tribes¹⁶⁴. The Khyber Pakhtunkhwa governor nominated a Political Agent under the FCR, a senior bureaucrat who had previously been the agency's chief commissioner or administrator and acted as a liaison between the populace and the president¹⁶⁵.

¹⁶³ Ibid., 9.

¹⁶⁴ Altaf Ullah and Sayed Umar Hayat, "The Merger of FATA with Khyber Pakhtunkhwa: An Historical Analysis", *Journal of Political Studies* 25, no. 2(2018): 40. https://www.academia.edu/40590748/The_Merger_of_FATA_with_Khyber_Pakhtunkhwa_An_Historical_Analysis.

¹⁶⁵ Ibid., 46.

The Political Agent, who administers the functioning of the organization, is assisted by local Khassadars/levies (police), Tehsildars, Naib Tehsildars, and elders from the community (Maliks). The most powerful individual in the organization, known as the Political Agent, governed all line departments and had a hand in every aspects of locals' daily life¹⁶⁶. In addition to serving as the head of the political administration, the political agent was in charge of tax collection, oversaw all development efforts, presided over civil and criminal cases, directed planning and coordination efforts, and served as the district returning officer (DRO)¹⁶⁷. The most crucial duties of the Political Agent were to keep crime rates low and stable the peace of agency¹⁶⁸. The Political Agent also received assistance from paid local elders (Maliks) in addition to his subordinate civilian officers¹⁶⁹. *Maliks'* status was up to the Political Agent's whim; he may be fired at any time and without cause. The Political Agent had the authority to bring cases on his own in the event of any disagreement or threat to the peace in his region. Additionally, he may (if he so desired and felt it would be in the best interests of the tribe) convene the *Jirga*, an indigenous organization for resolving disputes. When the *Jirga* decided to punish the defendants, he presided over the trial. Additionally, the Political Agent had the authority to overturn the *Jirga's* decision, send the matter or disagreement back to the *Jirga*, or transfer it to another *Jirga*¹⁷⁰.

When a crime was committed in his controlled area, the Political Agents had the power to punish the entire clan. These penalties ranged from fines to arrests to the confiscation of both tangible and

¹⁶⁶ Ibid., 23.

¹⁶⁷ Noor ul Haq, et al., *Federally Administered Tribal Areas of Pakistan*. (Islamabad: Policy Research Institute, 2005), 14.

¹⁶⁸ Mahsud et al., "Frontier Crimes Regulations (FCR), Status of Fundamental Human Rights in FATA and Pakistan's International Obligations", volume 1, no.2 (October 2016):16. [http://dx.doi.org/10.31703/gssr.2016\(I-II\).06](http://dx.doi.org/10.31703/gssr.2016(I-II).06).

¹⁶⁹ Asghar Khan, "FATA as an Ungoverned Territory: A Study into Governance, Security and Terrorism". *Central Asia Journal*, no. 80. (2017). <http://journals.uop.edu.pk/papers/04%20Asghar%20Khan.pdf>

¹⁷⁰ Farooq Yousaf and Syed Furrukhzad. "Pashtun *Jirga* and prospects of peace and conflict resolution in Pakistan's 'tribal' frontier." *Third World Quarterly*, volume 41, no.7, (2020): 17-19. <https://doi.org/10.1080/01436597.2020.1760088>

intangible property to denying them entrance to Pakistan's populated regions¹⁷¹. Members of tribes who failed to deliver offenders to the Political Agent's court, assisted in the capture of criminals, or hid evidence of an offense committed on their land were also subject to penalty. On the basis of FCR section 21, Political Agent may seize tribal people's businesses or property in settled regions of Pakistan. His authority was not limited to tribal borders¹⁷². According to the 1949 Geneva Conventions, the idea of collective punishment is against international law and is considered a war crime¹⁷³. To control FATA through force rather than democracy, the State gave political agents vast powers. Civil rights organizations and humanitarians have completely criticized this. The FCR had specifically disallowed local people from exercising their fundamental human rights, including the right to representation and the ability to present evidence in support of those rights. These laws violated human rights and were harsh and humiliating.¹⁷⁴.

The fact that Political Agent's choices could not be contested in a court of law was the most concerning. Other unrestricted powers included the ability to forcibly remove individuals or entire groups, demolish the homes and buildings of the suspect, take custody of the accused, punish the

¹⁷¹ Madiha Tahir, "Bombing Pakistan: How colonial legacy sustain American drones", *The Watson Institute for International and Public Affairs*,(2015):3-5. https://www.researchgate.net/deref/https%3A%2F%2Fwatson.brown.edu%2Fcostsofwar%2Ffiles%2Fcow%2Fimce%2Fpapers%2F2015%2FTahir_FINAL%2520Costs%2520of%2520War%25206.7.15.pdf

¹⁷² Kirti M.Shah, "Too Little, Too Late: The Mainstreaming of Pakistan's Tribal Regions", *Observer Research Foundation*, (2018):10-12. https://www.orfonline.org/wp-content/uploads/2018/06/ORF_Occasional_Paper_157_FATA.pdf

¹⁷³ M.C Fabricant, "War crimes and misdemeanors: Understanding zero-tolerance policing as a form of collective punishment and human rights violation", *Drexel University*,(2010):374. https://www.researchgate.net/deref/https%3A%2F%2Fdrexel.edu%2F~%2Fmedia%2Ffiles%2Fflaw%2Fflaw%2520review%2Fspring_2011%2FFabricant.ashx%3Ffla%3Den

¹⁷⁴ Alamgeer khan et all," The merger of FATA: Breaking the clutches of British colonial Frontier Crimes Regulations (FCR)", *Research Gate*, volume 9. No2, (March,2021):36. https://www.researchgate.net/publication/349968256_THE_MERGER_OF_FATA_BREAKING_THE_CLUTCHES_OF_BRITISH_COLONIAL_FRONTIER_CRIMES_REGULATIO

entire tribe collectively for the crimes of a single member, imprison children (prior to 2011 amendments), and destroy their homes and buildings¹⁷⁵. The administrative structure in FATA has a history of corruption due to a lack of accountability¹⁷⁶.

Additionally, there was no trained police force in the FCR. Post 9/11, the tribal territories were used as a hideaway by hundreds of al-Qaeda-affiliated militants who had left Afghanistan¹⁷⁷. Because the FCR was unable to keep the area free from terrorism and Islamic extremism, the Pakistani army needs to step in to maintain law and order in FATA. The FCR's abolition and the inclusion of the tribal region within the Constitution was demanded by the vast majority of Fata inhabitants¹⁷⁸.

The region was cut off from the rest of the nation by the separate system, and it had poor infrastructure, no power, no irrigation systems, and no high-quality educational facilities¹⁷⁹. Unchecked and unbalanced forces have further driven the territory into poverty, unemployment, socioeconomic degradation, drug smuggling, corruption, the trafficking in weapons, terrorism, and religious extremism, and they have also transformed the area into a threat on a regional and global scale¹⁸⁰. As a result of all these causes, the government and the residents of FATA are forced to

¹⁷⁵ Ibid., 33.

¹⁷⁶ Chris Wilson and Shehzad Akhtar, "Repression, co-optation and insurgency: Pakistan's FATA, Southern Thailand and Papua, Indonesia", *Taylor Francis Online*, volume 40, no. 4, (2019): 711. <https://doi.org/10.1080/01436597.2018.1557012>

¹⁷⁷ Khalid Rahman et al, "Conflict in FATA and Governance", *JSTOR*, volume 10, no 2, (2013): 56. https://www.jstor.org/stable/42909308?seq=10#metadata_info_tab_contents

¹⁷⁸ Imtiaz Gul, "Rid FATA of the FCR", *DAWN News*, (May 6, 2014).

¹⁷⁹ Sara Qayum, "Frontier Crime Regulation under Human Rights and constitutional perspectives, An analysis of Pakistan Government policies", *Pakistan Vision*, Volume 21, no. 2, (2020): 232. http://pu.edu.pk/images/journal/studies/PDF-FILES/16_v21_2_20.pdf

¹⁸⁰ Aarish Ullah Khan. *The Terrorist Threat and the Policy Response in Pakistan*. (Stockholm: International Peace Research Institute, 2005), 17.

integrate the area into mainstream and to provide all of its basic requirements, much like other Khyber Pakhtunkhwa regions.

Impacts of FATA merger with Khyber Pakhtunkhwa on District Kurram

There are two administrative divisions within Kurram. i.e. (According to 1998 census) protected and non-protected areas. Protected areas consists of Upper Kurram and Lower Kurram, which are managed by the government directly, however Central Kurram is still a portion of an unprotected territory (The most notable insurgents are involved in this area due to the support of some locals.) that is managed by a local tribal elder.

1.5. Governance

Under British administration, Kurram was established as an agency in 1892, and it became a part of Pakistan in 1947¹⁸¹. Until the year 2000, when the old divisions were abolished, the Kurram used to be part of the Peshawar Division of the Khyber Pakhtunkhwa. The merger of Federally Administered Tribal Areas (FATA) with Khyber Pakhtunkhwa (KP), is a historic opportunity to stabilize the region and provide solace to a population weary of conflict and displacement. Yet the merger merely represents an early milestone in what will be a long and challenging transition towards stability and progress. The introduction of constitutional rights to 5 million people, the institution of 702 elected local governments, the initiation of land titling rights to citizens, the extension of formal rule of law institutions, and empowered legislatures, are fundamentally

¹⁸¹ Sarfaraz Khan, "Special status of Tribal Areas (FATA): An artificial imperial construct bleeding Asia", *Hokkaido University*, volume 1, no.1, (2016):67. <https://eprints.lib.hokudai.ac.jp/dspace/handle/2115/50844>

changing the relationship between the citizen and the state¹⁸². The Federally Administrated Tribal Area merger has raised significant public expectations. Over the last decade, the former FATA has seen terrorism, military operations, and forced displacements. Many people have had their homes and livelihoods destroyed. As such, any delay or mismanagement of the integration may create space for the formation of counter narratives against the integration process and contribute to instability. In District Kurram the government conducted survey for the damaged properties and homes to compensate the people. Government approved the program called Merged Areas Governance Project to enhance the life standard of the residents according to the other district level.

The Merged Areas Governance Project (MAGP) is a technical assistance project to transform the lives of the people of former FATA through peaceful integration with Khyber Pakhtunkhwa, the extension of civilian governance institutions, and socio-economic development¹⁸³. The main purpose of this project is to increase Khyber Pakhtunkhwa Government capacity for peaceful implementation of fundamental governance and rule of law reforms as part of the complex integration process; Inclusive governance and political integration at the district and local levels to promote stability; To accelerate and transform socio-economic development in the Merged Areas through improved planning, implementation, and innovation; and, To strengthen the State-Citizen relationship through enhanced engagement of the population by leveraging communications of development work with the reforms and merger process.

¹⁸² Jeffrey Dressler. *The Haqqani network in Kurram, The Regional Implications of a Growing Insurgency*. (Washington DC: Institute for the Study of War, 2011).7.

¹⁸³ “Minister directs to expedite work on uplift projects in Kurram”, *The Nation*. (july21, 2022).

1.6. Local Government Act and Community Charter

After merging with Khyber Pakhtunkhwa, the main act to do was the implementation of Local Government Act and Community Charter to consolidate local government structures in all new districts as well as in district Kurram. The Local Government Act and Community Charter, two pieces of provincial legislation that outline the governing and administrative frameworks, authority, and capacity of municipalities and regional districts to deliver services that meet the needs and preferences of their constituents, are examples of laws that create local government governance and powers at the district level. Municipalities, regional districts, rural communities, and local service districts are the four forms of local governments¹⁸⁴.

Local governments are represented by elected officials who exercise the powers and accomplish the obligations of the local government with input from citizens and staff.

The public can most directly influence their local government, local district, or other local governance organizations through general local elections (and by-elections), which determine the people who will then make decisions and rule on their behalf after public voting day¹⁸⁵. The ability to offer services, sign contracts, and legitimize persons and their property are just a few of the many powers that local governments have. The local government may carry out these tasks on its own, through delegation, or in collaboration with others. Activities, projects, and facilities performed through or on behalf of the local government are considered services¹⁸⁶.

¹⁸⁴ “Project launched to set up urban town centers in merged districts”, *The News*. (November 23, 2021).

¹⁸⁵ Raza Khan “Importance of provincial elections in ex-FATA”, *The Express Tribune*, (July24, 2019).

¹⁸⁶ Sadia Fayaz et al, “Constitutional Status of FATA: Pre & Post Merger Comparison of Legal & Administrative System”, *Global Legal Studies Review*, volume2, no 11. (2021):4. [http://dx.doi.org/10.31703/glsr.2021\(VIII\)](http://dx.doi.org/10.31703/glsr.2021(VIII)).

Key obligations of locally elected authorities are outlined in legislation. The accomplishment of those duties depends critically on how those officials conduct themselves both as individuals and as members of a group of decision-making bodies. Municipality and local districts may assist economic growth in their areas through a variety of ideas, tools, and tactics. Municipal councils and regional district boards work with other local governments, local authorities, the provincial government, and the federal government to form relationships and collaborate on projects that benefit their areas. Residents may feel that altering the local government's organizational structure or method of providing services might better meet the requirements of the community as communities develop. The restructuring process, which considers the implications for the best governance/service delivery alternatives, is used to reorganize local government. The Cabinet approved changes¹⁸⁷.

In order to integrate district Kurram into the system, general local elections for mayors, councilors, electoral area directors, local community commissioners, and specific parks board commissioners were recently held. People choose their representatives to carry out the rules after taking part in it¹⁸⁸.

1.7. Political Administration

The head of the Kurram Agency and the main figure in charge of handling administrative issues was the Political Agent. Several personnel, including Assistant Political Agent, Additional Political Agent, *Tehsildars*, *Political Moharar* (Deputy *Tehsildar*/*Naib Tehsildar*), and *Munshi*

¹⁸⁷ Raymond Muhula, "Disclosable Restructuring Paper-Federally Administered Tribal Areas (FATA) Governance and Policy Program" (2020).

¹⁸⁸ Wisal Yousufzai, "Merged districts gear up for local bodies elections", *The Express Tribune*, (February 2, 2020).

(Junior Clerk) aided him. The Political Agent was in charge of supervising development initiatives and serves as the chair of an agency development subcommittee made up of various government representatives. Political Agent also served as the project coordinator for plans for rural development and kept an eye on how concerned line departments and different utility service providers were doing. A Political Agent acted as a mediator in inter-tribal conflicts, oversees the use and conservation of natural resources and controls commerce in goods derived from those resources.

Coordination of project funding and development operations was a key responsibility of additional political agents. Additionally, he was overseeing the creation of PC-I Forms¹⁸⁹ for projects and pursue their approval. In addition to Agency level offices of Local Government, other government departments present in Kurram include the Agriculture Department, Irrigation Department, Deputy Commissioner (FATA-DC), (Communication and Works office(C and W), PHED, Education Department, Health Department, Local Government, Elections and Rural Development Department (LG&RDD), Municipal Committee (MC Office), Tribal Electric Supply Company (TESCO), Pakistan Telecommunication Company Limited (PTCL), National Database & Registration Authority (NADRA), *Zakat* and Post Office. The only tribal agencies that get land revenue from cultivated land in the Upper and Lower Kurram and in Tochi valley¹⁹⁰. Only in terms of land revenue can Upper and Lower Kurram be considered settled areas.

¹⁸⁹ A planning tool for the development and execution of any projects in the Government Departments.

¹⁹⁰ Located in District North Waziristan.

Following its merger with Khyber Pakhtunkhwa, the administrative structure is modified. The colonial legacy of political administration governed by the political agents' discretion is no longer present. The title has been changed to the Deputy and Assistant Commissioner.

Frontier Crimes Regulation (FCR), a harsh statute, has been repealed. Before the merger, the governor of Khyber Pakhtunkhwa exercised executive power over FATA; with the merger into Khyber Pakhtunkhwa, the chief minister and his cabinet now have that authority. The merged areas no longer have a unique position. All provincial laws should be implemented in these region and FATA must be given representation in the provincial assembly according its population and area. In personal interview with Zahoor Hussain a resident of Kurram, he hails the merger of FATA with Khyber Pakhtunkhwa. Furthermore “he told that before residents of district Kurram were only looking for the federal government for all the activities, and political agent was the administrator of the whole district, but now we have representation at provincial level as well and we also get rid of dictatorship of political agent. This is the big success for the prosperity of district. He stated that at district level the rights of the residents can be addressed more easily and more development projects by the provincial government will excel the life of common people¹⁹¹.”

1.8. Magistracy

The provisions of the Frontier Crimes Regulation applied to Ex-affairs. FATA's (FCR 1901). The President of Pakistan designated the Governor of Khyber Pakhtunkhwa as its administrator, and works under the general direction of the Ministry of States and Frontier Regions in Islamabad. Political personnel endowed with judicial authority rendered judgments in criminal and civil

¹⁹¹ Personal interview with Zahoor Hussain (A retired teacher of Government boys High school Alizai). 12-06-2022. Lower Kurram Alizai Exchange colony Alizai.

proceedings in protected regions. A local Jirga system is used to settle disputes (cases) in non-protected regions (such as Central Kurram)¹⁹².

Hereditary tribal leaders (Maliks), together with the customary code of honor (*Pashtunwali*)¹⁹³, helped to create Pashtun culture historically. The British colonial government tried a number of approaches to manage the Pashtun people, but all were unsuccessful. To manage the tribal territories, the British developed the *Maliki* system. In the Jirga system of tribal council, *Maliks* (tribal elders) play a significant role in resolving conflict among the tribal people in accordance with their custom and tradition. It serves as a tool for resolving disputes in the tribal areas, upholding the current system, and generally assisting the government. With *Maliks'* assistance, the political agent was able to exert his power. Residents of tribal regions may file a constitutional writ with the Supreme Court of Pakistan and the Peshawar High Court to appeal a ruling made under the 1901 Regulation, which is also referred to as the "Black laws" because to its unpopularity with the local populace¹⁹⁴.

After merging with Khyber Pakhtunkhwa, the government dismantled the previous legal framework and implemented the magistrature system, which divides all authority among the police, legal system, local governments, and coordination officials. The district is managed by a magistrate office. The major responsibility of a magistrate is to undertake an impartial, independent evaluation of any accusations of illegal behavior made by the public or by law enforcement. There are primarily two sorts of magistrate's courts: district magistrate's courts,

¹⁹² The local Jirga / shura in a tribal setup is called by an elder of a tribe for settling local affairs within the family, clan, sub-tribe, and tribe. This term was used in special and local laws of different tribal areas.

¹⁹³ It entails extending hospitality to a visitor, regardless of ethnicity, religion, or economic standing.

¹⁹⁴ Umar Dil, "Black law (FCR) in Federally Administered Tribal Areas (FATA) of Pakistan", *Atlas Corps*, (July20, 2016). <https://atlascorps.org/black-law-in-federally-administered-tribal-areas-fata-of-pakistan>

which handle both criminal and civil matters, and regional magistrate's courts, which only handle criminal cases.

The new magistracy system is appreciated all over the FATA, especially the people of district Kurram, because it is replacing the old system which was totally biased and where there was no justice for poor ones.

1.9. Education

After the Federally Administrated Tribal Area and Khyber Pakhtunkhwa amalgamated, District Kurram is comparatively more accessible and stands second in terms of access to education, with 34.8% literacy rate. The Female literacy is 12.5% and male literacy is around 53% in Kurram district¹⁹⁵. Girls are prevented from travelling further to attend school by issues including insecurity, poverty, cultural prohibitions, and mobility limitations. Girls are either sent to a madrasah for free religious instruction or engaged in household tasks supporting their mother because of the barriers to entry and high expenses connected with schooling. For rural females who want to pursue higher education, access to higher and technical education remains a barrier. A local resident Tahir Hussain discusses about the education improvement and faculty recruitment. He described his pleasure about merger of FATA with Khyber Pakhtunkhwa and stated that “provincial government already deployed new appointment against the vacant posts and equipped laboratories as well as enhanced transport facilities. He also praised the government keen interest in medical college and university establishment for the new merged districts, that it will improve

¹⁹⁵ A. Rehman Khan and Shahnaz Kapadia Rahat “Khyber Pakhtunkhwa Status of Women and Girls in Kurram District Merged District Gender Profile” *UN women Pakistan*, (May 11, 2020):16. <https://asiapacific.unwomen.org/sites/default/files/Field%20Office%20ESEAAsia/Docs/Publications/2020/11/pk-Status-of-Women-and-Girls-in-Kurram-District.pdf>.

the literacy ratio and higher studies for those students who cannot go for higher education to other cities¹⁹⁶.

Government is keen to provide educational facilities to the merged districts so that they can be adjust in the system as soon as possible. The Khyber Pakhtunkhwa governor put the FATA Reforms Committee's 2019 directive into action, which called for the FATA Reforms Committee to double the reserved scholarship quota for FATA-resident students at five Punjab universities and one Sindh university¹⁹⁷.

After merger, the Khyber Pakhtunkhwa government start work on 12 new degree colleges in the tribal area and are working on providing transport facilities to 43 other colleges. Besides colleges in several districts are being solarized and work on the allied Health Sciences Institute in Kurram District is in full swing. The government is also working to establish a university in tribal districts¹⁹⁸.

1.10. Health

Due to a lack of senior doctors and diagnostic equipment, the Kurram Valley's half a million residents have had trouble receiving care at their local hospitals. As a result, individuals have been forced to transport their patients to Peshawar, Islamabad, and other large towns for treatment, which makes it difficult for low-income families to pay the high cost of care. Even Kurram's district hospital lacks the essential qualified staff. Only two general surgeons are present, 2 gynecologists, and 23 medical officers available, whereas the need for medical officers in DHQ

¹⁹⁶ Personal interview with Tahir Hussain, (Ex. Principal Government Post Graduate College Parachinar), 13-06-2022. Upper Kurram Parachinar Kirman.

¹⁹⁷ Usama Khilji, "Educating merged districts", *Dawn News*, (April 12, 2021).

¹⁹⁸ "KP to establish 12 degree college in tribal district this year", *Mashriq Tv*, (November 10, 2021).

hospitals is 108. The specialists' posts such as physician (2), radiologists (1), pediatricians (2), aesthetes (2) are vacant. For the whole amalgamated district, there is no psychiatrist accessible. 40% of Kurram residents experience depression, which is treatable and affects 60% of the population, however treatment is not available owing to a lack of services in Kurram Agency¹⁹⁹. Kurram, one of the amalgamated Districts, has consistently struggled with a lack of medical and paramedical staff, equipment maintenance, and power outages. A senior medical officer Dr. Asghar Jan personal interview with him about the merger of FATA with Khyber Pakhtunkhwa and its impacts on health sector in district Kurram, he described that “It’s a real good step that finally our people will get the same health facilities as to the established city like Peshawar, where the hospitals are equipped with advanced machinery and medical specialists as well as hospital up gradation to Teaching hospital as the requirement of the district”. He also stated that government have taken initiatives of the up gradation for the district head quarter hospital Parachinar (THQ) and university approval for the FATA people”²⁰⁰.

The province of Khyber-Pakhtunkhwa has already begun developing 68 Comprehensive Health Units (CHU) as part of the Prime Minister's Quick Impact Projects (QIP) in each of the seven tribal districts and formerly frontier areas. These facilities will include the most modern equipment, including gynecologists, male and female specialists in medicine and surgery, ambulance services, and labs with experts to give patients with round-the-clock care at their doorsteps. The government are working on the replacement of old health system by the new system on the pattern of Khyber

¹⁹⁹ “60pc people of Parachinar suffer from post-Traumatic-stress disorder” *Dawn News*, (July 30, 2017).

²⁰⁰ Personal interview with Dr Asghar Jan (He was a senior medical officer at THQ, who later become the Agency surgeon of FATA Kurram agency 2012. he is currently running his own clinic in Parachinar), 11-07-2020. Upper Kurram Parachinar exchange colony .

Pakhtunkhwa for quick resolution of the all-health related problems in the newly merged tribal districts, adding preference would be given to doctors having domicile of the newly merged districts in future posing's.

With the help of the Pakistan Army, the administration of District Kurram has begun work on massive health projects at the Trauma Center in Parachinar Kurram District and Dogar²⁰¹ hospital in Central Kurram. In the district Kurram's existing hospitals and basic health units, the government hired doctors and paramedical employees. At the same time it renovated the hospitals and constructed their boundary walls. District Kurram is receiving all main health-related programs, including Sehat Insaaf Cards, AIDS and Malaria Control Programs, and free cancer treatment, much as other districts.

1.11. Women's Leadership and Political participation

The legislation and political activity that have been started as a result of the amalgamation and reform processes are viewed by women in Kurram as being constructive and a good step in the advancement of women's rights. Women are now taking participation in general election, before it was almost impossible of women participation in general election. From district Kurram women are now taking activities in different elections and running their campaign without any difficulty. Dr. Saima Khan is a prominent women leader from district Kurram who is attending many jirgas and motivating women to fight for their rights and use their votes for the selection of appropriate candidate. She is admired so much by Pakistan People Party president, that she has been selected as President Pakistan People Party (PPP), women wing FATA. Similarly, a retired bureaucrat, Ali

²⁰¹ Small village in Center Kurram. Dogar is an area which is situated in Kurram Agency. Dogar is the main bazar of Masozy tribe in central Kurram.

Begum contested the general elections from NA-46 (Kurram) in 2018, as an independent candidate; among 25 candidates she secured 5th position which shows that women now can easily use their voting right and can be a good leader if being provided with a proper opportunity. She has also opened a first of its kind election office for women keen to exercise their democratic right²⁰². The lower Kurram teacher Miss Shagufta Shaheen, discuss about the women rights and participation in general elections in district Kurram after its merger, and has welcomed FATA merged into Khyber Pakhtunkhwa. She described that “women can now easily express their opinions and can be an asset for the development of the district and also the implementation of educational reforms will be to enhance literacy rate in District Kurram”. She also explained that “lawmaking is impossible without social advancement, education, and the involvement of women²⁰³”.

Although women's participation was better in District Kurram, however, it was still much lower than women participation in other parts of Khyber Pakhtunkhwa and the country. Women face several challenges to get engaged in Kurram's civic affairs.

1.12. Jurisdiction

Before the 25th Constitutional amendment, the government promulgated (May 28, 2018) the Interim Governance Regulation (IGR), which provided for an interim structure of governance and law implementation to oversee the provisional period of FATA’s merger with Khyber Pakhtunkhwa²⁰⁴. The regulation was retained almost the similar scheme of governance and

²⁰³ A personal interview with Shagufta Shaheen. (Currently she is serving as the lecturer and the Head of the Government Girls Degree College Alizai). 09-8-2022. Lowe Kurram college colony Alizai.

²⁰⁴ Saeed Khan, “The challenge of reforming the fata region of Pakistan: a critical analysis of its merger into Khyber Pakhtunkhwa province”, *ISSRA*, volume 13, (2021): 140. [file:///C:/Users/Rayan%20Haider/Downloads/09.-the-challenge-of-reforming%20\(1\).pdf](file:///C:/Users/Rayan%20Haider/Downloads/09.-the-challenge-of-reforming%20(1).pdf)

adjudication as was provided in the inanimate Frontier Crime Regulation (FCR), 1901²⁰⁵. The IGR repealed the Frontier Crime Regulation and changed the terminology of Political Agent (PA) and Assistant Political Agent (APA) to Deputy Commissioner and Assistant Commissioner but allowing both titles to hold the same powers and functions as were assigned to them under the Frontier Crime Regulation²⁰⁶. The Deputy Commissioner (DC) was given the judicial power of both a judge and a magistrate and had the legal authority to affectionate pardon and refer issues to the *Qaumi Jirga*²⁰⁷. Before the merger of FATA with Khyber Pakhtunkhwa, the people of Kurram were not familiar with the courts and other lawful authorities for resolving their issues and concerns. However, after the explosion of terrorism in this area, it compelled the government of Pakistan to proceed for some serious steps and operations to accomplish the threats relating to the terrorism as well as extremists. Therefore, during the execution of these types of exercises, the local community of Kurram was transferred to the various parts of the Khyber Pakhtunkhwa for the provision of safe and peaceful life to them. Post-merger, the federal and provincial governments announced the establishment of a fully functional judicial system in the newly merged districts. However, except Kurram, none of the districts have the courts available within the districts. Judicial courts are established in the district headquarter Parachinar. In Kurram not a single Gender Based Violence (GBV) case reported so far, but they were optimistic that once trust of the people in the new system is gained, they will come forward and move their complaints through these courts. However, Kurram peoples remained unaware about the courts and other lawful authorities to resolve their little to vast issues regarding various walks to life. This

²⁰⁵ Noor Hamid Khan Mehsud and Mian Saeed Ahmad, “Frontier Crimes Regulation (FCR): From Introduction to Abolition”, *Global Political Review*, volume 1, (2021):17. [https://doi.org/10.31703/gpr.2021\(VI-I\).10](https://doi.org/10.31703/gpr.2021(VI-I).10)

²⁰⁶ Ismail Khan, “Mainstreaming Fata with interim governance law”, *Dawn news*, (May 31, 2018).

²⁰⁷ Raza khan, “Legal administrative vacuum in tribal areas. *The Express Tribune*”, *Express Tribune*, (October25, 2018).

phenomenon let to spread the positive wave of learning and accepting the new things. The people that were sustained in their local areas from centuries came to face to face with the people of other parts of the country. They started accepting the juridical system as more appropriate for resolving their issues. Furthermore, in the past weapons were the sign of bravery and dignity for the peoples, but, after the army operation, they let the whole area clear from these types of weapons and shifted the community towards various parts of KPK (Khyber Pakhtunkhwa).

The Frontier Crime Regulation to consider the tribal mindset as main factor that impede the reforms to be imposed as became obvious in replacing the Frontier Crime Regulation by Riway Act²⁰⁸ as the latter retained the old Jirga system with cosmetics changes. The jurisdiction of Supreme and High courts has been extended to FATA but the Interim Governance Ordinance has still provided the resolution of disputes by involving the role of Riway (Customs) and Jirga as both criminal and civil cases will be referred to the Jirga by judges for checking facts as per Riway and then to decide accordingly²⁰⁹.

1.13. Security and Law Enforcement

Peace, security and law enforcement are touchstone of a state because any social, political and economic alienation by people yield in disastrous outcome. The merger of FATA with KPK will decrease the strategic buffer lies along the Durand line, which can solve the unsettled security

²⁰⁸ According to this Act, there will be a tribunal of judges or jirga elected by local people for resolving disputes.

²⁰⁹ Sayed Akhtar Ali. "Governance Challenges in Mainstreaming of Federally Administered Tribal Areas into Khyber Pakhtunkhwa", *FWU Journal of Social Science* 13, (2019): 132-133.
http://sbbwu.edu.pk/journal/FWU_Journal_Summer%202013_Summer%202019_Vol_13_No_1/12.%20Governance%20Challenges%20in%20%20%20Mainstreaming%20of%20Federally%20Administered%20Tribal.pdf.

issues in KPK. In the context, security facility and local forces as Khassadars and Levies need training and reorganization for tackling the border management and for the security purpose²¹⁰.

There were no official police set up in the District Kurram. The security system was under the control of Khassadars and Levi forces with the support of Kurram Militia (Force) provides. After merging with Khyber Pakhtunkhwa, Khassadars and Levi force is absorbed in Khyber Pakhtunkhwa Police. They were given the modern facilities, advanced training and were equipped to deal with the issues in the newly merged district. The merger of the Khassadars and Levi force with police is a positive step because they are locals and can tackle tribal issues in the backdrop of years of militancy.

Federally Administrated Area transition can succeed only by ensuring the existence of law and order and adequate provision of developmental projects. Any kind of administrative and governance mismanagement will be dotted by serious consequences. Police stations will be established proportionally, keeping in view the population and geography of each tribal district and they will be consist of a centralized constabulary²¹¹.

FATA management had initially prepared a draft execution plan for creation of a levies force to be operational, so that it may adopt the responsibilities of an effective Law Enforcement Agency by 2021 upon withdrawal of armed forces from the region. In this plan, the Levies Force's

²¹⁰ Mohsin Ali Turk, “The Dilemma of Justice System in Formerly FATA of Pakistan: Challenges and Prospects”, *Journal of Law and Social Policy*, Volume 3, (September 2021). <https://www.bahria.edu.pk/buic/law/wp-content/uploads/2021/10/The-Dilemma-of-Justice-System-in-Formerly-FATA-of-Pakistan-Challenges-and-Prospects.pdf>

²¹¹ Rehmat Mehsud, “Merged tribal areas to get police stations as KP police chief suddenly transferred”, *Arab News* (February 9, 2019).

reorganization's timetable and costs are specified. The Federally Administrated Tribal Area currently has 17,965 khassadars stationed there.

The merged area is still a conflict Zone and the government claims to have planned to fill the vacuum by merging the Khassadars and levy with police in a regular manner. The formation of police stations, police lines, training and enforcement of law are big challenges. The new draft prepared by the Home Department provides for a Police officer heading the Frontier Regions but worryingly it does not envision the enforcement of the Police Act, and criminal legislation such as Code of Criminal Procedure (CrPC) and Pakistan Panel Code (PPC)²¹².

1.14. SOCIO-ECONOMIC SETUP

The primary sources of livelihood in District Kurram are daily labor, crop production, livestock rearing, trading and small businesses. When it comes to their commercial and trade routes to Afghanistan, Kurram is a lifeline for the tribal region. Four of the 12 customs-regulated border crossing points and customs stations are strategically located in this agency. Mainly flour, rice, cement, potato, milk, rock salt, chip board, poultry, honey-bees, and Jaggery (Gur) are exported through these stations while dry fruit, potato, tomato, onion, raw hides, scrape and plating material are among the items imported through these points. Three of these stations remained functional even during the recent terror incidents in the agency. Over 21,202 trucks crossed over to Afghanistan, taking the export items of \$158.12 million till June 2017²¹³. According to the data Model Customs Collectorate (MCC) Peshawar, after the closing of the Ghulam Khan crossing

²¹² Yousaf Farooq. *Pakistan, Regional Security and Conflict Resolution: The Pashtun 'Tribal' Areas*. (London: Routledge, 2020), 12.

²¹³ Riaz Khan Daudzai, "Lifeline for economy", *The News on Sunday*, (July 9, 2017).

point in North Waziristan, Kharlachi has emerged as the second-most important border crossing for commerce and cargo movement in the tribal region²¹⁴. However, unbalanced security issues and sectarian strife always affecting the socio- economic environment of this region. These four stations, Shaheedano Dund, Kharlachi, Burki, and Terimengal have been shut down in Kurram for security concerns. After FATA merge with Khyber Pakhtunkhwa the people having high hopes that government will address security issues of District Kurram.

Kurram is a region of natural beauty along with embellished with the wealth of natural resources. However, this region is also lacking of various developmental projects as well as processing accommodations to utilize the worth of natural resources for the accomplishment of Kurram development and progress. Kurram lacks access to water badly owing to insufficient precipitation and the failure of legitimate authorities to build the necessary dams in a timely manner. Despite this, the region is nonetheless abundant in fruits and has an endless supply of dried fruits, which add to the Kurram valley's natural beauty. Farmers have a lot of difficulty getting their goods to markets due to a lack of public transportation and the poor condition of rural roads. This region is also bestowed of livestock such as goats, buffalos, cow, sheep, and ewes. On the contrary to this, the common person of Kurram is deprived of getting the high standards of living. The Parachinar and associated villages, including Kirman, Zairan, Shalozan, Kharlachi, Fort Chapari, Terimengal, and Koh-e-Sufaid, have been considered as possible tourist destinations in Kurram. These tourist places have not received any attention from the government. The private sector should be encouraged to build tourism infrastructure following the tribal region's merger with Khyber Pakhtunkhwa, while the government is required to provide security and carry out the Immediate Action Plan and Long-Term Plan to strengthen the region's economy. The people hope that after

²¹⁴ Zulfiqar Ali, "Kharlachi- a hub of cross border trade but an eyesore too", *Dawn News*, (June 30, 2015).

the merger with Khyber Pakhtunkhwa, Kurram will enter a new era of development and prosperity. However, it is most necessary to develop the markets, processing units, open the Pak-Afghan border for trade and communication as well as transport facilities in this region.

1.15. Domestic sanctuary

Before the FATA merger with Khyber Pakhtunkhwa, the Kurram was considered as the conflicting zone because of the sectarian strife, militant insurgency and consequent operations of reestablishment of government writ, the Kurram governance lost its effectiveness. Furthermore, after the labeling of the house of terrorism and extremists in Federally Administrative Tribal Area the domestic sanctuary became questionable²¹⁵. However, after the accomplishment of various army operations, the whole area became clear from the threats of terrorism. All the militant groups and extremists fled away towards Afghanistan after the achievement of various army exercises in the Kurram. However, a lot of work is required for the complete peace, safeguard of the community and the regaining of the security. After the merged Districts into Khyber Pakhtunkhwa, for the purpose of strong security government provide, various supporting organizations came into being whose only purpose is to secure the rights of a common person along with the endorsement of harmony and peace in all over region. The accomplishment of peace and harmony is directly related to the completion of congruence in the former Federally Administrative Tribal Area. Therefore, it is obvious that the FATA merger with Khyber Pakhtunkhwa resulted in many positive responses and secured the domestic sanctuary in district Kurram. Also, it still needs to work and

²¹⁵ “Spatial / Structure Plan for Parachinar, Kurram Agency”, *FATA urban center project*, (September, 2015). <https://urbanpolicyunit.gkp.pk/wp-content/uploads/2020/03/Final-Parachinar-Report.pdf>

devise such strategies that are helpful of the sustainability of peace in Kurram along with the abolition of threats including terrorism and extremists.

1.16. Restoration of Infrastructure and livelihood

After the Federally Administrated Tribal Area and Khyber Pakhtunkhwa merged, the region entered a new era with high hopes for promising futures for the community's vulnerable members in the form of tribal political, financial, and social changes as well as efforts to reduce threats and extremist activities²¹⁶. Focusing on successful post-conflict rehabilitation, infrastructure development, and the restoration of the damaged or underprivileged sectors of society is essential for the development of tribal areas. The Federally Administrative Tribal Area merger with Khyber Pakhtunkhwa is a brilliant step that would advance connections between the people of the Tribal area and Khyber Pakhtunkhwa with advanced development-related adjustments. Joint venture is the most practical and realistic alternative for Kurram management policies that could be approved by locals as well as the best solution for both native communities in the Federally Administrative Tribal Area and Khyber Pakhtunkhwa.

The military operations, Taliban insurgency and sectarian strife, destroyed the infrastructure of the Kurram. The government buildings like schools, hospitals, homes of residents were destroyed and roads were damaged during the military operations. The process of restoration of infrastructure was going on but it was very slow. But after the merger, the process of reorganizing of

²¹⁶ Sulman Shah, Muhammad Nawaz Bhatti and Ghulam Mustafa, “ Socio-Political Impacts of FATA-KP Merger: A Case Study of District North Waziristan”, *Orient Research Journal of Social Sciences*, Volume 6, No. 1, (June, 2021):62. <https://www.gcwus.edu.pk/wp-content/uploads/2021/06/6.-Socio-Political-Impacts-of-FATA-KP-Merger.pdf>

infrastructure was specially treated by Khyber Pakhtunkhwa government. The government of Khyber Pakhtunkhwa top priority is, expediting pace on infrastructure, work on construction of buildings, digitization, education, health, socioeconomic projects and road construction²¹⁷. Still there is a lot of work to do, but residents of all merged districts are satisfied with the progress especially of district Kurram. Government also working on upgrading of hospitals and grid stations as well as schools and colleges in district Kurram which are the positive signs of its merger with Khyber Pakhtunkhwa. Besides working on sports complexes at Alizai, Bagan and Parachinar is going on for the restoration of peace through sports. There are also working on NADRA offices at Alizai and Bagan so that people provided facilities at their nearest places.

Abdul Kareem a local resident of Kurram stated that “The merger of FATA brings a lot of development projects in Kurram especially central Kurram, where from the past 12 years nothing being constructed nor new projects were granted. But after merger people were given cash payments for their home construction, school buildings were reconstructed as well as development schemes were introduced”. He was also very pleased with the government attention towards the education and health. He welcomed the new NADRA offices and passport office approval from government in the district²¹⁸.

Similarly, government introduced the project for the restoration of livelihood in merged area with Khyber Pakhtunkhwa. The evaluation found that the project was successful in meeting or nearly meeting most of the output targets set out including:

- 1) Provision of improved/climate-resilient seeds to 22 000 households
- 2) Established 350 vegetable nurseries

²¹⁷ APP, “Development projects put merged areas of KP on road to progress”, *Daily Times*, (July 28, 2022).

²¹⁸ In personal interview with Abdul Kareem (A Shopkeeper). 02-8-2020. Central Kurram Satta.

- 3) Established 500 seasonal vegetable production enterprises
- 4) Established 200 off-season vegetable production enterprises
- 5) Provided fruit plants planted around vegetable and cereal fields, and in homestead gardens (50 plants/household to 2 000/household)
- 6) Established 50 model demonstration plots of improved variety crops (cereal, vegetables, fodder) established through farmer field schools (FFS)
- 7) Installed 60 High Efficiency Irrigation System (HEIS) tunnels (30 in each district)
- 8) Provided backyard poultry packages to 3 800 women beneficiaries
- 9) 2300 doses of sexed semen (1 150 each for Khyber and Kurram districts) were procured and handed over to Livestock and Dairy Development Department
- 10) Rehabilitated 23 irrigation schemes; and
- 11) Rehabilitated ten fish farm projects²¹⁹.

2. Challenges of Mainstreaming FATA

Fata's merger with Khyber Pakhtunkhwa has its origins in theory, but it faces many problems, legal and administrative challenges in the practical implementation of the reforms of the merged districts. The main problem of Kurram's is poverty, low literacy rate, unemployment, poor infrastructure, lack of industrial growth and, most of all trust deficit. An important issue is the merger's suddenness. It happened five years before the Committee on Federally Administrated Tribal Area Reforms proposed it. Before the establishment of administrative institutions to support new rules and laws, this hurried action was universally approved within a short period of time

²¹⁹ Food and Agriculture Organization of UN, "Evaluation of the "Project for restoration of livelihoods in the merged areas of Khyber Pakhtunkhwa", Project Evaluation Series, (April, 2022):27.

across numerous government departments ²²⁰. People hoping to receive justice under the new system found themselves in the middle when the tribal territories entered the judicial system. Numerous important actions went unresolved in the months after the merger, leaving many open. This demonstrates the severe absence of legal capacity and strategy at the top levels of government. Civil courts have recently been formed in nearby tribal areas to handle matters from Federally Administrative Tribal Area, although the territory itself still lacks fully operating courts. Some vocal residents of the tribal districts have expressed opposition to the implementation of judicial courts. One of the main issues entails whether or not judicial courts will weaken the power of jirgas. Jirgas are a common method of resolving disputes such as domestic affairs or land disputes among Pashtuns. For being forced into such courts where cases have been lingering for the previous 70–80 years instead of the fast justice (Jirga). The jirgas offer inexpensive and quick justice since they reach verdicts quickly and are affordable for the poor, yet there have been more and more claims of money rewards for jirga participants from the sides in conflict²²¹.

Reform implementation faces a number of additional important obstacles from inside the tribal community. Because it challenges the current status quo that gave them advantages via unchallenged authority, many tribal elders are opposed to the merger. This opposition to the local status quo can only be countered by concrete post-merger developments of the state. Without progress, local residents and tribal elders alike will not be convinced of the effectiveness of the merger. The rehabilitation of internally displaced people is a different challenge. Due to anarchy and subsequent military actions, Kurram District has seen widespread evictions and home

²²⁰ Tom Hart, “The Merger of the FATA and KP: Political Ploy or Positive Change?”, Armed Conflict Location & Event Data Project (ACLED), (May 30, 2018).

²²¹ Izza Rizvi, “ADR: Midway Between Court and Jirga System”, *courting the law*, (September 14, 2021).

devastation. The effort of returning the Kurram's Internally displaced people (IDPs) to their homes has remained difficult. When the Shia-Sunni crisis began in 2007 and security forces launched operations against terrorists in the Lower Kurram districts in 2009, residents were compelled to flee their homes. Due to the militancy in their localities, the IDPs were unable to return, and their nine-year absence severely damaged their possessions, particularly their homes. Rebuilding of homes and IDP rehabilitation must be completed in addition to the execution of reforms. FATA's participation in the National and Provincial Assembly and its portion of the National Finance Commission Award will be decided on the basis of the sixth national population census, which Pakistan conducted after 19 years. In FATA, it was a worry as to how a census could be conducted in a region where more than 70% of the population had abandoned their homes and moved to other parts of the nation. Within ten years, it would be difficult to bring Kurram into line with the rest of Pakistan. It would be difficult to use development funds transparently in a region where FCR has developed an unreported economy the region as a whole is notorious for drug trafficking and smuggling²²².

It would also be challenging to begin the industrialization process in Kurram because no land settlements had ever taken place. After Khyber Pakhtunkhwa and FATA were combined, a taxation structure would need to be put in place so that the money collected could be used for growth and development²²³. Additionally, the region's Chamber of Commerce and Industry would be necessary.

²²² Zoha Siddiqui, "Frontier Crime Regulation: a past that never end", *Dawn News*, (May 15, 2018).

²²³ Andrae Rieck, *The Shias of Pakistan: An Assertive and Beleaguered Minority*, (Oxford Academic: February 15, 2016):340.

It is important to keep in mind that laws and regulations have a close relationship with social norms and practices while analyzing the difficulties. In this context, it is essential to comprehend the Pashtunwali code controlling the indigenous people's way of life. The code has affected those people's mentalities, and there may always be tension between it with contemporary notions of government that priorities women's rights and conflict resolution.

This system does not provide judicial review and combines executive and judicial powers in a single person. It is based on customary law without proper procedure; it is therefore an underdeveloped legal system. Over the times, some Pashtun communities have carved and established their strange *Narkh*²²⁴ and customary laws having roots in principles of Pakhtunwali. These codes which are mostly unwritten often cover the incapacity and inefficiency of the state institutions.

3. Rising dissatisfaction in mainstreaming FATA

Conflicts between the Pakistani military and Pashtun activists (Pashtun Tahafuz Movement), the detention of Pashtun lawmakers, the popularity of Pashtun Tahafuz Movement among certain groups, and the Pakistani military's claimed extrajudicial actions are all post-merger concerns that arise at an unpredictable moment. Locals are confused by recent battles between Pashtun activists (PTM's) and the army, the sluggish pace of reforms and development projects, the delay of the court system, and the rise of terrorist groups in some tribal districts²²⁵.

²²⁴ Persian word meaning price, and through this system is based on a specific set of compensations to be paid to a victim, or his or her family, following any given offence.

²²⁵ Madiha Afzal, "Why's Pakistan military repressing a huge, nonviolent Pashtun protest movement, Brooking, (February 7, 2020).

The Pashtun Tahafuz Movement and several other FATA groups had already demanded for a new province rather than a merger with Khyber Pakhtunkhwa²²⁶.

More people are joining anti-merger groups as a result of the government's actions. A constitutional petition was submitted by certain locals opposing the merger. Additionally, Hameed Ullah Jan Afridi²²⁷ has organized a coalition of opponents to mergers who are calling for the creation of a new province in the area formerly known as FATA²²⁸.

The more the government delays the process of integrating residents into society, the more these sorts of movements and anger among locals would emerge. The government support about PTM and other local groups demand for justice and responsibility will enhance the peace in district. The systematic merger procedure, some bold and rapid adoptions about infrastructure restoration and development initiatives by the government are important for the peace and stability in the district. Afghanistan's protest against the FATA amendments is also a major problem that may increase anger among Pashtun tribes. They referred to the adjustments as unilateral and insensitive. They said that Afghanistan had to be consulted before any military or political decisions in the tribal areas were made. It alleged that the modifications violated the 1921 pact between British India and Afghanistan²²⁹. They also claimed that changes that would change the independent character of the tribes would not be helpful in addressing current issues. Pakistan has already rejected the statement and reminded Afghanistan not to interfere in its internal affairs, but it can propel the people of merged district support the Afghan protest. Afghan crises and instability have

²²⁶ Iqbal Singh Sevea, "Analyzing the Crackdown on the Pashtun Movement in Pakistan", *ISAS Briefs*, (February 4, 2020).

²²⁷ Hameed Ullah Jan is Pakistan politician who had served in Pakistan's National Assembly from 2008 to 2013.

²²⁸ Shakeeb Asrar and Wajiha Malik, "Pakistan's tribal areas: neither faith nor union found" *Aljazeera news*, (2019).

²²⁹ Tahir Khan, "Afghanistan objects to KP-FATA merger" *Daily Times*, (May 27, 2018).

influenced in District Kurram because of the sharing border; therefore, government should speed up the development process and should win the hearts of the locals for smoothly transfer of the Federally Administrative Tribal Area with Khyber Pakhtunkhwa.

4. The Way Forward

The long-awaited political, judicial, and administrative reforms for the FATA were declared by President Asif Ali Zardari on August 14, 2009, by allowing political activities in the tribal areas and the Frontier Crimes (Amendments) Regulation, 2011, and the Extension of the Political Parties Order 2000 to the Tribal Areas were the significant laws that President Zardari signed²³⁰.

A six-person FATA Reforms Committee was established in November 2015 by Pakistani Prime Minister Nawaz Sharif to suggest a practical course of action for the political mainstreaming of the FATA regions. Sartaj Aziz was chosen as the Chairman of the FATA Reforms Committee, which was a fantastic move for the political development of the FATA region. The Rewaj Act will enable parties to request the Agency Judge (not the political agent) appoint a jirga, whose decision will be appealable, if they so choose, according to Sartaj Aziz. The new legislation will also make sure that the Rewaj System complies with the Constitution's fundamental rights²³¹.

Different reform plans and development strategies have been tried by succeeding Pakistani regimes, but they failed to significantly improve the region's governance problems. The merger

²³⁰ Sayed Wiqar Ali Shah, "Political reforms in the federally administered tribal areas of Pakistan (FATA): Will it end the current militancy?." *Heidelberg Papers in South Asian and Comparative Politics* 64 (2012).12.

²³¹ Ali Tariq, "Pakistan: Federally Administered Tribal Areas to Be Merged with the Province of Khyber Pakhtunkhwa", *In Lybrary of Congress*,(2017).

plan is a bold move that deserves to be commended in comparison to earlier reform efforts. In order to fulfill the expectations of ordinary residents to bring them level with already developed district may take years, but still government should improve their way and speed of development projects so that newly merged district can easily go forward with the system. Otherwise, it will develop frustration among people. The FATA and Khyber Pakhtunkhwa unification was considered as the only solution by most of political leaders, including former Prime Minister Imran Khan and former Khyber Pakhtunkhwa Chief Minister Pervez Khattak. It was being describes as a “huge victory for Pakistan”²³². But now that the excitement is ended, the people of FATA's high aspirations are being dashed by the reality of the situation.

Government has taken numerous appreciable steps towards development of the merged districts in the past few months, which includes the training of law enforcement agencies, judge’s appointment for tribal districts and announcement of local body elections. But still people hope is high that government will do more for the development of region. Expectations and reality are now at odds because of the merger's impulsive decision.

The only way to move forward is to quickly establish administrative and political infrastructure, including operating courts and law enforcement agencies, to give local people access to justice and basic rights. Nevertheless, it would be impossible to entirely abolish the jirga system given the community's cultural and historical ties to it. Jirgas might function as a "jury system" for civil and criminal matters, as indicated by the official committee on FATA reforms²³³.

²³² Shahjahan Khurram, “Imran hails KP-FATA merger as a huge victory for Pakistan”, *SAMAA* (May 24, 2018).

²³³ Wajiha Malik and Shakeeb Israr, “Post-Merger Inaction in FATA: Expectations vs. Reality”, *South Asian Voices*, (July, 2019).

The Tribal residents of the newly combined districts approach development with a progressive mindset. They demand a quick adjustment in order to enhancement the area's economy. According to the modernization idea, change occurs gradually over a long period of time. The positive changes cannot gain quickly in any society. It is a complex process and will take a long time. The merger process means the change, that a society is prepared for modern lifestyle, they are trying to change the societal norms and traditions. A sign of modernization is the replacement of old customs, norms, and traditions or the improvement of the existing system²³⁴. But in order to implement such measures, funding must be raised, which has proven to be a significant obstacle ever since the merger was announced.

²³⁴ Sulman Shah, Muhammad Nawaz Bhatti and Ghulam Mustafa, “ Socio-Political Impacts of FATA-KP Merger: A Case Study of District North Waziristan”, *Orient Research Journal of Social Sciences*, Volume 6, No. 1, (June, 2021):63. <https://www.gcwus.edu.pk/wp-content/uploads/2021/06/6.-Socio-Political-Impacts-of-FATA-KP-Merger.pdf>