War on Terror and Challenges Faced by Law Enforcement Agencies: A Case Study of Khyber Pakhtunkhwa Police

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Abstract

This research paper endeavors to investigate the challenges faced by Pakistani law enforcement agencies in the ongoing war on terror especially police. The war on terror has turned not only digital but also psychological. It has specifically damaged Khyber Pakhtunkhwa, the bordering province of Afghanistan, be it financially, socially or politically. The law upholding Agencies have a huge task of securing the general population. The provincial police is neither well trained nor sophisticatedly armed to meet the challenge. This investigation is a systematic review of the shortcomings of Khyber Pakhtunkhwa police who are faced with the world most feared militant organizations like Al Qaeda and IS in addition to the indigenous groups like Tehreek-e-Taliban Pakistan and its offshoots. It will also point out ways and methods to improve the abilities of Khyber Pakhtunkhwa Police.

Keywords: War on Terror, Police, Insecurity, Khyber Pakhtunkhwa, CTD, NAP, NACTA.

Introduction

The event of 9/11 has proved to the most hawkish against humankind, a frightening catastrophe, which has changed the world once for all. It has given birth to a new bloody world. It has kick started an unending vicious circus of bloodshed and violence. The wrath that engulf the United States took the form of the Global War on Terror (GWOT) where either one is on US side or with the enemy. In the aftermath of 9/11, Afghanistan was declared as the epicenter of extremism and the first battle ground of the war on terror. The geographical proximity of Pakistan to Afghanistan made it a frontline state in the American designs. The United States looked for partners and Pakistan turned coats to be the helper keeping in view her own national interest and needs. Pakistan opened its land, air and maritime bases for ISAF (International Security Assistance Forces). Pakistan also started intelligence sharing along with infrastructural support to US and NATO powers situated in Afghanistan. However, events since 9/11 have proved that rather than beneficial, the war on terror has destroyed the economy and society of Pakistan to go along the psychological damage.

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The newly gained importance resulted in the lifting of sanctions and embargoes on Pakistan and opened the way for multimillion dollars aid in the form of coalition support fund. Pakistan was also given the status of a major non-NATO ally. In this regard, US approached Saudi Arabia for its Direct Foreign Investment in Pakistan along with other money related concessions. Pakistan benefitted due to the extensive monetary support form the Coalition Support Fund (CSF) and the sword of becoming a defaulter state, which was ominous in the years before 9/11, subsided. The growth rate of Musharaf era is the direct outcome of these additional grants. The economy of Pakistan improved, at least in official statistics. But the hype was short lived as the unforeseen damaged started to engulf Pakistan as the war on terror begun to unsettle Pakistan especially the in the bordering regions of Afghanistan i.e. the province of Khyber Pakhtunkhwa.

Due to the central role of Pakistan in the post 9/11 scenario, the financial situation appeared to be improving because of the favorable terms granted to Pakistan by the European Union (EU) mechanism of Generalized System of Preferences (GSP). In addition, the liabilities of Pakistan were rescheduled and it also received one time grants like United States grants and Saudi Arabia investment. Terrorism experts from Washington and her allies unanimously argue that if the global community was to win the fight against ideological extremism and operative terrorism around the world, Pakistan should be in the frontline of the combat (Gunaratna & Iqbal, 2011, 75).

The years following the start of the War on terror saw Pakistan turning from the helper in the war to the actual battle ground as the state, society, and governance system were totally paralyzed due to the ever-increasing acts of terrorism resulting in vast human losses. According to the statistics of START Global Terrorism Database, Pakistan has suffered the most as for as terrorism-related deaths are concerned. In fact, the death toll exceeds the joint terrorism-related deaths for both Europe and North America (Mehmood, 2016).


The International War on Terror (IWOT) has produced unprecedented mayhem in the country because of Al- Qaeda and Taliban’s cold-hearted and terrible actions which
were guided by the slogan ‘kill one and frighten one million’. They were very successful in frightening and demoralizing the society and created an unfriendly environment, especially in the province of Khyber Pakhtunkhwa. It goes without saying that if Pakistan occupies a central position in the global war on terror, Khyber Pakhtunkhwa occupies the same position within Pakistan. The importance of Khyber Pakhtunkhwa is because of several factors such as its strategic position, poverty, and illiteracy and also due to the fact that it is home to 3 million Afghan refugees. All these things resulted in more damage in Khyber Pakhtunkhwa, FATA and Baluchistan (Yaqubai, 2016, 08). Similarly, in Pakistan some cities are more affected than others. For example, In Baluchistan the capital city of Quetta, and in Khyber Pakhtunkhwa, Peshawar has seen more bomb blasts than any other city. The normal mode of operation of the terrorists in these areas is bomb blasts, suicidal attacks, target killing and kidnapping for ransom. Though terrorists have struck in all main towns of Pakistan, Peshawar has been the main target of terrorists due to its geo-strategic position. Losses in terms of death, disabilities and devastation of infrastructure are hard to measure (Zada, 2015).

The militant culture created disorder in the governance of the mainland and undermined the capacity of the Khyber Pakhtunkhwa provincial government. Terrorists have been found involved in subversive activities like beheadings, targeting police and security personnel through land mines, ambushes on check posts, patrols and Vehicle-Borne Improvised Explosive Devices (VBIEDs) and bomb explosions. According to a statement by IGP Khyber Pakhtunkhwa in daily “AAJ” Peshawar, 1278 Police officials have lost their lives in the ongoing war on terror from 2006 till July 2016 (Durrani, 2016). They destroyed the socio-economic infrastructure and paralyzed provincial administrative machinery by a method of ceaseless psychological warfare and physical intimidation. In the given circumstances, Khyber Pakhtunkhwa police department was faced with a complex situation as the evolving militant culture and the coordinated networks posed a daunting threat to provincial as well as national security and peoples’ lives and property.

The police department, in coordination with other law enforcement agencies, has come a long way to adapt to the increasingly complex situation in Khyber Pakhtunkhwa. As terrorist groups with their asymmetric combat tactics gained more and more ground in Khyber Pakhtunkhwa, police also needed to grow in their operational compatibility. It was compulsory because the militants have proved to be transnational in access, linked by sophisticated networks and highly adaptive in their thinking. Against this, the Khyber Pakhtunkhwa Police is less skilled, ill armed and lacked a permanent strategy. Their strategy is short term and conservative. Marc Goodman in his book has enough information about the criminals and terrorists’ capacity to adopt new technology. He has stated that the criminals are expert in the use of modern technology and are equipped with latest arms. Cybercrimes is the new mood of operation of criminals who hack accounts, steal identities and valuable data (MarcMan, 2016, 22).

The well-known Pakistani journalist, Zahid Hussain in his book, The Scorpion’s Tail has also pointed towards the sophistication of the terror technology in Pakistan and the
excavating of the roots of association between Al Qaeda and the TTP in the tribal belt of Pakistan, which has been professed the epicenter of terrorism in Pakistan.

As the insurgency in Pakistan has escalated, so has the sophistication of the militant groups has grown. The evolution can be attributed to the increasing contact between the local groups with the more established international terrorist networks forming an interconnected and coordinated web. There is no doubt that a close association between the Al Qaeda and the foreign Militants with the local militant leaders and Pakistani Taliban has resulted in increased violence in Khyber Pakhtunkhwa (Hussian, 2010, 20).

Fredric Grare in his report titled, ‘Situation Report’ has written that though the whole of Pakistan is not only hit by terrorism and radicalization but the two provinces of Baluchistan and Khyber Pakhtunkhwa are the special target of the terrorists because of their geo-strategic position. Though all the provinces and the Northern areas have underwent terrible terror related incidents, but in recent past, Baluchistan and Khyber Pakhtunkhwa have been the worst affected areas along with the semi-autonomous Federally Administered Tribal Areas (FATA) (Fredric, 2014, 26). Facing the grim security circumstances in Khyber Pakhtunkhwa, Chairman PTI, Imran Khan also urged the Federal government that due to terrorism there is a dire need to equip Khyber Pakhtunkhwa Police as it was the frontline in the efforts to fight terrorism in the province. He also lamented lack of the requisite training and equipment of the provincial police (Dawn, 2016, 08).

Reforms in Police Force to Counter Terrorism in Khyber Pakhtunkhwa

Despite the fact that Pakistan has remained in a state of internal crisis like sectarian and ethnic troubles along with underdevelopment and political instability from the very first day of its inception in 1947, the policy makers have never prioritize reforming the police which is the backbone of law and order in the country (Susan 2011, 21). For dealing with the terrible circumstances in the aftermath of the war on terror, Khyber Pakhtunkhwa Police has started a number of programs such as, PIN (Police Information Network) to expand the space of collection of information and investigation against the terrorists. Responding to PIN (3500) phone calls against terrorists and their facilitators, the police has cut short the nefarious designs of the terrorists (Mashriq, 2016, 03) One Click SOS (Save our Souls) System has been installed in (22978) educational institutions and 2000 other security wise sensitive places in different parts of Khyber Pakhtunkhwa. To appreciate the services of police officials fighting against terrorism, IGP, Khyber Pakhtunkhwa Nasir Khan Durrani distributed a huge amount of Rupees. 9.3 million Cash and appreciation certificates to boost the morale of police officers who arrested criminals having head money from Khyber Pakhtunkhwa government (AAJ, 2016, 04). KP Police has established various research centers and planning institutions to effectively combat the peril of terrorism in the province .For this objective, the KP Police, in coordination with the provincial government and other friendly countries like UK and USA (i.e. USAID) empowered the organization by equipping it with state of the art weapons, to
build counter terror networks and mount effective defenses and offences in light of the enormous sacrifices of this department. Police of Khyber Pakhtunkhwa has established six specialized schools in Khyber Pakhtunkhwa province. These include: Police School of Investigation, Police School of Intelligence, Police School of Tactics, Police School of Explosive Handling, Police of Public Disorder & Riot Management, and Police School of Information Technology, established in May 2014, June 2014, July 2014, February 2015 and January 2015 respectively. Sifat Ghayur and Malik Saad, the two prominent police officers of Khyber Pakhtunkhwa: were martyred at the hands of suicide bombers. Mr. Hassan Abbas, in Asia Society report, identified the several flaws of Police in Pakistan and its inefficacy to deal with terrorism in Pakistan. According to him to get rid of the problem of terrorism in Pakistan, police needs more recruitment, sophisticated weapons, effective equipment for monitoring, computer based intelligence competence, and training in the legal processes of entry, search and apprehension (Police Official Portal, 2016).

As a counter terrorism approach to effectively meet the challenges posed by terrorism, the Khyber Pakhtunkhwa Police has to adopt time tested approaches which emphasize prevention and convergence with newness which focus on situation forecast. The following specialized units have been recognized to enhance the capacity of Khyber Pakhtunkhwa Police against terrorism. A full-fledged Police Research Centre has been established in Peshawar to undertake research on the problems faced by KP Police in face of the grave menace of terrorism.

Special Combat Units (SCU), Elite Women Commando, Rapid Response Force (RRF), Police Assistance Lines, Police Access Service (PAS), Persons Released From Jails (PRFJs), Dispute Resolution Council (DCR) and Police Access Service (PAS) are needed to be further strengthen to meet the challenges of the war against terrorism and extremism (Aitzaz, 2012, 12).

In a report of the Brookings Institution compiled before Benazir’s assassination and Musharraf’s coup, titled *Index of States Weaknesses in the developing World*, Pakistan has been placed on 33rd position out of total 141 states, with the weakest score in the sphere of security. Similarly, Pakistan is ranked at 108 out of 141 countries as far as the index of weak security in concerned. The survey shows that security is the weakest area of performance in Pakistan as is evident from several military coups, human rights abuses and the ongoing low intensity conflicts (Stewart, 2008, 18).

Dr. Maleeha Lodhi, the envoy of Pakistan in the United Nations, has also remarked in her book *Pakistan Beyond the Crisis State* that the process of social and economic development is sluggish as the state was in the quagmire of insecurity and lack of counterterrorism strategy. High risk in sphere of security is because of Pakistan increasing militancy and lack of a wide-ranging and integrated counter terrorism strategy (Lodhi, 2012, 169).
Many experts of policing in Pakistan are of the view that an effective and efficient police force is necessary to meet the challenge of counter insurgency in Pakistan. We see that a depleted in number and ill-equipped police force is time and again called to eradicate the rising violence and insecurity (Hassan, 2011). Police throughout the world are faced with an increasingly complicated set of problems due to the emergence of internationally coordinated criminal networks. At present, the offenders reach is transcontinental, as they have links all over the world along with sophisticated networks. They are highly adaptive in their thinking (Downing, 2003). The neglect in the proper training of police by successive political authorities was also responsible for the mess. The approach of successive rulers was that police is a non-development department and so investment in its modernization was unnecessary (Niaz, 2011, 181). The mutual mistrust between public and the police is another reason responsible for the failure of police in the war against terror. People are so afraid and fed up with the callousness and autocratic behavior of police that they have developed a kind of police gardi (fear of Police). According to Ilhan Niaz, during a survey half the respondents opined that they would probably not contact the police even if they witnessed any anti-state activities.

The renowned scholar and expert of Pakistani police, Mr. Hassan Abbas wrote in his article What Post-Osama Pakistan Really Needs: Police Reform, and several other authors are also of the view that developing countries, especially those traumatized by terrorism, intensely need to invest in the improvement of criminal justice systems and improving the capacity of police department.

Pakistan is going through a tough political crisis, and critical issues such as effective tax collection, expansion of energy generation, and perhaps most importantly law implementation reform continues to hang in the balance. A capable criminal justice system is the most significant tool for defeating extremism and terrorism than any fighter jet or nuclear submarine (Hassan, 2012).

Anatol Lieven in his book Pakistan A Hard Country has stressed on the important role of police in Khyber Pakhtunkhwa. An interview with Ex. Inspector General Police, Khyber Pakhtunkhwa, came to the this conclusion that statements like this exemplify the nature of Pakistan as a compromising state and also the way in which the Pakistani Police (and, indeed much of the civil services) are still basically a colonial era police force or even a medieval one: dedicated chiefly, not to the pursuit of crimes as such, but to the maintenance of basic peace and order (Aantol, 2012, 169). In another place, he talks about the hitches of Khyber Pakhtunkhwa police such as low salaries, outmoded weaponry and lack of modern technology in face of the overarching strides of terrorism in the province. When the author asks a police officer that what the police in NWFP (now KP) needed most? He laughed sarcastically, saying, where to begin? First, we need better pay and incentives. We need better vehicles, better radios, better arms, bullet proof vests, and then puts question to the author, would you risk your life fighting the Taliban for the pay we get? (Aantol, 2012, 170).
Steps by Police to Improve Ties with the Public to Gain Public Confidence

Khyber Pakhtunkhwa’s Police department is developing more meaningful and long-lasting partnerships with community and partners to adopt policies that maximize law enforcement resources. Most importantly they will need to work with community to counter extremism that foments acts of terrorism. We must not be tough only on terrorists, their financiers and facilitators but also on the causes of terrorism as well. Police must adopt a comprehensive strategy to fight terrorism and disorder while creating hostile environment for terrorists. The counter terrorism strategies can be effective, provided that, people cooperate with the law enforcement agencies. People must realize that nation’s collective action like National Action Plan (NAP) against the terrorists will be most effective as compared to only law enforcement agencies operations. Police department will be helpless to take action against the terrorists in any remote or urban area until people cooperate with the police to successfully handle the terrorist activities and bust their hide outs. The terrorists are successful in this province because majority of the people are not cooperating and supporting police department to conduct operations against the terrorists due to fear of victimization in case the government failed to provide appropriate security.

Nevertheless, apart from some minor efforts by the federal and provincial governments to improve the efficiency of police department to fight against terrorism, the majority of police force is still operating with outmoded weapons and instruments to face the ongoing challenges, especially to handle terrorism. They have no modern weapons and technology to match the militants who have comparatively more sophisticated weapons and communication network.

The phenomenon of terrorism is not new in the World and it has had a long history through ages. Some authors have investigated that with the rapid advancement in information technology, the means and methods of terrorism has evolved and changed. It concludes that both governments and societies need to better confront the challenges created by these newest forms of terrorism in the areas where it has evolved (Neumann, 2009).

Moeed Yusaf, like all keen observers of terrorism in the South Asia, has emphasized on some all-out comprehensive strategies to eradicate terrorism. He has stressed on a genuine counterinsurgency (COIN) strategies which should aim at tackling the root causes which breed terrorists (Dawn, 2016, 8).

Moreover, the irony of the situation is that despite serious security challenges, the police department and other law enforcement agencies have never initiated a proactive strategy against terrorism but are always working on reactive strategy. Furthermore, police department has no independent counter terrorism mechanism and will be unable to develop it because of the political decisions taken by the federal or provincial government which failed to focus on the intensity of crimes of terrorism.
The establishment of CTD (Counter Terrorism Department) by Khyber-Pakhtunkhwa government is a praiseworthy step in this regard. Nonetheless, due to absence of a cohesive strategy on the federal and provincial levels and lack of policy mechanism for the police department, the law enforcement agencies had shown poor performance to avert any untoward incident. Finally, there is a need of cohesive mechanism amongst all the concerned stakeholders i.e. masses, civilian rulers, law enforcement agencies and military institutions to nip the evil of terrorism in the bud.

The stories of police and judiciary corruption coupled with continuous state of denial in the government circles are also an ignominious episode. “Corruption in judiciary coupled with underpaid and ill-trained police force, along with protection by politicians for criminals have all enabled terrorists to flaunt the law (Murphy, 2013, 169).

One of the biggest hurdles in the way of minimizing mutual trust deficit between police and the public is rampant corruption in police which has tarnished its image irreparably. Police, which is the primary institution for law-enforcement, is regarded as the most corrupt institution in Pakistan according to Corruption in South Asia: Insights & Benchmarks survey (Transparency International, 2002). The decision makers must take police department on board before any pre-emptive action because police has its own procedure to handle the crimes. The survey concludes that it is clear that improved techniques of investigation and international cooperation have enhanced the capabilities of the law enforcement agencies, but there is still a lot to be done (Araish, 2005). Along with equipping the police with necessary equipment, focus needs to be given to the capacity-building of our police force to curb terrorism for good. Without trained police force, the fight against terrorism seems to be fighting a losing game.

Unless the standard of policing is improved in Pakistan, the NAP (National Action Plan) and NACTA (National Counter Terrorism Authority) cannot be successful in eliminating all forms of extremism and militancy in the country (The Nation, 2015, 9).

The losses suffered by our law enforcement agencies in the war on terror shows that our forces have been outmatched by the terrorists in the warfare and vigilance, as our forces especially are in dire need of new equipment and training to efficiently deal with the menace. As the law enforcement agencies are trained for conventional warfare, they cannot be expected to deliver against the present unconventional militant threat. This unconventional fight requires advance training, modern equipment and new tools and method of procedure. The traditional approach has resulted in huge losses thus far, during the Counterinsurgency (COIN) operations and needs to be changed to avoid more losses (Mohammad, 2013, 19).

International Crisis Group in its report issued in 2015 titled, “Revisiting Counter-Terrorism Strategies in Pakistan: Opportunities and Pitfalls” has also assigned a fundamental role to the civilian law enforcement agencies especially the police in eliminating terrorism from Pakistan. It has gone a step further from police reforms by
suggesting stringent action against the jihadis and profound reforms in Penal Code, Criminal Procedure Code and Evidence Act to make them adaptable to the changing environment in Pakistan.

The challenge should be taken by the government in light of the new realities and instead of focusing on the militarized response it should focus on a more revamped strategy led by civilian LEAs especially the police. These police led initiative can prove more useful than the militarized response which has failed to deliver. Thus, it is very necessary to strengthen the capacity of police department to counter the growing menace of terrorism (International Crisis group, 2015).

Police and other civil law enforcement agencies have been considered premium institutions to effectively deal with terrorism in Pakistan. A columnist in daily, Dawn Islamabad, concludes: “The solution lies in following due process and the rule of law,” he argues. “This will be accomplished by building the capacity of police, prosecution, courts and prisons” (Dawn, 2016, 09).

United States Institute of Peace report entitled ‘Making Peace Possible’ published on August 18, 2014, has acknowledged the role and sacrifices of police in Pakistan in the American induced war on terror and put emphasis on the modernization through technology and enhancing policing skills.

Pakistani police have remained in the frontline in this war and has made innumerable sacrifices in this fight against anti-state actors and criminal gangs. The need is now urgent to empower the police through a program of positive reforms that would begin with modernizing police stations and reorienting and retraining their personnel (US Institute Peace Report, 2014).

So many foreign and domestic experts on Pakistan maintain that it is not only Pakistan to be blamed for failure of civil security but the whole international community. It is due to gross negligence the number of weak/fragile states has terribly increased since 2003.

The estimates of World Bank show that the number of ill-governed countries with fragile institutional setups and high conflict vulnerability in on the rise. The data in this regards shows that the number of such countries rose from 17 to 26 during the period of 2003 to 2007 (Young, 2016). These figures are very alarming because vulnerable states serve as the breeding grounds of criminals and terrorists who are always looking for soft targets with weak governance and deprived population. It is from such territories that these criminals operate to play havoc with world peace. To backup this assessment we have the data which shows that during the nineteen years from 1981 to 2000, there were only seven countries in the world to witness suicidal attacks. The years following 2001, the number of countries with suicidal attacks has increased to at least twenty (Richardson, 2006, 6).
It goes without saying that the task in hand is a difficult one. There are a number of hindrances in reforming police in Pakistan due to its weak institutions. However, the Police Order 2016 by the Khyber Pakhtunkhwa government has been appreciated by the majority of the observers. This order has shifted powers from bureaucracy towards Police Chief, as more internal autonomy has been given to him form bureaucratic control. Solid steps like these are essential for Pakistan so that it could acquire the much-needed international assistance to accelerate the reform processes in various organizations in security related sector and further enrich the intelligence infrastructure. Very little has been done in this regard so far as evident from the failure of curbing violence and worsening law and order situation. The reason is that segmented reforms cannot transform institutions. Only a thorough restructuring of law enforcing organizations can deliver the good. In other words, a comprehensive approach is necessary to boost up the counterterrorism capacity of the police. Effective law enforcement is also closely link with rule of law in democratic setups. It is clear as day light that police reforms will not only enhance their counterterrorism ability but would also improve the rule of law in our country, resulting in a more peaceful and prosperous Pakistan.

Conclusion

It can be concluded from this investigation that police have a major part to play in the War against Terrorism. As a non-military law enforcing department in the Province, Police is the gatekeeper of peoples' lives and properties. Unfortunately, our police force has not evolved over the time, as is the case in most of Pakistan’s institutions, to meet the challenges of the time. To remove the stagnation of seventy years, there is a dire need of a complete overhaul. Creating a positive image of the department in the mind of the public is the first step towards change. Once support and goodwill of the public is established, half the job is done. Proper training and state of the art equipment can make the police force a trump card in the war against terror in Khyber Pakhtunkhwa. Boosting the morale and economic condition of police is imperative for expecting a good show from the police. Policy makers need to remove the confusions surrounding policy lines to make the efforts of the police more productive. NAP should not become ‘No Action Plan’. There are also suggestions that in view of the ominous task at hand, the police needs to be psychologically trained along with their physical training. Mechanized intelligence sharing and getting on board with friendly intelligence agencies of the world will not only make efforts of the police more productive but will also enrich their expertise. Political interference is major reason for the poor performance of our police and is required to be stopped immediately. Politically, Police should be given a free hand, technically, police should be properly trained and economically, police should be vitalized with incentive. Only then can we win the war against terrorism.

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