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Political Parties Urge FATA Reforms Essential for Peace and Stability

Islamabad: Senior leaders of seven major political parties agreed at a roundtable discussion that it is essential to develop political reforms to mainstream FATA as part of the long-term solution for peace and stability. They called for the President to sign immediately the order to extend the Political Parties Act to FATA, which he announced on Aug 14. Opinions were mixed about the announced amendments to the Frontier Crimes Regulation (FCR) with some parties supporting the amendments while others want the FCR to be abolished and replaced with an entirely new law. The outstanding issue of whether or not to merge FATA with the NWFP was also debated with some advocating integration while others believe the people of FATA should have the right to decide its status.

Despite these differences the parties unanimously agreed that reforms to democratize FATA and provide the same legal and human rights to its citizens as other Pakistanis should continue to be vigorously pursued by the government despite the current security situation. Many, in fact, believe that the absence of such rights is partly the cause of the problem.

Presidential Spokesman Farhatullah Babar acknowledged that not all parties agree entirely with the announced reforms but he added that “all big journeys begin with a small step,” reminding participants that “nobody had touched the FCR for 109 years.”

The parties participating in the roundtable included PPP, ANP, PML-Q, National Party, Pashtunkhaw Milli Awami Party, JI and PPP-S. This was the final roundtable on “Mainstreaming FATA” arranged by the National Democratic Institute (NDI), in cooperation with the Shaheed Bhutto Foundation, in a series that involved approximately 300 tribal representatives from all agencies of FATA and senior leadership of 10 major political parties over the past year.

Briefing the participants on the details of the reforms announced by the President on Aug. 14, Farhatullah Babar appreciated the recommendations developed by tribal representatives and the political parties at the previous roundtables, which were seriously considered in the President’s deliberations on the reforms.

The Spokesman said that the President, in addition to extending the Political Parties Act, has in principle approved various amendments in the FCR to protect the basic human rights of tribal people and curtail the arbitrary powers of the political agent. He told the participants that under the proposed amendments the right to bail will be granted to people who are sent to jail and no women and children under the age of 16 will be arrested under the collective responsibility clause.

Describing the judicial reforms Farhatullah Babar said the judicial powers of the political agent have been further curtailed by separating the PAs judicial power from the executive power through the appointment of an additional political agent who must be a person qualified to become a District or Sessions Judge. Another appellate forum will be the FATA tribunal, which will be headed by a retired High Court Judge or a person qualified to become a Judge of High Court. He said the FCR reforms are being drafted into legal language and once they are codified the President will sign the amended FCR.

Farhatullah Babar added that tribal areas were called the Petri dish of international terrorism. The foreign and local militants and extremists hiding there had challenged the writ of the state and attacked the security forces. Some people, he indicated, think that clearing the area of the militants should be accorded greater priority than the judicial, administrative and political reforms in the tribal areas. They argue that implementation of reforms would be possible only if the writ of the state was first enforced in these areas. However, he said that the other side of the argument is that tribal areas reforms were a most important tool for winning the hearts and minds of the people and consequently for winning the war against militancy and restoring the writ of the state. A calibrated response therefore needs to be devised, he suggested, so that the militants were flushed out while at the same time reformation of tribal areas also continued.

ANP leader Hasham Babar appreciated the serious efforts of the government on FATA reforms and suggested that “political reforms in FATA should be part of the war strategy because they can help in winning the hearts and minds of the people of FATA.” He added, however, that the ANP has some reservations about the reforms and advocated that the Peshawar High Court should be extended to FATA instead of the creation of a FATA Tribunal, the FCR should be abolished, not amended, and FATA should become PATA. Hasham Babar urged the President to immediately sign the notification for the extension of the Political Parties Act and said the government should consult with ANP and other parties on finalizing the reforms.

Former Peshawar High Court Bar Association President and ANP leader Abdul Latif Afridi charged that FATA is the focus of the world where many are losing their lives and called on the government to mount a serious operation to clear it up even though there will be a heavy cost in human life and material resources.

Jl Senator Professor Muhammad Ibrahim urged consultation with people from FATA, including the current Senators and MNAs, before bringing in changes. He demanded complete abolition of the FCR, establishment of FATA Councils, and extension of Peshawar High Court jurisdiction to FATA which, he suggested, can be done by an act of parliament. Senator Ibrahim opposed giving FATA the status of PATA.

National Party leader Senator Mir Hasil Khan Bizarjo declared that today’s militancy is the outcome of the colonial laws which exploit Pashtun in FATA and Baloch in Balochistan and keep them “backward” for the benefit of elites. He called for the FCR to be completely abolished as it is a total violation of human rights. Claiming that making FATA into PATA is inadequate, he supported the merger of FATA with NWFP and urged consultation with the common people of FATA.

Pashtunkhaw Milli Awami Party leader Raza Muhammad Raza welcomed the reforms announced by the President and termed them a step in the right direction. He also called for more amendments to the FCR referring to previous recommendations to elect members of the Jirga and give it an Appellate mechanism for resolving disputes. Noting the need for the writ of the government if reforms are to be implemented he called for the elimination of all militants.

PML-Q MNA Marvi Memon said that there were no differences among political parties about doing away with the laws which violate the human rights of people. She called on the government to develop a clear plan and strategy with deadlines for democratic reforms in FATA and indicated she will consider introducing a resolution on reforms for debate in the National Assembly.

PPP-S leader Senator Anisa Zeb Tahirkheli also welcomed the reforms announced by the President terming them a “breakthrough” but she questioned the ability to implement them under the prevailing security situation. Calling for “gradual integration” of FATA she urged that the “pace of work be increased” and the Political Parties Act extension be made effective immediately.

ENDS

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