

# Noref Policy Brief

## Pakistan: dealing with peace in the tribal areas?

Laila Bokhari

### Executive summary

The six Federally Administered Tribal Areas (FATA) along Pakistan's western border have long been seen as a hub for militants, some with sympathies to the Taliban and al-Qaeda. The region has increasingly come to the world's attention as a recruitment and training base for groups responsible for attacks on Pakistani soil and as a launch pad for attacks on US troops and their allies in Afghanistan. Even though the various groups comprising the Pakistani Taliban have been around for a number of years, it was only in December 2007 that they formally established themselves as a united force.

Western intelligence services also voice concern about the numbers of their own citizens travelling to the tribal areas for training. Long-term connections between some tribes and the militants

is an issue that has become both a headache and an opportunity for the Pakistani authorities.

For years, the Pakistani Army has relied on a two-pronged approach to the militants in those areas: sporadic military strikes and negotiations. The authorities have brokered a number of peace agreements with both tribal leaders and members of the Taliban, often with the intention of exploiting local power politics and weakening the militant groups by dividing them. Most such deals, however, have collapsed. Furthermore, the agreements have been criticized because they effectively appear to cede space to the insurgents, rather than minimizing their power. This brief examines the peace deals that the Pakistani authorities have made with militants and tribal leaders and the reasons for their failure.

Laila Bokhari

**Laila Bokhari** is a research fellow with the Norwegian Institute of International Affairs (NUPI). Her areas of research cover the phenomenon of terrorism and the evolution of radical Islamism and political violence, with a particular focus on Pakistan and Afghanistan. Between 2001 and 2009 she worked with the Norwegian Defence Research Establishment (FFI). She has also worked with the UN Security Council's Al-Qaeda/Taliban Monitoring Team, is a former member of the Norwegian Government Commission on Security Policy and Disarmament and is on the Advisory Board to the Pakistani Institute of Peace Studies.

## Introduction

The Federally Administered Tribal Areas (FATA) have long been seen as a hub for militants. This brief looks at the peace deals that have been made between the Pakistani authorities and militants or tribal leaders. The Taliban-related groups and tribes are both multilayered and complex; increasing instability in Pakistan and an upsurge in the number of attacks throughout the country have led to constant pressure on the Pakistani authorities to respond to the threat. However, the question is: how successful have their efforts been so far?

## A two-pronged approach

At the end of 2001, Pakistani troops moved into the previously inaccessible tribal areas bordering Afghanistan. This was the first time in a century that the army had entered the tribal belt. Losses were high and the morale of the army was severely tested.

Following a series of peace agreements in 2004, the Pakistani Government ceded North and South Waziristan to the Taliban. However, when it

Temporary agreements exploit power struggles and shifting alliances in the region.

attempted to restore its writ in 2007 and 2008 after the Taliban had openly violated the agreements, its forces were defeated. Critics say the military lacked both the resources and the

will to succeed. Military analysts countered that it had underestimated the enemy's strength and the resources needed to fight the militants. It was therefore with some hesitation that the Pakistani Army entered the Swat district of Malakand Division in early 2009. This time, however, the army seemed to have both politicians and public opinion on its side. Importantly these offensives were in areas of the North-West Frontier Province (NWFP) that had formally been under government control and were familiar to most Pakistanis. In October 2009, the army advanced into the tribal belt and South Waziristan, to what has been called the heartland of the Pakistani Taliban.

In tandem with the military incursions, the Pakistani authorities and army have sought to broker deals with their various counterparts in the tribal areas. Such

deals are often founded on temporary agreements that exploit the power struggles and shifting alliances within the region. This has raised concerns among the Western powers that such peace deals could free up militants to fight the United States and Nato in Afghanistan. Similarly, these deals could effectively cede space to the insurgents rather than minimise their power, as well as appear to give legitimacy to the militant leaders involved in the negotiations.

## Identify the actors and their motives

It is essential to understand who the parties to these deals are and why such deals have been struck. Recognising the various participants as actors with differing motives, aims and goals can also be a way of identifying those with whom deals can be made and on what terms. Of those who are willing to negotiate, a distinction must be made between groups who are already disposed to making deals for reasons of tribal power politics and those who are openly and militarily hostile.

## Negotiating deals

The FATA have witnessed a number of army operations against the Tehrik-i-Taliban Pakistan (TTP) over the past few years. The militants have, nevertheless, expanded their reach and currently command unprecedented influence. A number of peace deals have also been negotiated, in some cases as a result of military confrontations. However, in other cases they have only led to further military confrontations or the hardening of offensives because militant activity has continued. Often, deals have been negotiated with – or discussed through – tribal *shuras* or militant tribal leaders.

Although several militant groups operate in the FATA, the type of militancy (and importantly its tribal connections) is not uniform. The links they have also vary: while the Pakistani Taliban are said to have links with the Afghan Taliban and al-Qaeda, the groups that comprise the umbrella movement operate independently. Some want to attack the symbols of the Pakistani state while others are more intent on targeting the Western forces in Afghanistan. These differences are key factors that influence their attitude toward negotiations. The existence of links with al-Qaeda seems to have been an incentive for opening negotiations in that the aim

has been to isolate locals from foreigners. There has therefore been particular pressure to crack down on al-Qaeda-related groups in order to take out foreign fighters who might further radicalise local groups. The groups which have engaged the Pakistani government and its security forces are also the ones with whom the government, under some pressure from its own security forces and the population, has been most anxious to start negotiations.

The following are the main deals that have been made in the FATA in recent years, including the events of spring 2009 in Swat, Malakand Division,

### **South Waziristan Agency**

In 2004, the government negotiated a deal with Nek Mohammed, a tribal militant leader in South Waziristan with links to al-Qaeda and the Taliban. That same year, the religious party Jamiat Ulema-e-Islam (JUI-F) had joined the Muttahida Majlis-e-Amal (MMA) alliance to form the provincial government in NWFP. JUI-F was at the forefront of the negotiations. According to the International Crisis Group, the deal “allowed local militants to establish parallel Taliban-style policing and court systems, and facilitated the spread of Talibanisation into other tribal agencies and even NWFP’s settled districts”.<sup>1</sup> The deal accepted by Nek Mohammed included the offer of a cease-fire and an amnesty as well as an agreement that militants would not use Pakistani soil to plan attacks against other countries. Nek Mohammed agreed to lay down his weapons and to “register” the foreign militants in the area.

In return the government promised to pay the local militants so that they could settle their debts with al-Qaeda. At the time, the agreement was seen as a breakthrough but critics later viewed it as the first of many controversial deals. In a number of subsequent interviews, for example, Nek Mohammad revealed that he would never abandon his *jihad* against the US and other allied forces in Afghanistan. He also vowed to continue his support for al-Qaeda and the Taliban, and said that no peace agreement with the Pakistani Government could compel him to force al-

Qaeda fighters and other foreign militants to leave the tribal areas. Importantly, this brought many critical issues to the fore and raised questions about much of the essence of the deal.

As it became apparent that the peace agreement with Nek Mohammed had failed, South Waziristan’s reputation for being a stronghold for militants continued to grow. In March 2004, the Pakistani military had tried to mount a serious ground offensive in the area. This was one of the first offensives launched in the tribal belt by the Pakistani Army and was largely seen as a failure. The Pakistani Army is trained to fight a conventional war with India, not to carry out counterinsurgency operations, and thus was not prepared when the militants, many of whom had been trained by the Pakistani state, turned against the government. It ended with the peace deal described above. In October 2009, following heavy pressure at both domestic and international level, another offensive would be launched in the area.

The Pakistani Army is not trained to carry out counterinsurgency operations.

In the meantime, however, in 2005, the Pakistani Army forged what became known as the Sararogha peace agreement with Baitullah Mehsud. The deal was seen to legitimise his authority with the Mehsud tribesmen. It also strengthened the militants vis-à-vis the army. Many point to this as the beginning of the rise of the TTP, claiming that it strengthened them and gave them both the resources and the courage they needed. The following months saw an increase in clashes between the army and the militants, and as the army suffered large numbers of casualties, the militants became emboldened. The deal was renegotiated in February 2006, and revived once again in February 2008.

A characteristic of the many deals that followed is that they were negotiated, revived and relaunched at different times with few variations. The parties to the deals remained the same: the army and local militant leaders. The conditions of the deals were also quite similar, and indicate a certain lack of willingness to seriously enter into negotiations and find long-term solutions. The military stands accused of being too

<sup>1</sup> “Pakistan: countering militancy in FATA”, International Crisis Group, Asia Report 178, 21 October 2009, [http://www.crisisgroup.org/~media/Files/asia/south-asia/pakistan/178\\_pakistan\\_\\_countering\\_militancy\\_in\\_fata.ashx](http://www.crisisgroup.org/~media/Files/asia/south-asia/pakistan/178_pakistan__countering_militancy_in_fata.ashx), accessed 28 October 2010.

short-sighted in its goals, leaving long-term political solutions unaddressed. The spring 2009 conflict in Swat and the subsequent deal and military offensives affecting the wider Malakand area were an attempt to change this. The politicians promised political reforms, although the details remained unclear. Then, in October 2009, following a spate of attacks across Pakistan, the military decided to go ahead with a campaign in South Waziristan that it had been planning since the summer. This time the Pakistani military went into the area with nearly four times the troops it used in the 2004 offensive.

The negotiations conducted to achieve a temporary deal with competing militant leaders in South Waziristan in 2009 illustrate the ongoing game that is being played with tribes and militants at a very local level. In both 2008 and 2009, seeking to take advantage of a possible split within the Taliban, the Pakistani authorities attempted to cut deals with Maulvi Nazir Ahmed and Hafiz Gul Bahadur (both from North Waziristan), at that time the two main rivals of the leader of the Pakistani Taliban, Hakimullah Mehsud. The hope was to create divisions within the Taliban umbrella organization and weaken its leadership structure.

Already in 2008 Maulvi Nazir had joined up with Hafiz Gul Bahadur to create the Muqami Tehrik-e-Taliban (Local Taliban Movement) or MTT, which is separate and distinct from the TTP. The MTT was believed to have received covert Pakistani Government support for keeping its attacks directed at Nato forces in Afghanistan rather than the Pakistani state. Several minor local deals were made in exchange for granting safe conduct to the militants for all movements of men and supplies. In return the two leaders pledged to remain neutral and refrain from attacking the army or its supply lines as it advanced through their territory (in both North and South Waziristan). These 2009 agreements, however, bore little fruit, eventually resulting in the launching of a military offensive in the autumn. By January 2010, following a three-month offensive in the area, the government and the dominant Mehsud tribe reached an accord. However, there have been ongoing problems as the political administration and the elders of the Ahmedzai Wazir tribe have failed to reach agreement on the presence of non-local militants in the area and the issue remains unresolved.

### North Waziristan Agency

In 2006 and again in 2007, the military signed peace deals in the tribal area of North Waziristan with two major North Waziristan tribes (the Dawar and Wazir, subtribes of the Utmanzai).

The so-called Miranshah agreement, signed in September 2006, was seen as controversial because the army withdrew troops, released militants and agreed to pay compensation

Peace deals leave militants space in which to operate.

to tribe members for their losses in order to encourage the militants to end the violence, though the question remained as to whether the latter had really abandoned their ideological motivations. The tribes were also allowed to carry small weapons. This was seen as a way of balancing local tribal mores with the need to limit violence in the area. The tribal leaders promised to prevent both infiltration into Afghanistan and attacks on the military. Critics again said that the deal left the militants space in which to operate.

The deal was renounced by the militants in July 2007 because of continuing US missile strikes and the army's widening anti-Taliban offensive. The Hafiz Gul Bahadur group said they withdrew from the deal because the army had stepped up its offensive. They had initially said they would stay on the sidelines during the operation, the aim of which was to take out the Taliban commander, Baitullah Mehsud.

In January 2008 the military launched Operation Zalzala ("earthquake") in an attempt to flush out militants. Observers saw this as an operation to punish the locals for continuing to harbour militants despite earlier peace deals. By February of the same year, however, the government had signed a nine-point peace agreement with elders of the Utmanzai tribe. It did not last long, and by June 2009 a decision to scrap the nine-point agreement was made by the local Taliban *shura*.<sup>2</sup> A spokesman said that they had decided that "guerrilla activities" would continue until drone attacks were stopped

2 "Taliban scrap North Waziristan peace deal", Dawn, 30 June 2009, <http://www.dawn.com/wps/wcm/connect/dawn-content-library/dawn/news/pakistan/11-clashes-in-north-waziristan-continue-to-intensify--il--06>, accessed 28 October 2010.



and the government withdrew their troops. Unhappiness about cross-border drone attacks has since continued to mount.

The government claims that the February 2008 deal had been made with tribal leaders and *not* with the increasingly controversial and prominent Taliban leaders Hafiz Gul Bahadur and Maulvi Sadiq Noor, both from North Waziristan. Under the nine-point agreement, militants agreed to stop targeted killings of both army combatants and civilians as well as attacks on security forces. No one would be allowed to set up a parallel administration in the area and all disputes would be settled in accordance with the Frontier Crimes Regulation in consultation with the political representative. Elders of the Utmanzai tribe also assured the government that there would be no cross-border movement of militants and that foreigners would be expelled from the area. Although the collection of heavy weapons was allegedly started, these last two assurances remained points of contention between the various militant groups in the area. In the end the deal collapsed, with the government claiming that the elders had failed to curb militant activities.

### **Bajaur Agency**

In March 2007, a deal was signed with tribal leaders in Bajaur and in return the government promised to consult them before arresting militants. An escalation of violence and tension ensued, leading to repeated attempts to renegotiate with the tribal leaders and the militants.

Late in the summer of 2008, the Pakistani Army launched a campaign against the militant network headed by Faqir Mohammed, a senior Taliban leader. The subsequent conflict was long and had severe humanitarian consequences. Eventually, in February 2009, Faqir Mohammed announced a unilateral ceasefire, saying that it was in the interests of both his people and Pakistan. The government interpreted this as indicating that the offensive had been successful and in March 2009 announced it had reached a deal with the group headed by Faqir Mohammed from the Mahmud tribe of Bajaur. The 28-point agreement compelled the tribe to surrender key Taliban figures in the district, but failed to allay growing western concerns that such peace deals would free up militants to combat the US and Nato

surge in neighbouring Afghanistan. Like the other short-lived deals, in July 2009 this one also collapsed, on this occasion as a result of disagreements over the terms of the deal and the inability of the tribal leaders to hand over key TTP militants. This in turn led to intensified fighting between the military, militants and tribal militias. Subsequent attempts to revive the accord were complicated by the fact that Bajaur has a number of militant groups with links to both Afghan and international networks.

### **Mohmand Agency**

Summer 2007 saw an escalation of violence in Mohmand. The violence stemmed from a number of underlying issues, including disagreements over land rights, sectarian strife and local power struggles. However, the turning point was the takeover of a mosque in the area by militants. In August and September 2007, a number of treaties were signed with different tribes to try to calm the situation. The deals were once again focused on securing promises from tribal leaders that they would stop sheltering foreign militants and supporting militancy. In return the Pakistani Army would withdraw. The deals soon became a dead letter when Mohmand became a sanctuary for militants fleeing from the military operations conducted in Bajaur during 2008 and 2009.

### **Khyber Agency**

The violence in Khyber Agency has largely been between two rival groups, the MTT and Ansarul Islam. In addition, the TTP appears to have been behind some attacks on Nato convoys crossing the Khyber Pass to Afghanistan. In summer 2008, after launching operations in Khyber, the military brokered a deal between the two militant groups. The deal collapsed in 2009.

### **Kurram and Orakzai Agencies**

Both Kurram and Orakzai Agencies have witnessed growing sectarian violence (between Shia and Sunni groups) as a result of the spread of Taliban sentiments in the tribal areas. The presence of sectarian groups, mainly the Punjab-based groups Lashkar-e-Jhangvi (LeJ) and its parent, the Sipah-e-Sahaba Pakistan (SSP), has made it extremely difficult for the government to make deals. A lesson

here is that these are local conflicts which need to be dealt with at local level. Militants soon spilled over into Orakzai Agency, forcing the military to enter that area too.

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dealt with at local level.

### ***The Swat valley, Malakand Division***

One of the most debated peace deals was that made between the Awami National Party (ANP) and the radical cleric Maulana Fazlullah in spring 2009. The conflict in the Swat valley is not new, and Maulana Fazlullah and his group, Tehreek-e-Nafaz-e-Shariat-Mohammadi (TNSM), had long been gaining ground in the area. In an attempt to stop the violence, the provincial government in NWFP negotiated the release of the founder of the TNSM, Sufi Muhammed, who promised to work towards a political solution. The provincial government agreed to allow implementation of sharia law in the region (a long-standing demand of the local population). Both Maulana Fazlullah and the spokesperson for TTP publicly announced that they would observe the ceasefire which the government had offered earlier the same spring. The deal sparked wide debate both in the Pakistani parliament and among the public.

Opponents characterised the peace deal as a capitulation to militant demands and feared that the agreement would lead to further Talibanisation. Human rights groups worried that the introduction of sharia law would legitimise human rights abuses. Already in April/May 2009 it was evident that the Taliban had started to penetrate neighbouring districts. The militants said they would not lay down their arms until sharia law had been fully implemented. Given the Taliban expansion, military incursions were seen as the only option. At the end of April, the TNSM announced they were pulling out of the agreement because of the military offensive. The government, which was coming under tremendous international pressure, had little choice but to launch a further military offensive in Lower Dir, later expanded to include the Swat valley, the humanitarian consequences of which were severe.

### **Short-term versus long-term solutions**

Peace deals have been limited in time and space and this has presented a further challenge. The tactics employed in negotiating peace deals seem to have been directed along two lines: first, seek to split the many militant groups, creating divisions and distance between them; and second, convince the tribes that certain militants should not be protected (local v foreign).

However, the process of negotiating the various peace deals has highlighted a number of concerns. First, short-term successes have repeatedly and quickly been overshadowed by failure. An unwillingness to deal with the underlying questions seems to be a key factor. Second, while some of the problems are linked to the government's actual ability and willingness to tackle the immediate challenges posed by the tribal areas, others relate to whether the government is able to understand the real challenges. Third, weak institutions that limit the state's writ have been among the factors that have enabled the militants to penetrate FATA's governing apparatus and its economy. The deals (often referred to as an appeasement policy) have therefore been seen to provide militants with both space and resources.

A case in point here is the deal made by the government with Taliban leaders Hafiz Gul Bahadur and Maulvi Nazir in an attempt to distance them from Baitullah Mehsud, also a Taliban leader at the time. Although the MTT had been set up in 2008 to compete with the TTP, a year later, in February 2009, elements within the two forces set aside their differences and created the Council of United Mujahideen. In the past, Nazir and Bahadur had feuded with Baitullah Mehsud over tribal disputes as well as Mehsud's rising power as senior leader of the Pakistani Taliban. Both had also previously opposed fighting the government for tactical reasons while at the same time openly supporting al-Qaeda and the Afghan Taliban. However, the Council's open support for both foreign militant groups eventually gave the lie to the Pakistani Government's claim that Bahadur and Nazir were merely "pro-government", nativist and local tribesmen who did not have an international agenda.

## Concluding observations

An overriding goal in the deal-making has been to split groups according to their support for foreign militants (isolating the foreign militants from the local ones). In addition to the laying down of weapons, there have also been clear calls for them to deny foreign militants safe haven and protection. This has been difficult to uphold because the Pakistani military has on several occasions been criticised for focusing solely on hindering attacks on Pakistani soil while remaining indifferent to attacks carried out across the border. Pakistan's double standards when it comes to support for the Afghan Taliban and other groups such as the Haqqani network are at the very core of this issue.

Peace deals tend to rely on short-term solutions rather than address long-term challenges.

A key concern for many observers is that when appeasement fails and deals fall through, the military resorts to using indiscriminate force and economic blockades, thereby only aiding the Taliban cause. The

tendency to alternately tighten and loosen the screws indicates a reliance on short-sighted, short-term solutions rather than a desire to address more long-term challenges. This myopic outlook is a factor in the failure of past negotiations in FATA.

By the beginning of 2010, however, the Pakistani military had demonstrated renewed determination to clear militants from the areas in question. A return to the use of military offensives has become government policy, arguably also as a result of international pressure. The many short-lived deals are now overshadowed by an escalation of offensives which the military view as being successful and which are increasingly affecting

the tribal agencies. In the wake of the failure of negotiations over the past six years, military offensives, as well as drone attacks, however controversial they may be, seem therefore to be the chosen solution for the short-term.

## Further Reading

1. "Pakistan: countering militancy in FATA", International Crisis Group, Asia Report 178, 21 October 2009, [http://www.crisisgroup.org/~media/Files/asia/south-asia/pakistan/178\\_pakistan\\_\\_\\_countering\\_militancy\\_in\\_fata.ashx](http://www.crisisgroup.org/~media/Files/asia/south-asia/pakistan/178_pakistan___countering_militancy_in_fata.ashx), accessed 28 October 2010.
2. **Mona Sheikh**, "Disaggregating the Pakistani Taliban: Does the good, the bad and the ugly Taliban distinction represent a failed policy?", DIIS Brief, Danish Institute for International Studies, September 2009, [http://www.diis.dk/graphics/Publications/Briefs2009/Disaggregating\\_Pakistani\\_Taliban.pdf](http://www.diis.dk/graphics/Publications/Briefs2009/Disaggregating_Pakistani_Taliban.pdf), accessed 28 October 2010.
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