

DISCUSSION PAPER

National Internal Security Policy

An Analysis

CIVIL-MILITARY RELATIONS | MARCH 2014

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Abbreviations and Acronyms

BOG	Board of Governors
CAF	Civil Armed Forces
CCNS	Cabinet Committee on National Security
CDP	Combined Deterrence Plan
CRP	Comprehensive Response Plan
CTDs	Counter Terrorism Departments
DIS	Directorate of Internal Security
DRC	Directorate of Research and Coordination
FATA	Federally Administrated Tribal Areas
ICT	Islamabad Capital Territory
IBOs	Intelligence Based Operations
LEAs	Law Enforcement Agencies
MOI	Ministry of Interior
NACTA	National Counter Terrorism Authority
NISA	National Internal Security Apparatus
NISOC	National Internal Security Operation Center
NISP	National Internal Security Policy
NNI	News Network International
RRF	Rapid Response Force

PREFACE

Pakistan has unveiled its first ever National Internal Security Policy (NISP) after 67 years of its existence. The NISP was presented in the National Assembly on February 26, 2014 after the approval of Federal Cabinet.

Being the first-ever policy of its kind in the country, the NISP is worth analysing at all relevant forums in the country. Some have called this a game changer and others are describing it as a first by showcasing a clear civilian perspective on a turf traditionally dominated by the security establishment. The NISP is also termed as bold in its diagnosis in policy articulation.

The discussion paper **National Internal Security Policy: an Analysis** attempts to provide a detailed analysis of the Policy. The Discussion Paper is commissioned by PILDAT and is authored by **Mr. Saleem Safi**, Prominent Journalist and Analyst. The paper is an attempt to provide a critical analysis of the NISP for the benefit of Parliamentarians, who have to engage not just in policy analysis but find effective means to oversee the implementation of the policy both in the short and the long-term.

Disclaimer

The opinions, findings and conclusions or recommendations expressed in this paper belong to the author and do not necessarily reflect the views of the PILDAT.

Islamabad
March 2014

ABOUT THE AUTHOR



Mr. Salim Safi was born in District Mardan, Khyber Pakhtunkhwa. He joined the NNI (News Network International), and became a journalist after graduation from the University of Peshawar. He became bureau chief of the NNI for Peshawar city, from where he covered, Afghanistan, Khyber Pakhtunkhwa and FATA. His columns have been published in national Urdu Dailies, 'Mashriq', 'Aaj' and 'Pakistan' from 2000 till 2008 and have received wide recognition for his in-depth analysis and presentation of the post 9/11 situation. In 2004 Saleem's first book: *Afghanistan: The Role of US, Taliban and Pakistani Religious Parties* received wide acclaim. He is currently writing his second book.

With the advent of electronic media in Pakistan, Saleem Safi became part of it. From 2002 till 2004, he hosted a PTV prime time Pashto talk show from Peshawar and then 'Saleem Safi K Sath (with Saleem Safi)' from PTV Islamabad from 2005 to 2008. He has also been hosting Pashto talk show 'syasat' (Politics) on Khyber TV, a Pashto TV channel. Towards the end of 2008, Mr. Safi joined Pakistan's biggest news group, Jang and is since hosting his talk show 'Jirga' on GEO TV. He also contributes a column to Daily Jang with the same name, Jjirga. Mr. Saeem Safi is counted amongst the country's well-known TV talk show hosts. He has interviewed many national and international leaders on regional situation.

Introduction

Pakistan has unveiled its first ever National Internal Security Policy (NISP) after 67 years of its existence. Being the first-ever policy of its kind in the country, the NISP is worth analysing at all relevant forums in the country. Some have called this a game changer and others are describing that 'NISP is not just a first by being a clear civilian perspective on a turf traditionally dominated by the security establishment but also bold in its diagnosis in policy articulation.' These claims require a detailed discussion on NISP in a step-by-step manner.

The NISP is based on two principles of mutual inclusiveness and integration of all national efforts and includes three elements;

1. Dialogue with all stakeholders
2. Isolation of terrorists from their support systems
3. Deterrence enhancement by capacity building of the security apparatus to neutralise threats to internal security of Pakistan.

There are five policy objectives and all of them cannot be argued against:

1. To establish the writ of the State and protect the people from all internal threats
2. To protect the life, property and fundamental rights of the citizens of Pakistan
3. To promote pluralism, freedom, democracy and a culture of tolerance
4. To prevent, deter and contain threats to internal security in a transparent, accountable and just manner
5. To peacefully resolve and manage disputes with hostile elements without compromising the rule of law

Spectrum of contours of the NISP range from improvement of law and order to comprehensive border control regime for public safety and in most cases provincial and federal coordination is required. The National Counter Terrorism Authority (NACTA), an existing institution for coordination, would implement the NISP with the help of Provincial Governments, Law Enforcement Agencies (LEAs), and intelligence agencies. The NISP presumes that all components of the National Internal Security Apparatus (NISA) will be working together, rather than in silos, to counter the terror plots proactively.

Resources

The provincial component is estimated at Rs. 22 billion to improve capacity of Police, and establish counter terrorism departments, rapid response forces and high

security prisons. Estimated cost of the federal component is Rs. 10 billion for strengthening the NACTA, establishing Rapid Response Force (RRF) and Civil Armed Forces Headquarters in the Ministry of Interior, and modernisation of LEAs.

Implementation

For implementation purposes, the NISP acknowledges that police is the premier law enforcement agency in the provinces and the NISP focuses on capacity enhancement and specialisation within Police. The NISP cannot achieve its goals without active participation of Provincial Governments/Police in the NISP implementation process. The NISP is designed so that the Counter Terrorism Departments (CTDs) and Police will be working hand in hand with DIS for providing intelligence to the National Internal Security Operation Center (NISOC) in Directorate of Internal Security (DIS). All Provincial Police departments shall establish specialised CTDs. All CTDs will have the Rapid Response Force (RRF).

The Rapid Response Force (RRF) is proposed to be established by the Federal Government and Provinces for conducting 'Intelligence based operations' with CTD/ police support where required. Under command of the Islamabad Capital Territory (ICT) police, a Federal RRF will be trained by trainers to be provided by other security agencies. The ICT Police, Military Operations Directorate and National Police Bureau, and Civil Armed forces have already started work on this. The required maneuverability, for such operations, would be provided to Police and RRF by the Air Wing facility of the Ministry of Interior. For this, a US \$ 25 million dollar support is already available from the United States.

The NACTA

Smooth implementation of the NISP will require quality communication and coordination capability between Provincial and Federal Governments, the Armed Forces and intelligence agencies to counter terrorism for which no indigenous model exists. The NACTA would provide such a model and ensure coordination with the national internal security apparatus.

Headed by the Prime Minister, the NACTA Board of Governors (BoG) is to approve all policies. Minister of Interior plays a critical role in oversight as head of the Executive Committee in addition to his role as member of the Board of Governors. The BoG needs to meet for decisions on budgetary and human resources issues as well. Presently the NACTA needs major inputs. Resource requirements of the NACTA include

financial, human and information aspects.

The NACTA will have a Directorate of Research and Coordination (DRC) to oversee implementation of the soft component of the NISP. In order to counter the discourse of terrorists, a national narrative on terrorism, extremism, sectarianism and militancy based on values of peace, tolerance and inclusiveness, will be developed and disseminated in society. This will require Federal and Provincial Governments and State institutions to agree on common denominators on the basis of the Constitution of Pakistan and principles of policy. The current NISP itself speaks out such narrative by declaring terrorists enemies of the State.

Rehabilitation and reconstruction projects to counter terrorism and radicalisation in Pakistan are already under way in Provinces and Federal areas. The DRC will collect this data from Provinces and Federal departments for analysis and developing policy options. Similarly madrassa and mosques are to be mapped. Databases will be updated with relevant information. This will enable consolidation of a national database of mosques and madrassas for review and formulation of a legal framework required. Financial requirement for compensation to victims by Provinces and Federal areas will be consolidated in the DRC.

De-radicalisation aspects also require a national approach. Some programmes are already in place in Swat, Tank and Lahore. Lessons will be learnt from these local initiatives and international best practices for preparing a national plan. Provincial and Federal Governments can implement reconciliation and re-integration programmes of radicalised elements. The DRC will work to develop such an approach in consultation with all stakeholders. Provinces are already on board in this process.

The DIS will implement isolation and deterrence components of the NISP with an integrated grid of tactical, operational and strategic intelligence with a Combined Deterrence Plan (CDP). Pakistan has an elaborate NISA comprising 33 civilian and military operational, coordinating and intelligence agencies so that intelligence could be developed for mapping up of threat at the national level. This would generate actionable intelligence, leading to precise intelligence based operations (IBOs). All intelligence agencies shall be represented under one roof along with other Provincial and Federal law enforcement components in Intelligence and Analysis Center of DIS. The National Internal Security Operation Center (NISOC) will be the hub of information and intelligence collection from all human, technical, covert and overt sources of line

agencies. The NISOC will be point of exchange of information and coordination of components of NISA with DIS.

Border Management

Border management is extremely important in the backdrop of exit of ISAF from Afghanistan. The Federal Ministry of Interior would be the focal point for border management in consultation with all stakeholders. For this purpose, the formation of a CAF headquarters in MoI is the first step for improved coordination among CAFs. The CAFs will be available to Provincial Governments through the MoI for internal security purposes as per existing procedures.

Policy directives ensure that command and control of policy remains in the hands of MoI and all State institutions assist on the subject of Internal Security with the MoI. Lastly, the NISP pins hope with support of the people without which, no policy can be successful.

Analysis

NISP

The NISP is a commendable effort as far as the comprehensive coverage of internal security issues is concerned. It can be lauded for taking into account all the dimensions of threats to internal security and diagnosis of the problems. For the first time, a Government has acknowledged the real threats like terrorism, extremism, sectarianism and militancy on the policy formulation front without putting blame to one government or the other and without pointing finger towards any civilian or military regime. In a desire to cover all aspects, it also mentions chemical and biological threats which are a far-fetched idea in the local context and it is defended as a futuristic approach. Contours of policy also enumerate existing law and order situation as one of the prime target areas of attention for any Government.

The soft component of policy framework outlines an integrated process of research and coordination on key issues. Comprehensive Response Plan (CRP) is focused on winning over trust and confidence of general public to combat extremism and terrorism. The hard component of the NISP comprises Composite Deterrence Plan (CDP). It complements the existing internal security apparatus to combat terrorism.

The CRP is a composite process based on dialogue with all sections of society. It includes infrastructure development, rehabilitation of victims of terrorism, National Narrative Reconciliation, Reintegration and Legal Reforms. All these encompassing elements of

social, economic, and ideological domain require utmost attention and careful execution.

The NISP aims at performance enhancement of existing apparatus and filling the capacity gaps of the NISA by creating new but cost-effective and efficient institutions. The CDP seeks to change the posture of national internal security apparatus from reactive to proactive. The immediate objective is to eliminate growing menace of terrorism by, inter alia, filling the coordination gaps in intelligence regime to develop proactive systems.

While tackling non-traditional security threat, it would be imperative to address traditional threats by using conventional law enforcement apparatus more effectively. Towards this end, identification and mapping of critical security threats to public is essential to articulate a response strategy under a unified command and control.

There is no clear distinction of short, medium and long term measures in the NISP. The NISP Implementation plan is given at the end of policy and very ambitious time lines are mentioned.

What the NISP does not clearly mention but it can be read between the lines of the NISP is as follows:

1. Federal Government shall work with Provincial Governments to provide them requisite assistance
2. Without cooperation and coordination of Provincial Governments and Federal Agencies, countering terrorism will remain an elusive concept
3. Provincial Governments, Armed Forces and intelligence agencies will share required information with NACTA for analysis and planning
4. Staff of the NACTA will be selected on merit

The most critical factor in the effective implementation of the NISP is timely provision of relevant information and data from relevant departments of Provincial Governments, Federal Government, intelligence agencies and LEAs. If this presumption is not fulfilled, the entire edifice of the NACTA will fall. To this end, a lot of ground needs to be covered by the Federal Government.

There is not much to differ with ingredients of policy in soft or hard components. It is all about what and how it is implemented which will determine the effectiveness of the policy. There is a need to develop a strategy and make it public in consultations with the stakeholders to make things happen with realistic timelines.

There is lot of room to improve the internal security

situation and if all the steps are taken within the given timeframe in the policy, it will be a feat for which present Federal Government can be proud of. But can it be? It is not that easy due to inherent inconsistencies of the Federal Government's approach in the past nine months. Real problems will emerge in the implementation phase.

For the soft component, there are serious issues emerging as the Federal Government is taking on the dialogue process. The first committee for dialogue is disbanded and now the second committee is formed. As per the NISP, this should have been taken under the Reconciliation and Reintegration component of Directorate of Research and Coordination. However, Prime Minister's office has taken this leaf out from earlier drafts of the NISP and started this process. Informed sources know that there is neither any record available of first round of talks nor any thing available in the NACTA about the second committee. Therefore, one ingredient of the NISP is already not implemented as per the plan mentioned in the NISP. Even the composition of both the committees of the Government is questioned by the Leader of the Opposition in the National Assembly.

Reforms in Madrassas

For mosques and madrassa mapping, Jamiat Ulma-e-Islam has already started demonstrations all over Pakistan and some gatherings have taken place. It might be due to fear of over controlling by the Government machinery but resentment is there. On the other hand the Federal Government is unable to take concerned stakeholders in confidence on what it intends to do. Some clarity is provided in the concept paper of the NISP that it is focused on mapping the mosques and madrassas and how these institutions are funded. The NISP concept paper itself admits that in the past such efforts were unsuccessful but it does not provide concrete steps required to explain how it would be successful this time.

National Narrative

Real challenge for the NISP and the political leadership are to construct a national narrative. It is very difficult to bring a society, divided on multiple lines, under one narrative on terrorism and extremism. Similarly isolating the radicalised people from the non-radicalised segments of society will be an uphill task at a scale which has no parallel in any other country in the world.

Capacity Building

The most critical aspect of the ingredients of the NISP is hard component which considers the capacity building of existing National Internal Security Apparatus (NISA) and integration of intelligence

community under Directorate of Internal Security (DIS). This gap in the existing system has been identified many times and establishment of DIS suggests that the Government has accepted this shortcoming and has come up with a solution. But how will it happen? Why will intelligence agencies, who have never been answerable to any civilian set up, will share whole or part of their work? There will be intense tug of war on this subject and threats will be offered to democratic regime and architects of the NISP to step back on this issue. However, it is indeed a need of the time. It is not just a legal requirement under the NACTA Act of 2013 which places DIS under NACTA command, but it is also important from international perspective to have a civilian oversight of NACTA functions.

Cooperation between Civil and Military Institutions

In Pakistan, there is no local model where civil and military bureaucracy can work under a unified command. This design is a unique effort and in line with basic principles of inclusiveness and integration of the NISP. This will require intense confidence building measures and fusion of organizational cultures of the Police and the Military. Military establishment will like to take all of the NACTA under its ambit. Their second best option will be to take at least the DIS under its unshared control without the NACTA. Third option is to adopt a policy of passive cooperation to prove that this is an unworkable solution. However, the fourth option is to work hand in hand which can set-up new traditions.

This will be a real test of political leadership to invest greater energies to make the NISP work but it is even harder to find suitable Police officers who can contribute in the DIS. In the present set up, posting and transfers in Police and other important positions are not based on merit but on the choices of the rulers in the Federal and Provincial Governments alike. If this most delicate process is not managed carefully, there are higher chances that plans of joint working for a common cause of combating terrorism die without being born.

Other issues are capacity building of Police and establishment of RRF and CTDs in the Provinces and Federal areas. According to present reports, there is no harmony in the Police and DMG on establishment of Counter Terrorism Department at least in the Punjab which is home of PML-N. Adding military establishment and intelligence agencies in it will make it a perfect recipe for disaster. Serious reservations are already expressed by the Punjab Police by establishing CTDs under Home Department in Punjab but the NISP

has clearly closed that issue. However, the militarization of internal security is still not stopped. History of ad-hoc measures getting permanence can be seen in the form of Rangers taking over the lead role from Police in Karachi. Similar efforts in other parts of the country through implementation of the Protection of Pakistan Ordinances which empowers civilian and armed forces to do all the job of Police is causing serious concerns for human rights protection and is in direct contradiction to policy objectives of the NISP.

Afghan Refugees

Although intentions are good and policy has indicated a direction in which Pakistan should go but how? There is no hint about regulation of Afghan refugees, which is mentioned in the NISP. Today there are more than 1.64 million refugees spread all over Pakistan and freely crossing Torkhum and Chaman without any documents. Will refugees confined to camps like Iran? Will they be sent back? How can Pakistan stop new arrivals which is anticipated at the withdrawal of US/ISAF forces? Similar questions can be raised about implementation of arms control regime and developing a national database about people and their assets. Had the political will translated into action, prevention of cyber crimes law should have been passed in the Parliament by the Government.

Parallel Efforts

Other issues include parallel efforts by military and civil authorities. One such effort is border management. Historically, with complete and unsupervised control of military on the border policy, there was no civilian input in the policy and implementation. It helped establishment to implement their foreign policy and get desired results in Afghanistan and India. One major shift in this policy is making the MoI as the focal point for border management and many practical steps have been taken in this direction. All over the world, border management is a civilian job and present Government is keen on the subject to implement it. It will again need to establish more communication channels in civil and military bureaucracy to understand the intent without compromising the urgent need to make it happen before the US/ISAF withdrawal from Afghanistan.

Linked to this development is the establishment of Pakistan Border service and Civil Armed Forces Headquarters under the MoI. The concept of independent HQ of civil armed forces is not new but it is first time approved as a policy decision in the cabinet and later on in the 'National Stakeholders Conference' as it was named but not publicised by the Prime Minister's office and the MoI. Where it will establish clear hierarchical lines, stakeholders will view it from

their own perspectives and none of them is essentially wrong. To create a win-win situation, military and political leadership should be on same page about details and appointment of key persons from Army and Police and not ignoring the officers from the ranks of ranks.

In the above mentioned National Stakeholders Conference, the Prime Minister made an effort on March 18, 2014 when he, for the first time in history of Pakistan, brought civil, military and Provincial and Federal political leadership under one roof to inform them that this NISP should work. This is a rare manifestation of political will to ensure that all stakeholders are on one page. It showed that a civilian government is in the driving seat at last. This meeting was a mirror of Board of Governors of NACTA and one wonders why it was not called so. However, it was also very similar to the Cabinet Committee on National Security (CCNS) but without national security Division's (NSD) representation.

Role of CCNS

This further raises questions about role of the CCNS, the Cabinet and BoG of NACTA. All three are decision-making forums and it is not clear where the real decisions will be taken and what is the difference among these three. The BoG of NACTA is larger forum where provinces and civil bureaucracy is represented but there is neither sizable representation of the cabinet nor Chief of Army Staff is among the members. About the CCNS, it has been clarified that the CCNS will consider other forms of national security as well the NISP, but the absence of NCD in the meeting was noticeable. It is yet to be seen why it was not presented in the NSC.

New Standards of Policy Formulation

The NISP document establishes new standards of policy formulation where policy is also supported by a detailed concept paper and rich data. This brings transparency in the policy formulation and guidance for other sectors to follow suit. The approval process was not less important in the democratic government. First draft was presented in the Federal Cabinet and detailed discussions took place. It was again presented after necessary amendments and passed on February 25, 2014 in the cabinet meeting which is highest civil forum of decision making according to parliamentary traditions. On February 26, the Prime Minister of Pakistan himself went to the Parliament and Ch. Nisar Ali Khan, Federal Interior Minister, announced the policy and shared the 94 pages document which included concept paper as well. However, the NISP is not formally presented in the Senate where government does not have a majority. As a matter of Parliamentary

tradition, the Government should present it in the Senate as well.

According to reports, the NISP implementation is going to be first agenda item of every cabinet meeting and the Prime Minister is keen to follow up on it. This is the only oversight mechanism described by the Government so far but no further details about review are available about role of the CCNS or the Parliament. The Prime Minister has mentioned in the National Assembly that he is open to suggestions from the opposition but it is yet to be seen how this promise is translated into action.

Funding

What is not clear as yet as to who will fund the Provincial component of the NISP. There is no breakdown of these Rs. 32 billion given to media and other important stakeholders. It is not clear whether all of this will be under omnipresent NACTA or will it be at the disposal of the Provincial Governments. What will be the relationship between NACTA and will it have its regional offices to disburse the funds at its disposal? Will federation keep a tight control over purse or will it give away all the money without any monitoring mechanism?

Cooperation between Federal and Provincial Level

Other questions might be raised whether legal mandates of the provinces were respected in preparation of the NISP. After passage of 18th Amendment, it is considered that provinces have autonomy over maintaining law and order in their jurisdiction and Federal Government may be encroaching upon their domain. Provinces may not follow the NISP of the Federal Government and it may not bring all the intended results.

There are some constitutional provisions which should be taken into consideration. Article 148 (3) gives Federal Government over-riding powers to give directions to the provinces in case of any threats to internal security causing disturbances and to ensure that business of the provinces is carried on in accordance with provisions of the Constitution. Article 149 (4) also gives the Federal Government authority to give directions to the Provinces to maintain peace and tranquility in the provinces. However, part V of the Constitution also binds Federal Government to support provinces administratively, financially and materially in peace and war times. Although this constitutional framework is not mentioned in the NISP but it is important for the Provincial and Federal law-makers to understand and discuss the possibilities and limitations of these provisions.

Conclusion

After all NISP is the start of a process rather than its conclusion. Broad political support for it will help the first government in 40 years coming in with the expectation at the outset to last its whole 5-year tenure to strengthen the case of political forces as the rightful agency for achieving national security. It's time the driver decides where the vehicle will go, not the vehicle like it has disastrously been so far. It is imperative that it be graced with approval so that the Government can employ it and create even more space for political forces to take the risks necessary for success. It is a strong signal for the world that the democratic leadership has visualised and indicated a clear line of action where all State entities are united under the NISP to make Pakistan a peaceful and prosperous country.



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