



# **FATA Tribes: Finally Out of Colonial Clutches? Past, Present and Future**



**Center for  
Research &  
Security  
Studies**

*Rule of Law - Security - Governance*

# **FATA Tribes: Finally Out of Colonial Clutches? Past, Present and Future**

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## Executive Summary

This report - part of the Center for Research and Security Studies (CRSS) special publications series - provides a brief introduction to the history, culture, traditions and demographics of the ethnic Pashtun tribes inhabiting the north-western border regions of Pakistan. The 27,220 square kilometre area inhabited by these tribes is historically known as the Federally Administered Tribal Areas (FATA), and, until May 2018, had been governed by the Frontier Crimes Regulations (FCR). Since then, Pakistan's parliament has approved the merger of FATA into the Khyber Pakhtunkhwa province and they are no longer subject to governance informed by British colonial-era legacy.<sup>1</sup> The focus of this report is on the tribes, sub-tribes and notable families residing in the seven administrative units known as Agency (districts) that make up FATA. This report also looks at the traditions, cultural norms, and various traditional conflict mitigation and resolution mechanisms that these Pashtun tribes have practiced for centuries. An overview of economic, demographic, and geopolitical dimensions of FATA is also provided.

Furthermore, this report explores the string of counter-terror campaigns launched by the Pakistani military in FATA soon after the 9/11 terrorist attacks in the United States. It also highlights the many initiatives undertaken by the Pashtun tribes to counter the spiralling Al-Qaeda-inspired militancy. However, after the United States (US) led Operation Enduring Freedom in Afghanistan, these tribes were sandwiched between the military and the militants (both local Taliban and foreign - all likely inspired or affiliated with Al-Qaeda). These foreign militants turned out to be a boon for the local, cash-strapped economy; many tribesmen provided them refuge either out of ideological empathy, sympathy or for direct monetary gains. The most prominent among their paying guests were Arabs, Africans and Uzbek Al-Qaeda operatives. This confluence of political, social and monetary interests invariably drew the global attention on Pakistan with reference to FATA as the "terrorist haven" and the "most dangerous place" on earth for the presence of Al-Qaeda-linked militants.

What followed in the post December 2001 years has been a sad story of suffering of common FATA tribesmen due to the unusual militarization of the region. One also must note that the aftermath of the Global War on Terror (GWOT), the rise of the Taliban militancy and Al-Qaeda's presence there entailed debilitating socio-

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<sup>1</sup> This report was compiled much before the constitutional changes to the status of FATA. Efforts have been made to keep the report as much updated as possible. Yet, there may still be some references / description of the stakeholders or their respective roles in the present tense. Also, for the ease of understanding, even though the tribal areas are still in process of merger with the KP province, the report will use the commonly known term FATA when discussing the tribal areas.

political consequences for the tribal society; suicide attacks even on traditional peaceful tribal assemblies tore the local tradition apart. Factional fighting and military operations eroded the authority of the Political Agent and of local influential aristocracy, particularly politicians and businessmen and descendants of spiritual families, once revered as the community elders. Many positive tribal values such as social safety, support networks and traditional tools of decision-making such as *Jirga* (the Pashtun assembly) have all suffered as a consequence. These traditional tribal structures remain under threat and increasingly vulnerable to interference both by the militants and the military. This may, however, change once these regions are constitutionally and administratively fully integrated into Pakistan.

The final part of this report explains the roles different stakeholders have played in the making of what we had in the name of FATA until May 29, 2018, when the President of Pakistan signed away FATA to herald the new, equal constitutional status for all the tribes inhabiting these regions. The new legislation – on the face of it – was of course a great news for the beleaguered tribes of FATA. The caretaker governments at the Center and the provincial capital Peshawar, set up to oversee the elections in July, also moved with break-neck speed. On June 8, the Khyber Pakhtunkhwa government formally abolished the office of political agents and the collection of Agency Welfare Fund that became the root cause of exploitation and corruption in the erstwhile Federally Administered Tribal Areas.<sup>2</sup>

An official notification said the 116-year-old posts of political agents (PAs) in the seven tribal agencies were being re-designated as deputy commissioners, additional political agent as additional deputy commissioner and assistant political agent/assistant political officer as assistant commissioner. The nomenclature of seven tribal agencies and six frontier regions were also changed to tribal districts. Since the region will no longer remain under federal administration, the constitutional amendment bill also lead to a reduction in the number of seats in the National Assembly from 342 to 336. However, the members of the National Assembly to be elected from the region in the 2018 election were to continue till the end of the next assembly's five-year term (until now FATA had 12 seats). Accordingly, the total seats in the Senate – the upper house of Parliament which gives equal representation to all federating units – also decreased from 104 to 96. The current eight FATA senators will continue to serve till the end of their constitutional term. Similarly, the (ex) FATA region will get 16 general and five reserved seats – four for women and one for non-Muslims – in the Khyber

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<sup>2</sup> Ali, Zulfiqar (2018). Political agents office in Fata abolished. Dawn News. Retrieved June 11, 2018, from <https://www.dawn.com/news/1412978/political-agents-office-in-fata-abolished>.

Pakhtunkhwa Assembly. The election on these seats is to be held within a year of the 2018 general elections. Once the process of merger has been finalised, total number of seats in the Khyber Pakhtunkhwa Assembly will increase from 126 to 147.

Yet, the road to full integration is bumpy and a little uncertain. Implementation on the ground – accompanied by corruption, pushback by some key stakeholders, lack of proactive policies and poor responses to urgent issues may stymie the process. This could, nevertheless, become relatively smoother if all key stakeholders adopted a whole-of-government approach for mainstreaming these neglected regions.

## Introduction

### Pashtun Origins

The origin of Pashtuns is shrouded in obscurity. While legends attribute them a Semitic origin,<sup>3</sup> the modern genealogists consider them a mix race, where nucleus is formed of Indo-Aryan stock with peripheral remnants of Turks, Huns and other invaders who passed through their region.<sup>4,5</sup> Sir Alexander Burnes wrote in 1835 that the Afghans call themselves the children of Israel but consider the term *Yahoodi* - or Jew - insulting.<sup>6</sup>

The term Pashtun or Pakhtun, according to Riaz-ul-Muhabat,<sup>7</sup> signifies “any person who can speak and understand Pashto language, which is the language of the Pathans (Pashtuns).” Indeed, the word Pashtun is a generic term which includes the five divisions of population inhabiting the ‘Pathanland’, namely, the Sarabani, Ghurghushti, Beitani, Matti and Karani.

It also includes all those tribes who speak Pashto as their mother tongue, such as the Tanolis, Swatis and Mashwanis of Hazara Division, (*though the latter three are not included in the Pashtun pedigree tables*), reside in the Pashtun areas, and follow the Pashtun code of conduct, i.e. the Pashtunwali (*also written as Pakhtunwali or Pashtoonwali*). In the recent past, the term Pashtun has been used for the Pathan race, located in eastern Afghanistan, as well as Pakistan’s north-western Khyber Pakhtunkhwa (KP) province, the Federally Administered Tribal Areas (FATA), and north-western part of the Balochistan province.

### Federally Administered Tribal Areas (FATA)

In 1893, while demarcating the border between British India and Afghanistan, known as the Durand Line, the British Government accorded the mountainous

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3 “... but to speak the truth, the origin of the Afghans [Pashtuns] is so obscure, that no one, even among the oldest and most clever of the tribe, can give satisfactory information on this point” Lal, Mohan (1846). *Life of the Amir Dost Mohammed Khan of Kabul*. Volume 1. Longman. Retrieved March 17, 2017.

4 Khalil, Hanif & Iqbal, Javed (2011). “An Analysis of the Different Theories About the Origin of the Pashtuns”. *Balochistan Review*. 24 (1): 45–54. Retrieved on April 4, 2017.

5 Behrooz, Maziar (ed.). “A Brief History of Afghanistan”. San Francisco State University. Retrieved April 14, 2017.

6 Sir Alexander Burnes, *Travels into Bokhara*, Vol. 2:139-141. Retrieved March 17, 2017.

7 Nawab Muhabat Khan wrote the “Riaz-ul-Muhabat” in the 18th century. It is a thick volume in folio and preserved in India Office Library London. Retrieved March 17, 2017.



region a special semi-autonomous status. It separates the Pak-Afghan border and the settled districts of the present KP province. The British administered this region through the oppressive Frontier Crime Regulations (FCR).<sup>8</sup> After its creation in August 1947, Pakistan retained the same governance system, and eventually declared the region as the Federally Administered Tribal Areas (FATA). In terms of population, where in the year 2000 the population stood at roughly 3.3 million, the census of 2017 estimated that the population of the tribal areas grew by 57% to around 5 million. Before its merger with KP, the FATA region consisted of seven tribal agencies – namely Khyber, Kurram, Orakzai, Mohmand, Bajaur, North Waziristan and South Waziristan – and six smaller pockets known as frontier regions (FRs) – namely FR Bannu, FR Dera Ismail Khan, FR Kohat, FR Lakki Marwat, FR Peshawar and FR Tank. However, after the merger, an official notification said the nomenclature of seven tribal agencies and six frontier regions had been changed to tribal districts.

### The Durand Line

The 2,560-kilometer long Durand Line divides the Pashtun tribes that straddle the mountainous and rugged areas that run Afghanistan and Pakistan (through the FATA as well as the Balochistan province). Balochistan shares slightly over 1,200 km of the Pakistani border with Afghanistan. The border – or the Durand Line – remains a major point of contention between the two countries. Particularly because Afghan Pashtun nationalists refuse to accept it as a formal border; for them the British drew this Line to unnaturally divide the tribes and hence still subject to final settlement. For the British colonial rulers of India, it served as a buffer zone against the Soviet expansion. In fact, much before the actual demarcation, the British Raj had already developed influence over the Afghan foreign policy. It helped in enforcing this new border through a mission headed by Sir Mortimer Durand, then foreign secretary of India. The agreement for the new border was signed in 1893 and the delimitation was completed in 1896.

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<sup>8</sup> The Frontier Crimes Regulations (FCR), an archaic, draconian piece of legislation, serves as the manifestation of the government's writ in the Federally Administered Tribal Areas (FATA) of Pakistan, dating back to the British colonial period in pre-partition India. The "excluded areas" as they were called by section 91 of the colonial constitutional law of the Government of India Act are still areas excluded from the realm of development, investment, and modern civilization. FATA has no network of state institutions in the modern sense. Almost seven decades after independence, the tribal Pashtuns got rid of the application of this inhumane set of regulations after the passage of the 31st Constitutional Amendment Bill – allowing for KP-FAT merger – in the national legislature on May 24, followed by approval in the upper house – the Senate – a day later.

## Pashtun Social Structure

Many Pashtuns still live under a social system that is feudal and tribal in nature. They have two passions; religion and freedom. They are highly democratic in their social life. Even the Pashtun rulers in India considered themselves as elders amongst the equals. Emperor Bahlol Lodi always sat on the floor with the Pashtun nobles and never rode a horse in the presence of a religious scholar.

Nonetheless, the tribal chiefs have temporal privileges and powers in the administration of their respective tribes/sub-tribes, while in the field, the 'mullahs' (religious leaders) reign supreme, enjoy considerable social influence. Being central to social norms and customs such as baptism of children, solemnization of wedding contracts, and funeral prayers inter alia, religious leaders and clerics enjoy social respect and remain a good source of motivation for the locals.

## Power Base

Each tribe is divided into numerous clans, sub-clans and 'khels', with each led by its own 'Khan' or chief while the main tribe has a central 'Malik', 'Khan' or chief (in Mohmand and Khalil tribes a chief is called an 'Arbab'). Some of the tribes have hereditary ruling families as in the case of Yousufzai, who were led by Ahmad Khan and Khan Khaju (in the late 15<sup>th</sup> century) while in most other tribes the tribal '*Jirga*' (tribal council) is stronger and selects the tribal chief on merits, keeping in view the overall welfare of the tribe.

With the passage of time, because of education and democratic norms in the periphery of the FATA regions, the authority of the central tribal chief (Malik, Nawab, Khan) diminished. Yousufzais, the biggest and strongest single Pashtun tribe in the area, for instance, also became a victim of petty power intrigues and internal discord. This exposed them to exploitation both by the invading Sikhs and the British. This way the balance of power shifted to the '*Khans*' and chiefs of the sub-clans, who began exerting their influence over their respective regions.

In FATA, the chief's authority was preserved until recently. The elders of Wazir and Mehsud tribes of Waziristan were more astute in maintaining an effective power structure. They did not believe in having a single hereditary chief but had many 'Maliks' or headmen from various sub-tribes, chosen with the consent and accord of their respective sections.

To become a Malik the candidate should possess certain qualities such as hospitality towards strangers, wisdom, and articulation. The Malik does not enjoy any pay or privilege. Even in the tribal council, no weight or value is attached to the Malik's

views or utterances. His principal function is to ensure the implementation of the matters decided in the tribal meetings. The task of field operations is conferred upon the field commanders, appointed by the *Jirga*. The Khans and Maliks are, in fact, no more than the leaders who administer and manage their clans during peace time. They possess influence but the power lies with the *Jirga*.

After the annexation of the '*Pathanland*' by the British in 1849, family titles replaced the tribal name, traditionally used to call out the tribal chiefs. This largely eroded the internal cohesion and unity among tribes. Since then, the entire Pashtun history is replete with dissent and chaos. Family-rule replaced the centuries-old notion of egalitarianism. This weakness was adroitly exploited by the alien invaders and occupiers of this land who, besides the hereditary feudal '*khanates*', created the officially recognized '*Khans*', '*nawabs*', '*Arbabs*', '*jagirdars*', '*durbaris*' and '*kursi-nasheens*'. The effects of these new titles were telling.

People would serve their master's interest for material gains and rewards. Their purpose being to create and nourish a coterie of people to serve their interests, collect revenue and pacify or crush the indigenous anti-government movements. Colonel Edwards summed up the point and wrote to the Punjab Governor in 1857 as under:

*"To preserve peace and lay up friends for war, we must keep the natural leaders of the country on our side, else ensue the strange phenomenon of a prosperous people led astray like sheep by malcontent nobility."*<sup>9</sup>

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9 Robert Nichols. (2001). *Settling the Frontier: Land, Law and Society in the Peshawar Valley, 1500-1900*. Oxford University Press. Retrieved March 17, 2017.

## Administrative Structure

Until the 31<sup>st</sup> Constitutional Amendment, Article 247 of Pakistan's Constitution vested all the oversight authority in the office of the President. It said: "Subject to the Constitution, the executive authority of the Federation shall extend to the Federally Administered Tribal Areas and province shall extend to the Provincially Administered Tribal Areas."<sup>10</sup> KP's (*formerly known as NWFP*) governor exercised executive authority in FATA as the president's representative. The overall administrative and political control of FATA fell under the Federal Ministry of States and Frontier Regions (SAFRON).<sup>11</sup> FATA was managed through Political Agents (PAs) under the supervision of the federal government. The frontier regions were named after the adjacent districts and are administered by the respective Deputy Commissioners (DCOs) under the overall control of the FATA Secretariat in Peshawar, the capital of KP province.<sup>12</sup> The new legislative move also automatically repealed the Articles 246 and 247, which governed the entire FATA since 1947.

Following the passage of the 31<sup>st</sup> Amendment, the caretaker governments at the Center and the provincial capital Peshawar, set up to oversee the elections in July, also moved with break-neck speed. On June 8, the Khyber Pakhtunkhwa government formally abolished the office of political agents and the collection of Agency Welfare Fund that had become the root cause of exploitation and corruption in the erstwhile FATA.<sup>13</sup> An official notification said the 116-year-old posts of political agents in the seven tribal agencies were being re-designated as deputy commissioners, additional political agent as additional deputy commissioner and assistant political agent/assistant political officer as assistant commissioner.

### FATA Secretariat – How and when it came about?

Until 2002, according to the government of Pakistan's FATA website, decisions related to development planning in tribal areas were taken by the FATA section of the

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10 The Constitution of Pakistan. Part XII: Miscellaneous. Chapter 3: Tribal Areas. Article 247 (1). Retrieved March 17, 2017.

11 Ministry of State & Frontier Regions. (2017). Federal Minister, Ministry of State & Frontier Regions. Retrieved April 25, 2017, from <http://www.safron.gov.pk/frmDetails.aspx?opt=misc&id=1>.

12 Since the main report was compiled much before the constitutional changes to the status of FATA, much of the description of the stakeholders or their respective roles may still be in the present tense.

13 Ali, Z. (2018, June 9). Political agents office in Fata abolished. DAWN. Retrieved January 10, 2018, from <https://www.dawn.com/news/1412978/political-agents-office-in-fata-abolished>.

Planning and Development Department under the provincial government (known as *North Western Frontier Province NWFP until April 2010, when the province was renamed as Khyber Pakhtunkhwa*). The same year, the FATA Secretariat was set up, headed by the Secretary FATA. Four years later, in 2006, the Civil Secretariat of FATA was established to take over decision-making functions, with an Additional Chief Secretary, four secretaries and several directors. Project implementation is now carried out by line departments of the Civil Secretariat FATA. The KP Governor is the de jure head of the Secretariat. He plays a coordinating role between the Federal and Provincial Governments and the Civil Secretariat, FATA.<sup>14</sup>

### Political Agents (PA)

Under the old governance regime, each tribal agency was administered by a Political Agent (PA), assisted by several Assistant Political Agents (APA), Tehsildars (administrative head of a tehsil i.e. sub-district) and Naib Tehsildars (deputy tehsildar), as well as members from various local police (khassadars) and security forces (levies and scouts). As part of his administrative functions, the Political Agent oversaw the working of line departments and service providers. The PA was responsible for handling inter-tribal disputes over boundaries or use of natural resources, and for regulating trade in natural resources with other agencies or settled areas.

According to the statutes, the Political Agent played a supervisory role for development projects. He would chair an agency development sub-committee, comprising various government officials, to recommend proposals and approve development projects. He also served as the project coordinator for rural development schemes. A frontier region (FR)<sup>15</sup> was administered by a Deputy Commissioner of the respective settled district. He exercised the same powers in the FR as the Political Agent did in a tribal agency.

The tribes regulated their own affairs in accordance with customary rules and unwritten codes. The key features of governance included the collective responsibility for the actions of individual tribesmen and territorial responsibility for the area. Under the old system, the government functioned through local-level tribal intermediaries i.e., Maliks (representatives of the tribes) and Lungi-holders (representatives of sub-tribes or clans), who were influential members of their respective clan or tribe.

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14 Administrative System. (2017). Federally Administered Tribal Areas, Government of Pakistan. Retrieved April 25, 2017, from <https://www.fata.gov.pk/Global.php?iId=29&fId=2&pid=25&mId=13>.

15 Frontier Region (FR) is the buffer between a settled city/town and a FATA agency. There are six FR.

## Frontier Crimes Regulation (FCR)

Pakistan's Constitution guarantees all fundamental human rights to all citizens, including the right to equal citizenry, to all Pakistanis. However, under Article 247, these provisions did not extend to the residents of FATA, nor did any Act of Parliament apply to these areas "unless the President so directed." In fact, even FATA lawmakers in the national parliament had only been symbolic representatives of the region; they could participate in legislation for any part of the country but for FATA.

Even these lawmakers were at times direct victims of draconian Frontier Crime Regulations (FCR), particularly when the PA would invoke the collective punishment clause to implicate and punish the entire tribe for the crime of an individual. Moreover, basic rights of a fair trial, such as the right to legal counsel, the right to appeal and the law of evidence have been non-existent.<sup>16</sup> Consequently, the people of FATA were for decades at the mercy of the PA, who acted as the uncrowned king of his respective Agency and treated all the locals as his "subjects."

But following several years of activism and advocacy – including rights' campaigns largely funded by international non-governmental organizations (INGOs) and the national NGOs, the federal government in 2017 finally proposed a phased integration of FATA. It, nevertheless, fell victim to the expedience of the ruling party and its allies. Consequently, the entire process looked practically doomed until the last week of May 2018, when, right before the completion of its term, the ruling Pakistan Muslim League Nawaz (PML-N) party, with support from major opposition parties, managed to push the constitutional bill on merger of FATA with KP and abolition of the FCR.

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16 Gul, Imtiaz. (May 7, 2014). Rid FATA of the FCR. Retrieved April 26, 2017, from <https://tribune.com.pk/story/704945/rid-FATA-of-the-fcr/>.

## Agency/Frontier Regions with Tribes<sup>17</sup> and Business

### Khyber Agency

The British rulers first established the Khyber Agency in 1879.<sup>18</sup> Initially a political officer was supposed to be the administrative head of the Khyber Agency (Political Agent's Officer, Khyber Agency), but in 1902 a full-fledged political agent (PA) was assigned here. The agency draws its name from the historic Khyber Pass and covers an area of 2,576 square kilometres. The famous Torkham border links the Khyber agency with Afghanistan's Nangarhar province. Its population, according to the October 2017 census, has swollen to 986,973 from 546,730 in 1998. People of Khyber Agency have historically relied on the traditional old silk route and are therefore more inclined toward developing business opportunities.



Federally Administered Tribal Areas (FATA)

<sup>17</sup> For major tribes in terms of their locations, see **Annex 2**.

<sup>18</sup> Khyber Agency Portal. (2017). Federally Administered Tribal Areas, Government of Pakistan. Retrieved April 25, 2017, from <https://www.FATA.gov.pk/Global-fac.php?iId=170&fid=25&pld=151&mlId=95>.

Two main tribes dominate the landscape of Khyber Agency; Afridis and Shinwaris. Shinwaris are mainly concentrated in Landi Kotal, a sub-district close to the Afghanistan border. Whereas Afridis inhabit the rest of the Khyber Agency. In Landi Kotal, the family of Noor-ul-Haq Qadri, who belongs to the Dirokhel sub-caste of Shinwari, holds sway because of religio-political reasons. Qadri is the chief of a religio-political outfit, Tanzeem-Ahle-Sunnat-Wal-Jamaat and runs many madrassas (religious seminaries). Like the rest of the Shinwaris, he owns many properties and businesses in Khyber Agency and in the Karkhano Bazar, Hayatabad Industrial Area, adjacent to Peshawar, the provincial capital. He is said to be very influential and had given significant resistance to the dreaded terrorist outfit – Tehreek-e-Taliban Pakistan (TTP) and its allied militant group Lashkar-e-Islam (LI) led by Mangal Bagh. The other main powerful tribe in Landi Kotal is Khugakhel–Shinwari, while Sultan Khel–Afridi is also present in the region. The Zakhakhel is another major tribe that fought against the militants of Mangal Bagh when Pakistani forces began cracking down on TTP and LI after the May 2009 Swat Operation.

In Jamrud, another sub-district of Khyber, the family of Shahjee Gul Afridi, a member of the lower house of Parliament between 2013 and 2018, enjoys considerable clout. His brother Senator Taj Mohammad, too, is politically very influential. They own a growing transport business and were also involved in the North Atlantic Treaty Organization (NATO) supply contracts.<sup>19</sup> The family owns several fixed assets in Peshawar, Islamabad, other cities, and even abroad. They have massive property businesses and own several commercial plazas, generate millions of rupees in rent. Other notable families in Jamrud are Khandad Afridi and Khansaid Afridi, while Kokikhel and Zahir Shah Families also belong to powerful tribes. They too fought against Mangal Bagh, but normalized relations with him to protect their businesses in the Hayatabad Industrial Area and Karkhano Bazar, from the threats posed by LI militants. Another influential and affluent family that lives in the Bara sub-district is represented by Nasir Khan, member of the lower house of Parliament, and his brother, Senator Moin Khan. They run various businesses and own several properties. Mohammad Shah and Javed Afridi represent another wealthy and influential family in Bara. They own the Pakistani chapter of Haier Group of Companies and Frontier Motors. They also sponsored the Peshawar Zalmi – one of the five cricket teams that competed in the Pakistan Super League. Hamidullah Jan, a former federal minister, represents another prominent family

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<sup>19</sup> The bulk of the military and food supplies for the US-led NATO forces in Afghanistan ran through Pakistan since early 2002 to December 2014, when the bulk of the foreign troops pulled out. Many transporters in Pakistan including Shahjee Gul Afridi hugely benefitted from the NATO cargo not because they owned transportation means but also because of political influence in a region infested with anti-US Taliban militants.



of the area.

Some of the smaller tribes in the Bara Tehsil Bar include Qambar Khel, Malik Din Khel, Akakhel and Sipah. Leader of the militant outfit LI, Mangal Bagh belongs to the insignificant Bara Sipah tribe.

### **Kurram Agency**

Kurram Agency was created in 1892, a year before the demarcation of the Durand Line.<sup>20</sup> It covers an area of 2,296 square kilometres with a population of 619,553.<sup>21</sup> The Kurram Agency borders Afghanistan's Nangarhar province in the northwest and Paktia province in the southwest. Major tribes residing here are Bangash, Tori (or Turi), Mangal, Muqabal, Jaji, Zemush and Para Chamkani. Tori tribe is predominantly Shia-Muslims. Many in the Kurram Agency are educated and hardworking. The Shia community is more united and organized than the Sunni community. Prominent among the clan is the family of Senator Sajid Hussain Tori, whose grandfather too was a legislator. General (retired) Jamal Said Mian and former Senator Sajjad Mian belong to another influential family of the area.

Former Air Marshal, Syed Qaiser Hussain was also a Tori tribesman. This also underscores the fact that two people from the Toris of Kurram could rise to the highest levels in the Pakistani armed forces. The Bangash tribe comprises both Sunnis and Shia Muslims. Haji Salim Khan and Nasrullah Bangash can be called the politically iconic Bangash families. People of Kurram Agency are loving, hospitable and peaceful. But after the Union of Soviet Socialist Republics (USSR) invasion of Afghanistan in 1979, the area witnessed many tumultuous incidents, including a large influx of Afghan refugees. One of the major effects of migrating Afghans was the emergence of sectarian division between the Sunnis and Shia. As more Sunnis settled in Khyber, the balance tilted a bit in their favour. Parachinar, the administrative headquarters of Kurram Agency, and a predominantly Shia region, remained under severe stress for many years. The sectarian conflict precipitated with the rise of radical TTP, which was an amalgamation of anti-Shia Sunni Muslims and Osama bin Laden's Salafi school of thought.

The area suffered several terrorist attacks and endured multiple blockades laid by the TTP, who used to serve as the local shelter for the Afghan Haqqani network and Al-Qaeda fighters. Owing to the consistent conflict and economic hardships many Shias and Sunnis left the area. No surprise therefore, that a large percentage

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<sup>20</sup> KurramAgencyPortal. (2017). Federally Administered Tribal Areas, Government of Pakistan. Retrieved April 25, 2017, <https://www.FATA.gov.pk/Global-fac.php?ild=186&fid=33&pld=169&mlid=87>.

<sup>21</sup> Official census October 2017.

of the Shia population from Kurram Agency is currently settled in the Middle East and Australia. Following a string of military operations, government's writ has finally been established. The peace efforts of tribal elders involving both Shia and Sunni has returned normalcy in the region.

### South Waziristan Agency

The Waziristan region was carved out of FATA and split into two more agencies in 1895. South Waziristan, the largest of all tribal agencies at 6,620 square kilometres, is inhabited by a population of 543,356.<sup>22</sup> South Waziristan borders with Afghanistan's Paktia and Paktika provinces to the west, Balochistan province to the South, Dera Ismail Khan District (of the KP province) to the east and the FATA agency of North Waziristan to the north. The main tribes in South Waziristan are Ahmedzai Wazir and Mehsud, and a third significant tribal population is that of the Burki (Warmar). Ahmedzai Wazir further comprises nine sub-caste namely Zalikhel, Tojikhel, Ganjikhel, Khogelkhel, Tarkikhel, Mughal, Poniaykhel, Shodyakankhel and Terkai. Zalikhel is the most prominent caste.

Among the main powerful families of Zalikhel is the family of Mirzalaam - led by Bang Gul, son of Bismillah Khan - and the family of Khanzada, which owns major lands, orchards and markets in Wana, the administrative headquarters of South Waziristan. Khanzadas are a powerful entity within the Ahmedzai Wazir tribe. One of the Khanzadas - Pirzada Khan – also served as a political administrator in the Bajaur and North Waziristan Agencies. Currently, Pirzada's son Saeed Wazir is serving in the police department as the Regional Police Officer (RPO) Hazara Division in the north. Alongside, he has also launched a welfare initiative i.e. Wana Welfare Association (WAWA), with the help of many other Wazir philanthropists, which is doing a lot of development work for the students and is very popular in the region.

Prominent names among Zalikhel tribesmen are that of Mir Mohammad, Malik Ajmal and Malik Noor Ali. Amir Mohammad, Abdur Rahim and Sahibjan are notable names among Tojikhels. In Ganjikhel, Amir Ghulam is said to be a powerful figure as he enjoys perks and privileges of a Khan provided by the political administration, presumably for political reasons. Ghalib Khan, a descendent of a sub-caste of Ahmedzai Wazir, i.e. Tojikhel, represented his tribe in the National Parliament between 2013 and 2018. In terms of local security, the Wazirs of Wana have played an important role in countering militancy and fighting against the Uzbeks and the Taliban. Maulvi Nazir, a Pakistani-Taliban commander from the

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22 Official Census October 2017.

Wazir tribe, had managed to wipe out the foreign militants from the area with the help of Ahmedzai Wazir tribe and the military, between 2007 and 2009. Nazir, unlike other militant groups, did not have an anti-government agenda and was rather against the presence of foreigners in FATA. Nazir was killed in a US drone strike in 2013. His group is now led by Salahuddin Ayubi who resurfaced in South Waziristan in 2017 under the guise of a 'peace committee' and placed a ban on cultural and social activities.

The main business of the Ahmedzai Wazir tribe was cross-border trade. But following the War on Terror, because of frequent border closures, their businesses were badly affected when thousands of shops and markets in the Wana Centre were destroyed or damaged because of frequent clashes between the military and the militants. The other main source of income for the Wazirs has been fruit orchards. The area is particularly known for its significant production of tomatoes, apples and pine nuts. As the stand-off intensified between the Taliban and Pakistan Military, many affluent Ahmedzai Wazirs resettled and shifted their businesses to the adjacent Dera Ismail Khan, the second largest district of Khyber Pakhtunkhwa.

Shamakhel, Alizai and Balolzai are the three major tribes in the Mehsud dominated area of South Waziristan Agency. Smaller sub-tribes are many and known with different names. For example, if Shabikhel tribe is set aside from the Alizai, then it is called Manzai. Some are called Gidikhel, Palikhel, Manzai, Malakhel, Ishangai, Langerkhel, Shabikhel, Slimikhel, and Idari. Traditionally, Shahzada, known as the spiritual leader of the Mehsud, would be from Shabikhel, whereas they originally came from Afghanistan. Mehsuds held the family of Shahzada Wajihuddin in high esteem and followed its call for preparing Lashkar (tribal force) against any perceived enemy. Currently, the family is led by Shahzada Humayun, but the rise of militancy in the region, in the aftermath of 9/11, has had serious consequences on the social structure of Waziristan. Consistent suicide attacks, even on traditional peaceful tribal assemblies, factional fighting and military operations eroded the authority not only of the Political Agent but also of local influential aristocracy, particularly politicians and businessmen and spiritual families.

Currently, the Maalkhel family of General (ret'd) Alam Jan is led by Inayatullah, and by his nephew Noor Khan. The family of Omarkhel (a sub-branch of Langerkhel) - also called the Khans of Gidikhel - is led by Samilullah Jan. Among the notable members of the family are bureaucrats, public servants and businessmen, like ex-commandant Frontier Reserve Police (FRP), Ameer Hamza Mehsud, Noor Hassan Jan, journalist Sailab Mehsud, Haji Saadat Khan, journalist Safiullah Gul and many others. Many Mehsuds also made to the levels of Brigadier and Colonel in the Pakistan military. Among Shamenkhel, the prominent names are those of Ziauddin, Aurangzeb, and Amanuddin. The latter had also raised a Lashkar against

the criminals in the name of Aman (peace) Committee and was killed in an attack. Currently, the Shamenkhels are led by Gul Feroz, who is the Khan of Shamenkhel, and Malik Sher Bahadur. Gulsa Khan rose to prominence for taking up arms against the criminals and the Taliban. He eventually lost his life to an improvised explosive device (IED) planted next to his vehicle. He belonged to the Nazarkhel sub-tribe.

Ex-senator Gulab Khan (alias Gulaapi), also hailed from a noted family in South Waziristan. He belonged to the Eshangai sub-caste of Balolzai Mehsud. Later his son too, became a member of the upper house of Parliament and now heads the family. A former PA, Sangimar Jan and Jamaluddin Mehsud, member national legislature (2013-2018), also belonged to the Eeshangai sub-caste. Kutub Khan is another reputed family in the region, which belongs to the sub-caste of Slimikhel-Palikhel. Ironically, the erstwhile militant Taliban leader Abdullah Mehsud – the virtual predecessor of TTP founder, Baitullah Mehsud – belonged to the same tribe. Abdullah Mehsud's elder brother had also served in the army. The current Inspector General of KP, Salahuddin Mehsud (as of May 2018), belongs to Shaabi Khel (or Shubikhel), a main tribe in this area, while its sub-caste is known as Malaki. TTP leader Baitullah Mehsud also belonged to the Shaabi Khel tribe.

Burki is another main tribe of the Mehsud dominated area. One sub-caste of the Burki tribe is Piraan. Among the prominent names of this tribe are Pir Yaqub Shah and Pir Amiruddin, whose families were killed by the Taliban in Gomal, a sub-district of Khyber Pakhtunkhwa. Now the tribe is led by Minhajuddin. Dawal Khan Family is also of prominence in the Burki tribe because two of its members rose to the ranks of a serving Brigadier and one a Colonel. Other families include those of Abdur Rahim Burki, and Jehanzeb Burki, who run a massive business in Karachi. Former Senator, Saleh Shah also comes from the Qureshi tribe. His sub-caste is Michikhel.

Generally, the Mehsuds are said to be stubborn and straightforward. They were the ones manipulated in the name of religion and provided board and lodging to the Afghan Mujahedeen and Taliban. Later, as more militants arrived from Central Asia, they became the driving force for the increased militancy. Qari Hussain Mehsud (*the master trainer of the suicide squads*) derived his strength from the ferocious Uzbek militants of the Islamic Movement of Uzbekistan. Both Qari Hussain and Baitullah Mehsud developed differences over Hussain's support for the Uzbeks and blamed each other for plotting to kill the other. Baitullah Mehsud had spent his early life in the Mambati Raghzai area on the outskirts of Bannu, a large KP district, where his father Sheikh Haroon was a prayer leader in a local mosque. But later when Baitullah rose to prominence, he claimed to be from the Shaabikhel sub-caste of the Mehsuds.

## North Waziristan Agency

Created in 1895 along with South Waziristan, the North Waziristan Agency is the second largest in size, spread over 4,707 square kilometres, with a population of 543,254.<sup>23</sup> The North Waziristan Agency borders the Paktia and Khost provinces of Afghanistan. In North Waziristan, the main tribe is Utmanzai Wazir, with two main branches i.e. Wazir and Dawar.

Toorikhel, Borakhel, Kabulkhel and Madakhel are the main sub-castes of Wazirs. The Upper Dawars populate Darpakhel, Hamzooni, Digan, Mohammadkhel and Laand-datakhel, whereas the Lower Dawar are settled in Miramshah, Haiderkhel and Mir Ali. Gurbaz and Saidgai also share the Agency with the Utmanzai Wazir but they are very small in number. The chief of Utmanzai Wazir is the family of Malik Khandan, whose son Qadar Khan was known as a vocal and forceful leader. After his death, Malik Nasrullah Khan became the clan chief. The family has many properties across the country including hotels and plazas in Bannu, Peshawar, and other cities. Many of their family members have also made it to important positions in the public sector and armed forces.

Utmanzais are also divided into several sub-castes. For example, Malik Gohar Ayub now heads the Toorikhel family of late Malik Mamoor Khan. In Borakhel, Malik Shahjehan leads the family. In the Kabulkhel sub-caste, Malik Shahjehan is the chief while the chief of Dawar family is Khan Zeb, who is the son of Ilyas Mamada (late). Other families, such as those of former legislator Malik Jehangir and former Sports Minister Malik Ajmal Khan, belong to the Madakhel sub-caste. Among other prominent ones in the Hasukhel tribe are ex members of Parliament Malik Arsala Khan, Maulvi Dindar, Jamiat-e-Ulema-e-Islam (JUI) and Maulvi Naik. Mohammad Nazir belongs to Kabulkhel sub-caste of Utmanzai Wazir and represented North Waziristan in the national parliament (2013-2018).

Religious militancy and Talibanisation became synonyms to North Waziristan. It all began with the Afghan mujahedeen warlord, Jalaluddin Haqqani who was given a place in Miramshah during the war against the former USSR. This family belonged to Matta Cheena (water spring) area of Khost in Afghanistan but many of its members settled down in Miranshah, the administrative headquarters of North Waziristan. The family enjoyed a revered status until June 2014, when Pakistani military finally launched the Operation Zarb-e-Azb, which razed several seminaries and homes associated with the Haqqanis. In fact, the US-led NATO forces in Afghanistan have long held the Haqqani Network responsible for all

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<sup>23</sup> Official Census October 2017.

the high-profile attacks in the Afghan capital Kabul and its surroundings. They kept asking Pakistan to crackdown on the Haqqanis, but the army took its time to initiate the campaign in North Waziristan.

The mainstay for the Haqqanis and for many Al-Qaeda operatives in this region has been Hafiz Gul Bahadur of the Madakhel sub-caste. He remained as the Jamiat-Tulba-e-Islam's (JTI) finance secretary in 1997 for one year. He had studied at a seminary called Dar-ul-Aloom Nizamia Edaq. Baitullah Mehsud was also studying in the same seminary and served as the press secretary of JTI. Later, in 1999, Gul Bahadur became the press secretary of JTI whereas Baitullah Mehsud remained the finance secretary. Baitullah Mehsud and Gul Bahadur fell apart when the former established the TTP in mid-December 2009. This prompted Gul Bahadur to launch his own group, Muqami (local) Taliban Tehreek (MTT). He went on to nominate Mufti Sadiq Noor (Hamzoonai Dawar) and Maulvi Aleem Khan (Toorikhel Wazir) as his deputies.

The Zarb-e-Azb Operation forced Gul Bahadur to retreat into eastern Afghanistan along with Mufti Sadiq Noor. Both reportedly took refuge somewhere in the neighbouring Paktika province of Afghanistan. Their cohort Maulvi Aleem Khan is reportedly somewhere in Razmak in North Waziristan, and sources close to him claim he is trying to broker a deal for Gul Bahadur's return to Pakistan.

The stories of Gul Bahadur, Sadiq Noor, and Aleem Khan or those of Baitullah and Hakimullah Mehsud underscore a bitter reality of FATA regions; shifting loyalties as and when circumstances demanded. Once they were all trusted friends of the Afghan mujahedeen, the Taliban and by implication were closely aligned with Pakistan's security interests. But once the War on Terror turned the tables on the Afghan Taliban, and Pakistan got involved – albeit unwillingly – dynamics of the tribal region changed. The complexion of the area changed, when the new generation was raised in the shadows of terrorism with a singular aim to wage international Jihad, not only against non-Muslims, but also against Muslims aligned with the west in its war on terrorism. Though the Mehsuds and other tribes, in both the Waziristan had good relations with the military establishment, the equation changed as other interests intervened. Now, however, the space they once lorded over has shrunk on them considerably, because of the double-games they played; pretending to be with the government but at the same time sheltering wanted Al-Qaeda and Afghan Taliban. This undermined the traditional relations between the state security apparatus and the tribes in general.

### **Business and source of income**

Traditionally, the people of North Waziristan relied on trade with Afghanistan to

meet their economic needs. However, many earned their livelihood using other avenues as well. Some had businesses in Karachi. Many people had gone to the Middle East for jobs. It has been estimated that almost every house in FATA have had one male member working in the Gulf countries. This flow of income brought prosperity to the region and also a large amount of remittances to Pakistan.

While the money earned from businesses and foreign lands helped in upgrading the lifestyle of the people of that area, some of the funds also went to sustain the militant organizations such as the TTP. Officials say that following neutralization of the TTP insurgency, copper and chromite mines are also being developed in the upper areas of North Waziristan Agency.

### Mohmand Agency

The Mohmand Agency was created in 1951, four years after Pakistan was carved out of the Indian sub-continent as a sovereign state in 1947.<sup>24</sup> It covers an area of 2,296 square kilometres and its population is estimated to be around 466,984,<sup>25</sup> up from 334,453 in 1998. The major tribes inhabiting the area are Mohmand, Safi and Uthmankhel. The Mohmand Agency shares a border with the Bajaur Agency to the north, the Dir District to its east, the district of Peshawar to its southeast and Afghanistan to the west.

### Bajaur Agency

Bajaur Agency, the smallest in size at 1,290 square kilometres, was created in 1973.<sup>26</sup> Its population nearly doubled to 1,093,684 from 595,227 in 1998.<sup>27</sup> The predominant tribes here are Uthmankhel and Tarkani tribes. Bajaur shares a border with Afghanistan's eastern Kunar Province to the northwest, Dir District (Khyber Pakhtunkhwa) to its northeast and the Mohmand Agency to its west.

### Orakzai Agency

The Orakzai Agency is the only tribal region that does not share a border with Afghanistan. Created in 1973, it is bound in the north by the Khyber Agency, in the east by the Frontier Region Kohat, in the south by both Kohat and Hangu

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24 Mohmand Agency Portal. (2017). Federally Administered Tribal Areas, Government of Pakistan. Retrieved April 25, 2017, from <https://www.FATA.gov.pk/Global-fac.php?ild=301&fid=37&pid=281&mid=102>.

25 Official census October 2017.

26 Bajaur Agency Portal. (2017). Federally Administered Tribal Areas, Government of Pakistan. Retrieved April 25, 2017, from <https://www.FATA.gov.pk/Global-fac.php?ild=293&fid=26&pid=274&mid=107>.

27 Official census October 2017.

Districts, and in the west by Kurram Agency. Its 245,356 population is spread over 1,538 square kilometres, making it the smallest of all seven agencies. Orakzai Agency is home to about twenty-one small and large tribes. The main tribe is Ali Khel. Others include Mishtikhel, Sheikhaan, Mahmoozai, Bar Mohammadkhel, Molakhel, Ferozkhel, Rabiakhel, Sturikhel, Utmankhel, Bezottee, Manikhel, Sipah, Khoidadkhel, Esakhel, Kalaya Saidaan, Khadizai and Ali Sherzai. Several other smaller tribes also exist.

The main family, Sunni by sect, in the Ali Khel tribe was that of Mir Alam, killed in an attack by TTP. Now it is led by Noorab Khan. Another family with socio-political clout in this area is that of Sabeel Khan. From Shia community, Zameer Khan and Said Marjan are said to be the two main dominating families in Ali Khel. In Bar Mohammadkhel, the main family is that of Jamal Hassan, whose son, Jawad Hassan, was a Member of the National Assembly (2013-2018), while another son, Najmul Hassan, is a former senator.

Another prominent family in the Shia community of the Bar Mohammadkhel is that of Syed Fazal Shah and Syed Badsha Hussain. In Manikhel, the family of Noorjaf Khan; in Sipah, the family of Malik Yaqoot Ali; in Mahmoozai, the family of Sawab Khan; in Mishtikhel, the family of Faizullah Khan, and in Ferozkhel, the families of Maweez Khan, Malik Ziaullah and Malik Mehrban are said to be socio-politically influential. From the Molakhel tribe, the family of Member of National Assembly (MNA) Ghazi Gulab Jamal and that of Senator Auranzeb Khan are very strong in upper Orakzai. People in Orakzai are involved in agriculture and livestock business. Many of the families' members have gone to the Middle East to do jobs.

### Frontier Region Peshawar

Frontier Region covers a total area of 261 square kilometres, with a population of around 64,691.<sup>28</sup> Afridis are the only major tribe inhabiting FR Peshawar. It is bound on the north and west by the Peshawar District, on the south by Frontier Region Kohat, and on the east by the Nowshera District.

### Frontier Region Kohat

FR Kohat covers an area of some 446 square kilometres with a population of 118,578.<sup>29</sup> Here too, Afridis stand out as the major tribe. It shares a northern boundary with FR Peshawar, in the east with Nowshera District, in the south with the Kohat District and in the west with the Orakzai Agency.

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<sup>28</sup> Official Census October 2017

<sup>29</sup> Official Census October 2017.



### **Frontier Region Bannu**

FR Bannu is spread over some 745 square kilometres with around 43,114<sup>30</sup> inhabitants. The Wazir tribe is the only major tribe inhabiting FR Bannu.<sup>31</sup> It shares a northern boundary with the Karak District, the eastern with Bannu District, southern with FR Lakki Marwat and western with North Waziristan Agency.

### **Frontier Region Lakki Marwat**

FR Lakki Marwat covers an area of about 132 square kilometres with some 26,359 inhabitants.<sup>32</sup> The dominant majority belongs to the Bhattani tribe. It shares the northern boundary with the Karak District, eastern with the Bannu District, and western with the North Waziristan Agency.

### **Frontier Region Tank**

FR Tank covers an area of 1,221 square kilometres with a population of around 36,389.<sup>33</sup> The Bhattani tribe is the only major tribe inhabiting FR Tank. It is bounded in the north, south and west by the South Waziristan Agency, in the northeast by the Lakki Marwat District and in the southeast by Tank District.

### **Frontier Region Dera Ismail Khan**

FR D.I. Khan is spread over about 2,008 square kilometres and has a population of around 68,556.<sup>34</sup> The Ustran and Sherani are the major tribes inhabiting FR D.I. Khan. It shares a northern boundary with the South Waziristan Agency, eastern with the Kulachi Tehsil of D.I Khan District, southern with Dera Ghazi Khan Districts, and western with the Zhob District.

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30 Official Census October 2017.

31 Frontier Region Bannu Portal. (2017). Federally Administered Tribal Areas, Government of Pakistan. Retrieved April 25, 2017, from <https://www.FATA.gov.pk/Global-fac.php?ild=319&fid=29&pid=308&mid=53>.

32 Official Census October 2017.

33 Official Census October 2017.

34 Official Census October 2017.

## **Economic Activities and Sources of Income/ Livelihood**

### **Taxation System**

FATA's system of taxation and revenue generation was mainly administered by the Political Agent (PA). Hence, there was no formal revenue generation system in place in FATA. The income generation for each Agency in FATA falls under three categories – legal, illegal and under the table.<sup>35</sup> A report on FATA's taxation system prior to the approval of the integration plan had stated: "The duty fixed on commodities and transport permits by political agents is added to the Agency Development Fund (ADF) or Agency Welfare Fund. It helps filling the gaps of paltry sum of monies provided by the Federal Government to meet expenses of the agency."<sup>36</sup> This ADF was then also used to pay monetary amenities to the tribal elders, and it was quite natural that some elders expressed open displeasure when the government abolished this fund.

In a separate order, Khyber Pakhtunkhwa Chief Secretary, Mohammad Azam Khan directed the deputy commissioners concerned to stop collection of all types of "Rahdaarees" (transit fee), import, export tax and levies collected by the political administration forthwith.<sup>37</sup> The tax/fee had become the root cause of corruption in the area, eroded the moral authority of the PA and directly affected his administration. The notification directed the Additional Chief Secretary of FATA to immediately take up a case with the Ministry of States and Frontier Regions pursuant to the said decision of the Prime Minister to provide the requisite funds in lieu of ADF in the regular budget that had been earmarked for current and future development schemes.

### **Agriculture**

Most of the largely rural population in FATA depends heavily on forestry, livestock and subsistence crops (maize, wheat, rice and vegetables), and some orchard produce. Less than 9 percent of the land is arable. To make matters worse, only 38.15 percent of the cultivatable land is irrigable, while the remaining farms rely

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35 Firdous, Iftikhar (2018, May 9). FATA reforms: Untangling the Agency Development Fund. The Express Tribune. Retrieved 11 May 11, 2018, from <https://tribune.com.pk/story/1705606/1-fata-reforms-untangling-agency-development-fund/>.

36 Ibid.

37 Ali, Z. (2018, June 9). Political agents office in Fata abolished. DAWN. Retrieved January 10, 2018, from <https://www.dawn.com/news/1412978/political-agents-office-in-fata-abolished>.

on rainfalls to meet their water needs. The proper marketing of farm produce is limited by the lack of roads and cold storage.

### Underemployment

Because natural resources have not been properly exploited, and the agricultural land is rare and underutilized, most of the population depends on non-agricultural activities for survival, such as drug trafficking, cross border trade (including smuggling), shop keeping, arms manufacturing and trade, transport, etc. Employment opportunities are so limited that entire families depend mostly on a single person's income. In the case of extended families living in compounds, more than one generation may be living off a single income. The absence of employment opportunities results in many youngsters getting involved in non-productive activities leading to crimes and domestic violence. Indeed, as will be shown in the section on security, the people of FATA believe that unemployment is a major reason behind the youths joining militant and religiously extremist outfits. The literacy rate in FATA is one of the lowest in the country. Private or public service employment opportunities are limited in FATA. The lack of sources of livelihood also prompt many young adults to migrate to other cities of Pakistan or abroad in search of work. Many FATA residents commute daily to work in areas adjacent to their agencies. Rapid urbanization in these adjacent areas have given educational, trade and employment opportunities to the FATA youth.

### Natural Resources

Natural resources in FATA are abundant, evident from the fact that currently at least 17 oil and gas exploration companies have been active in Khyber, Orakzai, North, and South Waziristan agencies, as well as in Frontier Regions of Peshawar, Kohat, Bannu, Tank and D.I Khan.<sup>38</sup> Among them, Mari Gas Company, HYCARBEX Inc, Oil and Gas Development Company, Tullow, Saif Energy, MOL Pakistan Oil and Gas, Orient Petroleum International, Pakistan Petroleum, ZHEN, ZAVAR, are the most prominent ones.

Natural resources in FATA include marble, copper, limestone, coal, uranium; fire clay; silica sand; rock and potash salts; bituminous alum shale; antimony; chromite; talc/soapstone; copper; complex, multiphase, ophiolite associated massive sulphide; asbestos; gypsum; sulphur; iron, laterite and bauxite; manganese ore; decorative limestones/marble, dolomite, cement, construction, and dimension

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<sup>38</sup> Zia, Asad. (2012, December 26). FATA, FR regions abundant in oil, gas, says report. The Express Tribune. Retrieved March 13, 2017, from <https://tribune.com.pk/story/484440/new-hope-springs-fata-fr-regions-abundant-in-oil-gas-says-report/>.

stones deposits.<sup>39, 40</sup> Had FATA not been exposed to the US led wars, first against the Soviets and later against the terrorist in Afghanistan, its story would have been different. Along with disrupting and destroying the traditional social structures of FATA, militancy has imbued a perpetual sense of insecurity in the minds and hearts of the people living in these areas.

### Trade with Afghanistan

Trade with Afghanistan plays a crucial role in FATA's economy. Most of the Afghan imports and exports used to transit through FATA, namely the Khyber, Bajaur and North Waziristan agencies. Recent years have witnessed a massive - nearly 50 percent - decline in both the bilateral as well as the transit trade. The 2010 Afghanistan-Pakistan Transit Trade Agreement (APTTA) was a landmark contract that allowed for both countries to use each other's airports, railways, roads, and ports, for transit trade along designated transit corridors, so long as no third country is involved. The importance of this trade corridor can be determined from the fact that the unilateral closing of the border from the Pakistan side led to complete chaos, resulting in tens of millions of dollars' worth of losses to traders and truckers both sides of the border, mostly Afridis and Shinwaris.

Poppy grown in Afghanistan and its by-product - opium as well as heroin - has also influenced the region's trade; the geographical proximity invariably turned FATA into a transitional point for drug-trafficking as well as smuggling of all kinds of goods. Until recent years, several small manufacturing units and markets used to supply small and medium weapons - mostly replicas of Russian, American and Italian firearms - to clients across the country. Dara Adam Khel to the south of Peshawar and Khyber to the west of the provincial capital were famous for these markets. Local tribes thrived on this trade but the growing presence of the army in various parts of FATA has adversely affected such markets. Media reports too speak of "unrestricted" smuggling (in the region) that severely hampers actual trade in the region.<sup>41</sup>

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39 Malkani, Sadiq. (2015, August 15). Mesozoic Tectonics and Sedimentary Mineral Resources of Pakistan. Geological Survey of Pakistan, Sariab Road, Quetta, Pakistan. Retrieved April 24, 2017, from <https://goo.gl/q6vblQ>.

40 Malkani, Sadiq. (2015, August 15). Natural resources of Southern Khyber Pakhtunkhwa and FATA regions (Kohat sub-basin and part of northern Sulaiman Basin and Western Indus Suture), Pakistan: A review. Geological Survey of Pakistan, Sariab Road, Quetta, Pakistan. Retrieved April 24, 2017, from <http://nceg.uop.edu.pk/GeologicalBulletin/Vol-Special-2013/Abstract23.pdf>.

41 Zaheer, Farhan. (2015, February 22). Pak-Afghan border: Unrestricted smuggling hampers economic growth. The Express Tribune. Retrieved April 22, 2017, from <https://tribune.com.pk/story/842536/pak-afghan-border-unrestricted-smuggling-hampers-economic-growth/>.

## Conflict Resolution Mechanisms

Historically the tribal areas remained outside the ambit of Pakistan's judicial system, almost entirely excluded from the jurisdiction of High/Supreme Courts, until the Senate - upper house of parliament - unanimously passed a landmark bill in April 2018, which allowed for extending the jurisdiction of the apex Supreme Court (SC) and the Peshawar High Court (PHC) to FATA.<sup>42</sup> The National Assembly – lower house of parliament – had already approved the Supreme Court and High Court (Extension of Jurisdiction to FATA) Bill 2017.

Theoretically, the passage of this law meant abolition of the century-old repressive colonial-era law known as the Frontier Crimes Regulations (FCR) - first enacted in 1901 by the British Government for tribal areas - granting FATA residents the right to access Pakistan's higher judiciary for justice. Under the FCR local *Jirgas* (tribal councils) adjudicated disputes and accorded punishments in civil and criminal cases. In all the criminal and civil disputes two systems were followed, i.e., *Riwaj* (the customary law), and *Sharia* (Islamic law). *Riwaj* is the code of tribal customs. Even in the FCR, the council of elders (*Jirga*) based their verdict on *Riwaj*.

The administration took cognizance of only those offenses which were committed in protected areas and did not generally interfere in the offenses occurring between the tribes in the tribal territory of which no cognizance was taken. However, the administration did interfere in case of offenses taking place even in tribal territory, beyond the protected area, in case state interest was involved. This interference could be direct, using force, or indirect, i.e., through *Maliks* and *Khassadars*, by invoking the tribal/territorial responsibility clause, depending upon the gravity of the offense. Along with the *Jirga*, *Lashkars* (peace committees/militias) have also historically played an important part in maintaining law and order in FATA.

### Tribal '*Jirgas*' (Councils)

Pashtuns are known for their ancient self-governing tribal system, the '*Pakhtunwali*' or '*Pashtunwali*'. The cardinal pillars of this social code are '*Milmastia*' (hospitality to a stranger), '*Badal*' (timely revenge) and '*Nanawati*' (to negotiate peace between warring families). These are further ramified into many precepts which regulate nearly all aspects of Pashtun life ranging from community to personal level.

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42 Jamal, S. (2018, April 13). Senate passes bill to extend jurisdiction of top courts to Pakistan's tribal areas. MSN NEWS. Retrieved April 15, 2018, from <https://www.msn.com/en-ae/news/other/senate-passes-bill-to-extend-jurisdiction-of-top-courts-to-pakistan-e2-80-99s-tribal-areas/ar-AAVTCTZ>

To enforce the tenets of *Pashtunwali*, the dispute is referred to the tribal *Jirga* for adjudicating the matter. In case of refusal by the accused to accept the decision, their house is burnt down, and their family is banished from the village. The basic principles of *Pashtunwali* continue to be followed by many Pashtuns, especially in rural areas. The Wazir tribes are guided and governed by their own code of conduct called '*da Waziro Narkh*', or the 'customs of the Wazirs'. Although they adhere to the universal tenets of *Pakhtunwali* (Pashtunwali) for intertribal affairs, they follow their own customary code to deal with complex issues and avert bloodshed. This code also provides exemplary punishments as a deterrent. It is well known that among Pashtuns, the avenger of blood is not only privileged but also bound to slay any relative of the man who has committed the deed for which vengeance is sought. But the Waziri greybeards of the past ruled otherwise; with them the actual murderer must be the only victim. The effect of this law was cementing of the inter-tribal ties, unlike the all-pervasive norm of indiscriminate vengeance. This means an account of blood was handed down from father to son, balanced at convenience, and the friend of yesterday became the victim today.

Traditionally, the Pashtuns had a very strong *Jirga* system in which even the poorest enjoyed equal rights. The weakest could requisition a *Jirga* against the strongest. *Jirga* decisions were usually binding on all. *Jirga* still holds social and cultural importance for Pashtuns not only in FATA but also in other Pashtun areas of Pakistan as well as Afghanistan, hence various *Jirga*-based Track II initiatives have been initiated in the past few years to improve ties between Afghanistan and Pakistan.<sup>43</sup> Today as well, individual trivial matters are discussed and settled by tribesmen themselves, without the aid or assistance of any outside agency. The disputes and quarrels are taken to the *Jirga*, which based on *Riwaj*, decides the case. Since the personnel constituting the *Jirga* are the accepted elders and the respectable people of the community, the parties usually accept their decision. There are three main types of *Jirga* practised in the tribal areas: *Sarkari Jirga* (official) *Jirga*, *Qaumi* (tribe) *Jirga* and *Shaksi Jirga* (familial); details of which are as following.

### **Sarkari *Jirga***

Beside the tribal *Jirga*, a parallel dispute resolution mechanism – *Sarkari Jirga* - has also existed for decades. Under the FCR regime, the Political Agent constituted this council, comprising a group of elders designated by the magistrate (the PA or assistant PA) who were required to give a finding as to the guilt or innocence of

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43 Ahmed, Z. S., & Yousaf, F. (2018). Pashtun *Jirgas*, Their Potential in Pak-Afghan Reconciliation and National Reconstruction. *South Asia Research*, 38(1), 57-74.

the accused in a criminal case or civil dispute. The Frontier Crimes Regulation 1901, authorized settlement of quarrels arising out of the blood-feuds, relating to *Zun, Zar, Zamin* (women, wealth and land), and all other questions affecting Pashtun honour and way of life, by submitting them for arbitration to a *Jirga*. The *Jirga* was expected to visit the place of the crime and dispute, inquire by its own methods to state the facts and the solution. On conviction for murder, the *Jirga* could recommend up to fourteen years' imprisonment, being the maximum penalty.

### **Qaumi or Ulasi *Jirga***

Qaumi or Ulasi *Jirga* is formed by the tribe itself to settle intra-tribal disputes. In this case, a representative gathering is held, comprising all sections of tribes to deliberate on the issues concerning the whole community or the tribe. Therefore, Qaumi/Ulasi *Jirga* is the assembly of elders of each household of certain villages to discuss collective matters such as collective property, rights and distribution of irrigation water, or common concerns like, selection of the possible site for a school. The tribesmen might even assemble to plan ways and means in pursuing the government to assist and approve different projects of community development. A Qaumi *Jirga* may be held to stop encroachment on their land, forest or water resources by neighbouring village or a hostile tribe.

### **Shaksi *Jirga***

In case of a dispute between two individuals or families, elders form a Shaksi *Jirga* to settle the dispute. *Jirga* members then gather for a formal council meeting, listen to the parties to ascertain the facts of the case. Mostly, the *Jirga* members try to make a compromise between the parties to end the dispute, with the objective of doing justice to all. It may be interesting that both Ulasi and Shaksi *Jirgas*, though perform useful functions and assist the state functionary in discharging its responsibility of dispensing justice, are not constituted or set up under any official direction or decree but derive their authority from the people. No person can - as per tradition - question the verdict of the elders as it would amount to defiance of the whole community.

### **Lashkars**

Historically, Lashkars have played a major role both as the first line of defence against external threats as well as maintaining internal peace as and when required. Lashkars are private Pashtun militias or tribal armies and oversee

law and order situation in their localities or extended community.<sup>44</sup> A Lashkar is temporarily formed to implement *Jirga* decisions or guard the community interests in a state of emergency. It is dissolved once the *Jirga* deems the objectives have been achieved. According to Pashtunwali and tribal customs, no adult tribal Pashtun is absolved of his Lashkar duties if need arises. In terms of its functioning, a Lashkar is formed once a *Jirga* reaches a consensus verdict and needs to enforce its decision. In recent years such Lashkars served as a bulwark against the Taliban militants and terrorists in FATA. Dozens of members of such Lashkars also fell to sniper or targeted attacks by terrorists.

### Criticism of *Jirga* and Lashkar

An integral part of Pashtunwali, both *Jirga* and Lashkar have often come under immense criticism from human rights activists and proponents of modernity. One of the major critiques of both these structures is their male-dominated and male oriented-composition, where women have limited or no representation in decision making. Additionally, there have been instances where decisions made by men have been imposed on women without the latter's consent. Even though various women-oriented *Jirgas* were recently formed in Swat and other areas, they have received little or no support from the state. In FATA, Lashkars have come under criticism for misusing their influence that they gained after defeating various militant groups in their respective areas.

### Civil Courts

Many tribal disputes have been also referred to civil courts especially in the settled areas of KP. It is a long-drawn process and often the disputants, through the mediation of a renowned religious person, come to a compromise. Part of the reason for compromising is that the criminal justice system in Pakistan is sluggish, expensive and inconsistent. Cases may take decades to resolve. A total of 1,873,085 cases were pending disposal in all the superior and subordinate courts of Pakistan as on November 30, 2017, according to the Law and Justice Commission of Pakistan (L&JCP).<sup>45</sup>

### Use of Force/Threats

Groups or individuals frustrated with the courts or *Jirgas* at times resort to

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<sup>44</sup> The word Lashkar is roughly translated into troops, and also refers to a raiding party or a militia.  
<sup>45</sup> Tariq Butt. (2018, January 15). 1.87 million cases pending in Pak courts. The News. Retrieved May 19, 2018, from <https://www.thenews.com.pk/print/268487-1-87-million-cases-pending-in-pak-courts>.



intimidation and force their decision on the opponent. Often, the weaker side accepts the maxim of 'might is right.' This was especially used by the Taliban when they took over select areas of the region.

## Major Conflicts among Tribes

The history of Pashtun tribes is replete with internal and intra-tribal conflicts, mostly revolving around women (who either eloped or were abducted) and encroachments on others' lands. This is rooted in an old saying too i.e. '*zun*' (woman) and '*zamin*' (land) are the root-causes of tribal conflicts. There are examples of inter-tribal feuds and consequent forced migration of the locale, caused by issues such as "family honour," primarily arising out of a woman's elopement. The Prangi and Suri tribes fought fierce battles against the Luhanis over land disputes. Later, with the arrival of the Sikhs, and subsequently the British, the tribes formed a unified front against the common enemy and, consequently, the tribal conflicts receded.

The British created its own version of tribal chiefs. They tried to clip the authority of tribal *Jirgas* by projecting the official *Khan's* influence. In the Dir-Swat region, the Khan of Dir, Umra Khan of Jandol, and Akhund of Swat shared the political authority. They remained invariably at daggers drawn with one another over imaginary or real conflicts created by the British. During the Pashtun Uprising of 1897, religious leaders, such as Hadda Mullah, Sartor Mullah, Sufi Mullah, and scores of others rose to the occasion, setting the entire tribal region from Waziristan to Swat ablaze. The hereditary chiefs played second fiddle to the religious leadership and thus lost the confidence of their tribes.

With the creation of Pakistan, many bigger inter-tribal rivalries and conflicts came to an end except for the Indo-Afghan inspired sporadic tribal conflicts in the tribal areas. However, in 1993-94, the Malakand Division (KP) witnessed the emergence of what can be called the precursor to the Taliban movement i.e. Tehreek-e-Nifaz-e-Shariat-e-Mohammadi (TNSM); led by a local cleric Mullah Sufi Muhammad, the movement demanded enforcement of Islamic Law in the Division, which had no real criminal justice system. Mullah Sufi, an illiterate and adamant cleric, generated quite a storm for a few days by laying siege to the region. He drew support from the neighbouring Bajaur agency. The movement was, nevertheless, neutralised through timely and subtle negotiations which conceded establishment of courts with Islamic titles.

The TNSM agenda clearly betrayed the impact the Afghan jihad has had on Pakistan's Pashtun lands. The politically motivated idea of "jihad" against Russians had begun to translate in the demand for real jihad at home accompanied by an unqualified quest for Islamic sharia. The subsequent years also proved how debilitating the charade of jihad could be for the Pakistani society at large, particularly the FATA region.

## Political Tussle and Struggle

Sandwiched between Pakistan and Afghanistan, FATA and its residents had also struggled for identity. They also felt split between the two countries, particularly because the British had drawn the border arbitrarily in 1896 in a way that it divided tribes and families across the border. The tribes also felt alienated because of the draconian Frontier Crimes Regulation (FCR) that remained in force since 1947, albeit with minor changes.

Secondly, two Afghan wars, the anti-Soviet jihad of the 1980s and the US-led Global War on Terror since 2001, have deeply scarred FATA – both politically and socially. On both occasions, tribesmen were duped into supporting the US-led wars, first in the name of jihad and then against terrorism. Many wondered, and this we experienced ourselves during visits to Waziristan, as to how come the freedom fighters (mujahedeen) of yesteryears had suddenly turned into the most wanted terrorists. Mired in an extremely conservative mind-set with little exposure to the world outside, these tribesmen appeared to be at a loss to understand what had changed overnight. ‘We were earlier asked to take care of them and now being told to get rid of them,’ an Ahmedzai Wazir resident of Shakai said.

A more recent struggle was the government’s decision to eventually merge FATA with KP.<sup>46</sup> While major political leaders, including Imran Khan of Pakistan Tehrik-e-Insaf (PTI), said this will help curb terrorism,<sup>47</sup> it met with some very fierce opposition.<sup>48</sup> A large portion of this opposition came from the Maliks and the influential Khans who were to lose all political clout in the region if FATA fell under KP administrative control.<sup>49</sup> This struggle will unfold over the next few years as the financing of development and infrastructure in the region is devised in wake of FATA’s merger with KP.

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46 Haq, Riazul. (2017, March 3). FATA to be merged with K-P. The Express Tribune. Retrieved April 16, 2017, from <https://tribune.com.pk/story/1344530/FATA-merged-k-p/>.

47 Correspondent. (2017, February 15). Merging FATA with Khyber Pakhtunkhwa will help curb terrorism, says Imran. Dawn. Retrieved April 16, 2017, from <https://www.dawn.com/news/1314954>.

48 Bureau Report. (2017, March 12). Parliament, tribals may clash over FATA’s future, fears Fazl. Dawn. Retrieved April 17, 2017, from <https://www.dawn.com/news/1319865>.

49 Rahman, Javaid-ur-. (2017, February 11). FATA MPs differ on merger with KP. Retrieved April 17, 2017, from <http://nation.com.pk/newspaper-picks/11-Feb-2017/FATA-mps-differ-on-merger-with-kp>.

## Caught Between the Rock and Deep Sea

On December 27, 1979, Russian troops invaded Afghanistan.<sup>50</sup> The invasion triggered a mass exodus of Afghans to Pakistan and Iran. The refugees did not only seek protection but also used the foreign lands for organizing resistance groups to wage a guerrilla war against the Soviet army.<sup>51</sup> This influx of Afghan refugees – whose registered numbers peaked at 3.5 million in the mid-1980s – had a direct bearing on the tribes living in FATA. The tribes in FATA invariably became the unwilling hosts of tens of thousands of Afghan refugees. More alarmingly, these tribesmen helplessly watched as the Pakistani army, supported by the Central Intelligence Agency (CIA) and Pentagon advisors, turned some of the FATA regions into the training ground and a spring board for the resistance fighters – popularly known as mujahedeen. Many joined the jihad, others established relationships with mujahedeen and refugees through marriages and businesses. At the same time, the presence of religiously-motivated mujahedeen and refugees sowed the seeds of religiosity which would eventually translate in radical Islamic view of the world, the one espoused by veterans of the Afghan jihad, including Osama bin Laden and Dr. Zawahiri. They also became the icons for the first and second generation of jihadists from within FATA, particularly those from the Bajaur, North and South Waziristan agencies.

## Fallout of Afghanistan's Destabilization

One of the direct consequences of FATA's role in the Afghan jihad was the emergence of Tehreek-e-Nifaz-e-Shariat-e-Muhammadi (TSNM) in the mid-1990s, followed by the rise of Afghan Taliban and their Pakistani supporters. Following the US-led NATO invasion of Afghanistan in October 2001, some Pakistani splinter groups supported the Taliban while majority of the tribes remained neutral. Frictions developed within the Pashtuns as some segments from each tribe in FATA joined the Afghan Taliban, resulting in bloodletting among the pro and anti-Taliban factions. Today, as Pakistan continues its extensive counterterrorism operations, and the noose around militant groups is tightened,<sup>52</sup> many of these groups and factions have sought refuge in Afghanistan. This fact is repeatedly

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50 Jalali, Ahmed Ali, and Grau, Lester W. (2001). *Afghan Guerrilla Warfare: in the Words of the Mujahedeen Fighters*.

51 Jalali, Ahmed Ali. (2015). *A Military History of Afghanistan: From the Ancient Empires to the Modern Wars*. Greenwood Publishing Group.

52 Nafees, M., Gul, I., & Salahuddin, Z. (2017, March 26). *CRSS Annual Security Report - 2015*. Retrieved March 28, 2017, from <http://crss.pk/wp-content/uploads/2010/07/CRSS-Annual-Security-Report-2016-Final.pdf>.

flagged by both the civil,<sup>53</sup> and military,<sup>54</sup> leadership of Pakistan.

### **Current Situation and Assessment**

For various reasons, especially poverty and illiteracy, FATA had become the hub of militancy. Its impassable terrain and lack of infrastructure had made it easy and safe for the outsiders to seek refuge there. FATA has been subjected to various military operations at different times to flush out terrorists. However, two major military operations, Zarb-e-Azb in 2014 and the ongoing Radd-ul-Fasad, have almost broken the infrastructure of terrorism in the region. Almost 80 percent of the temporarily displaced persons have been repatriated, which means peace is returning. FATA is passing through the most critical phase of its history. Never before had it been in such a dire need of economic and political development as it is today. Thus, because of the recent constitutional reforms, FATA can be mainstreamed and given the taste of civilized living. If political bickering is set aside - which eventually will - these reforms would be the harbinger of a new era for the people of FATA.

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53 APP. (2017, April 03). Sartaj Aziz urges Afghan govt to prevent cross border movement of terrorists. Dawn. Retrieved April 29, 2017, from <https://www.dawn.com/news/1324617>.

54 Web Desk. (2017, April 26). Pakistan urges Afghanistan to intensify crackdown on cross-border terrorism. The Nation. Retrieved April 29, 2017, from <http://nation.com.pk/national/26-Apr-2017/pakistan-urges-afghanistan-to-intensify-crackdown-on-cross-border-terrorism>.

## Counterterrorism Efforts

### Ground Operations

In 2002, after the defeat at the hands of the NATO forces, the Afghan Taliban, along with the Uzbeks, Chechens and Arabs, took refuge in the tribal areas of Pakistan. A pro-Taliban wave swept the Pakistani Pashtun belt and they wholeheartedly supported the Afghans against the NATO forces but without indulging in the anti-Pakistan activity in Waziristan or elsewhere. Nevertheless, Pakistan acquiesced under the US threats and joined the War on Terror. The Taliban did not blame Pakistan for the reversal of its policy and provision of bases and logistic support to the NATO forces in Afghanistan till the time Pakistan Army physically attacked them inside Pakistan territory.

With inadequate knowledge about the terrain and unaware of history, customs and other idiosyncrasies of the Pashtuns, Pakistan Army launched operations against about 500 foreign militants in Waziristan. The collateral casualties turned the local population against the army. The anti-Pakistan agents infiltrated the ranks of Taliban and subtly manipulated the anti-government feelings of the militants into anti-state activities. The militancy spread all along the Pak-Afghan border and later seeped into the settled districts of KP. The militants resorted to suicide attacks in congested places and on military posts. The government used air force and medium guns against the militants' hideouts, but not without collateral damage. The situation further worsened and ultimately the army had to launch a full-fledged military operation in the whole of FATA and Malakand Division. Thus, at the cost of valuable lives and property, a semblance of fragile peace prevails in KP. This also resulted in the internally displaced person's crisis, with millions uprooted from their locales.

Major military operations in the tribal areas included:

- **Operation Al Mizan (Justice)<sup>55</sup>**: Started in 2002 and ending in 2006, the operation, under President General Musharraf, saw deployment of around 80,000 soldiers in the FATA region.
- **Operation Zalzala (Earthquake)<sup>56</sup>**: Launched in South Waziristan Agency in January 2008 against Baitullah Mehsud and his supporters.

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55 Tellis, A. J. (2008). *Pakistan and the War on Terror: Conflicted Goals, Compromised Performance*: Carnegie Endowment for International Peace.

56 Khan, I. (2009). Pakistan to Target Taliban 'Epicenter'. Retrieved December 20, 2017, from <http://www.nytimes.com/2009/10/02/world/asia/02pstan.html>.

- **Operation Sirat-e-Mustaqeem (Righteous Path)<sup>57</sup>**: This operation started in June 2008 to tackle and flush out the Lashkar-e-Islam (LeI) from the Bara region in Khyber Agency.
- **Operation Sher Dil (Lion Heart)<sup>58</sup>**: In 2008, the military moved its operations to the Mohmand and Bajaur Agency launching Operation Sher Dil in September, aimed at targeting all militant groups present in the region.
- **Operation Rah-e-Nijat (Path of Salvation)<sup>59</sup>**: In October 2009, a major operation was launched in South Waziristan against the then TTP, consisting of over 30,000 troops.
- **Operation Brekhna (Lightening)<sup>60</sup>**: This operation was launched in late 2009 to clear Mohmand Agency of criminals and terrorists.
- **Operation Koh-e-Sufaid (White Mountain)<sup>61</sup>**: Koh-e-Sufaid was launched in July 2011 with the intention of controlling sectarian and militant violence in Kurram Agency.
- **Operation Khyber 1, 2, 3 and 4 (2014-present)<sup>62</sup>**: Since 2014, four small and large-scale operations titled *Khyber 1, 2, 3, and 4*, have been conducted in the agency to supplement Operation Zarb-e-Azb. The latest operation, Khyber 4, is targeted towards eliminating IS militants from Khyber Agency.

## Progress of Military Operations

The military operations have scored significant victories. Terrorism began losing its sway soon after the launch of Operation Zarb-e-Azb in the tribal areas. Because of operations Zarb-e-Azb and Radd-ul-Fassad, terror related violence and casualties

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57 Hussain, N. (2011). Khyber Agency: This is Bara, the town that militancy ruined. Retrieved December 20, 2017, from <https://tribune.com.pk/story/203462/khyber-agency-this-is-bara-the-town-that-militancy-ruined/>.

58 Fair, C., & Jones, S. (2009). Pakistan's war within. *Survival*, 51(6), 161-188.

59 Khattak, D. (2011). Evaluating Pakistan's Offensives in Swat and FATA. Combating Terrorism Center Sentinel at West Point.

60 Abbasi, K. (2014). Chronology of military operations. News. Retrieved December 21, 2017, from <https://www.dawn.com/news/1112980>.

61 Express-Tribune. (2011). Kurram operation continuing successfully: ISPR. KP&FATA. Retrieved December 21, 2017, from <https://tribune.com.pk/story/217692/kurram-operation-continuing-successfully-ispr/>.

62 Agencies. (2016). Third mily operation launched in Khyber. Retrieved December 21, 2017, from <http://nation.com.pk/17-Aug-2016/third-mily-operation-launched-in-khyber>; Editorial. (2015, July 4, 2015). End of Khyber II. Editorial. Retrieved from <https://www.dawn.com/news/1192179>.

have been constantly on the decline since 2015.<sup>63</sup> The results of the kinetic operations are now quite evident and manifest in the improved security situation. However, the root cause, the threat of extremism, still lingers.<sup>64</sup>

The militants, facing the onslaught of the military operations and the tightening of the law enforcement noose around their necks, began fleeing the country and evolved new strategies. They targeted geographical areas and population centres that were softer, least protected, and unprecedented. In addition, they deployed a wider array of improvised explosive weapons and suicide bombers despite strong resistance by the security personnel. Another major change observed was the escalation of fatalities from violence in those provinces that earlier experienced a decline while an inversely opposite trend was observed in other provinces. Violence in Balochistan spiked, while in the FATA and Sindh, it declined significantly.

Many high profile Pakistani militants hiding in the bordering areas of Afghanistan were killed in US drone attacks during 2016. Some Pakistani as well as foreign-born descendants of Pakistani nationals, under the influence of the Islamic State (IS), took up arms in foreign countries, because of which they were either eliminated or arrested during security operations in their adopted countries.

### Critique of Military Operations

Even though military operations in FATA flushed out major terrorist groups, these operations also came under criticism for collateral damage, militarization, and internal displacement of residents of tribal areas. The army initially entered FATA in 2004 with the aim of denying Al-Qaeda the space. The other objective was to establish the government writ in the thus far ungoverned spaces. Eventually it got embroiled also in a protracted campaign with the local tribes as well. Many of them were playing cloak and dagger with the civilian and military authorities either out of ideological proximity to the militants or for monetary gains off the “guests.” No surprise, therefore, that it took nearly a decade and a half of rigorous ground and air operations to achieve some of the major objectives. The military campaign entailed bitterness and anger among the tribes. Hundreds of US drone strikes between 2006 and 2018 caused further widespread resentment, thereby

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63 South Asia Terrorism Portal. (2017). FATA Assessment - 2017. Retrieved December 31, 2017, from Institute for conflict management <http://www.satp.org/satporgtp/countries/pakistan/Waziristan/index.html>.

64 Nafees, M., Gul, I., & Salahuddin, Z. (2017, March 26). CRSS Annual Security Report - 2015. Retrieved March 28, 2017, from <http://crss.pk/wp-content/uploads/2010/07/CRSS-Annual-Security-Report-2016-Final.pdf>.



undermining the national counter-terrorism campaign.

The arrival of the military and its combing operations in different FATA regions had already triggered a wave of displacements but the Operation Zarb-e-Azb that began in June 2014 pushed as many as one million people out of Waziristan. The Pashtuns, due to their displacement, also faced socio-political problems, especially that of ethnic profiling in other provinces.<sup>65</sup> Majority of them have meanwhile returned but the process is not smooth for everybody, particularly those who emerge on the radar of the intelligence agencies as “suspects or collaborators” either of the militants or of some Pashtun nationalists. The Pashtun Tahafuz Movement (PTM) can also be called a product of these circumstances. It began with the demands for the arrest and trial of a police officer, who allegedly supervised the cold-blooded execution in Karachi of Naqeebullah Mehsud, a young man from Waziristan in January 2018. But within weeks, the protest turned into a campaign for the rights of Pashtuns. They also complained, and rightly so, that security officials in mainland Pakistan had begun profiling of FATA Pashtuns. This was true to the extent that several Mehsud, Dawar or Ahmedzai Wazirs did become victims of suspicion.

Manzoor Pashteen, the founder of PTM, his friends and supporters began demanding the withdrawal of the army and the removal of security check-posts from the region. This was a travesty indeed of circumstances; for years people like Pashteen kept urging the military to crack down on militant networks in Waziristan. Now, they wanted the army out. Suddenly, it seemed, the PTM was out to fight for the rights of all Pashtuns in the country – as if they were the most oppressed ones. As if Afghan Pashtuns had been waiting for this, they welcomed the PTM. Even President Ashraf Ghani publicly expressed solidarity with the movement by tweeting in favour of the movement. While true to a certain extent for the Pashtuns of FATA, this perception was gravely misleading; whether civilian or military institutions, Pashtuns in Pakistan stand out as the second largest ethnic group. They are the second largest stake holder in almost all spheres, connected politically or socially through political parties and family relations.

PTM activists also camped outside the National Press Club in Islamabad for several days until they called off the protest following a meeting with the army officials who promised to redress their grievances. The meeting resulted in acceptance of several demands by the PTM such as the arrest of Rao Anwar, the police officer blamed for Naqeebullah Mehsud’s “extra-judicial killing,” reduction of dozens of

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<sup>65</sup> Yousaf, Farooq. (2017). Pakistan’s Pashtun Profiling. *The Pulse*. Retrieved 2 February 2018 from <https://thediplomat.com/2017/03/pakistans-pashtun-profiling/>.

check posts in FATA, and doing away of some identity documents (Watan Cards)<sup>66</sup> required of those returning to their homes in FATA. One of the PTM leaders, who met with the senior most army official responsible for North Waziristan, told one of his friends: “Watan Cards issue was resolved the same evening. Many other issues were also discussed in detail, some have been sorted out and some might take some time; we are waiting for it.”<sup>67</sup>

Although many of the PTM demands made sense and required positive response from civil and military officials, yet its leaders’ apparently rigid stance on the presence of the military or the demand for management of FATA regions aroused unnecessary suspicions. Even General Qamar Bajwa, Chief of Army Staff, publicly questioned the motives of PTM. “We know who is pulling their strings,” said his spokesman, Major General Asif Ghafoor, during a press conference in early June. Projecting Pashtuns - a largely well-represented ethnic group - as the “oppressed one” was indeed provocative and politically sensitive. The 31<sup>st</sup> Constitutional Amendment that paved the way for FATA’s mainstreaming was probably the best collective Pakistani response to PTM’s demands.

### Drone Strikes

The US and NATO forces carried out hundreds of drone strikes on the moving targets and militants’ hideouts, mostly in Waziristan. It succeeded in eliminating Baitullah Mehsud (August 2009), Hakimullah Mehsud (November 2013) and a few other militant leaders, but at times targeted innocent weddings and funeral congregations resulting in anger and hatred. In 2016, the then U.S. President Barrack Obama publicly conceded that drone strikes had killed hundreds of civilians.<sup>68</sup>

In October 2006, a US drone strike on a madrassa in Bajaur,<sup>69</sup> run by TNSM, proved to be a turning point. It killed nearly a hundred young students, some as young as ten, and triggered a more dangerous trend; fragmentation of the population on ethnic and religious lines. Indeed, this strike acted as a major catalyst in the

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66 Watan Card was a document that IDPs were required to produce in addition to the national Identity Cards that every Pakistani citizen possesses.

67 Syed, Baqir Sajjad (2018, May 4). Army-PTM talks stall after promising start. Dawn News. Retrieved 2 June 2018 from <https://www.dawn.com/news/1405541>.

68 Ackerman, Spencer. (2016, July 1). Obama claims US drones strikes have killed up to 116 civilians. The Guardian. Retrieved April 24, 2017, from <https://www.theguardian.com/us-news/2016/jul/01/obama-drones-strikes-civilian-deaths>.

69 Roggio, Bill. (2006, October 30). A Closer Look at the Chingai Airstrike in Bajaur, Pakistan. The Long War Journal. Retrieved April 23, 2017, from [http://www.longwarjournal.org/archives/2006/10/a\\_closer\\_look\\_at\\_the-2.php](http://www.longwarjournal.org/archives/2006/10/a_closer_look_at_the-2.php).

rise of tribal militancy in the area. An angry section of tribal Pashtuns, as a result, aligned itself with the Taliban. Their tentacles spread to Swat and other areas of the Frontier. The drone campaign only intensified under President Obama and became a rallying cry and a recruitment tool for extremist factions. In fact, in January 2017, it was reported that Barrack Obama ordered 10 times more drone strikes than George W. Bush.<sup>70</sup>

US drone strikes started in Pakistan's tribal regions in 2004. And data from The Bureau of Investigative Journalism has recorded 430 confirmed such aerial attacks which have resulted between 2,515 and 4,026 deaths while around 1,700 were reportedly injured.<sup>71</sup> The issue of legality and legitimacy have kept drones a contentious issue to date. Where many argue that there is no correlation between the drone strikes and deterrence against the Taliban,<sup>72</sup> others believe that elimination of more than 50 top militant leaders make drones an effective counter-terror option.<sup>73</sup>

### Initiatives by Tribesmen

The tribal Pashtuns, since 2001, have on and off used *Jirga* and Lashkars to counter militancy and terrorism in FATA. The militant groups, realizing the importance of these two structures of Pashtunwali, have constantly attacked Lashkars and *Jirga* with the intention of eliminating tribal elders and leadership. In 2010, a *Jirga* gathering – aimed at discussing measures against militants – was attacked in the Mohmand Agency by the Taliban killing more than 100 people. Another peace *Jirga* gathering was attacked by the Taliban in 2016, killing four tribal elders. There have been several instances where *Jirga* gatherings and consensus statements have shown the desire of tribal Pashtuns to achieve peace in their region. In terms of *Jirga*-based Lashkar formation, the Salarzai tribe of Bajaur and Mullagori tribe in Khyber agency have successfully formed Lashkars in 2008 to not only defeat the Taliban in their agency, but also hold other groups from infiltrating their areas. Lashkars formed by Zakakhel and Kalakhel in Khyber have also yielded

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70 Purkiss, Jessica and Serle, Jack. (2017, January 17). Obama's covert drone war in numbers: ten times more strikes than Bush. Retrieved April 23, 2017, from <https://www.thebureauinvestigates.com/stories/2017-01-17/obamas-covert-drone-war-in-numbers-ten-times-more-strikes-than-bush>.

71 Shaheryar Popalzai / Niha Dagia. (2018). Explore the data: Drone strikes in Pakistan. Retrieved May 19, 2018, from <https://tribune.com.pk/story/1630644/1-explore-the-data-drone-strikes-in-pakistan/>.

72 Jaeger, D. A., and Siddique, Z. (2011). Are drone strikes effective in Afghanistan and Pakistan? On the dynamics of violence between the United States and the Taliban. Discussion Paper series Forschungsinstitut zur Zukunft der Arbeit (6262).

73 New-America. (2017). Drone Strikes: Pakistan. America's counter terrorism wars. Retrieved May 19, 2018 from <https://www.newamerica.org/in-depth/americas-counterterrorism-wars/pakistan/>.

mixed results, mainly due to lack of financial and logistic support. Finally, *Jirgas* by elders of the Kurram Agency, especially the Murree Accord of 2008, resulting in a truce between Shias and Sunnis also suggests the importance of Pashtun conflict resolution methods towards peace in FATA.

## Reforms and the Way Forward for FATA

Pakistan's civilian and military rulers neglected FATA for decades. They never seriously endeavoured to rid it of the notorious colonial clutches known as the FCR. Only in 1996 was the first major amendment to the FCR approved to extend adult franchise to the Pashtuns of the FATA region, enabling to participate in the 1997 elections. Then in 2011, under the Pakistan Peoples Party (PPP) government led by President Asif Ali Zardari, the Political Parties Order (PPO) was extended to FATA allowing parties to conduct activities there. Even with these extensions, the political representation of FATA in the national legislatures remained inconsequential, with the result that FATA continued to reel from the old unjust system led by the President and managed by the provincial governor of KP and the FATA bureaucracy including the political agents.

However, in 2015, former Prime Minister Nawaz Sharif announced a six-member committee to initiate the process of reforms in FATA. The main task was to abolish the FCR and replace it with the law of the land – either through FATA's merger into Khyber Pakhtunkhwa or a separate province. Even though the committee finalized its recommendations, the process seemed to stall because of stiff opposition to the idea of merger by Maulana Fazl ur Rehman (of Jamiat Ulema-i-Islam-F) and Mehmood Khan Achakzai's (of Pakhtunkhwa Milli Awami Party). Both Rehman and Achakzai have limited or no stake in FATA, yet an expedient Sharif pandered to them and practically shelved the merger plan. Both the government as well as the military, however, apparently sensed the potential discord that the PTM was stoking. The Afghan media as well as US public broadcasters made their contribution in playing up the PTM cause.

Hence, the 31<sup>st</sup> Constitutional Amendment delivered the collective Pakistani response to PTM's demands: on May 24, the Bill was passed in the national legislature, followed by approval in the upper house – the Senate – a day later, which constitutionally consigned FATA to the dustbin of history; and on May 27, the penultimate day of its tenure, the Khyber Pakhtunkhwa (KP) Assembly drove the last nail in the coffin of this historical injustice by passing the KP-FATA merger bill with a two-thirds majority. On May 31, President Mamnoon Hussain signed the 31<sup>st</sup> Constitutional Amendment into law to formally integrate FATA into KP province, thus ridding FATA of over a century long draconian colonial framework.

The overwhelming political consensus on the issue in the federal and provincial parliament underscores the maturation that Pakistan's political landscape has undergone. It also underlined the latent desire to remove aberrations such as FATA and integrate them into Pakistan as equal entities. The merger plan also

amounted to the defeat of the deep-seated, self-serving forces of status quo who would oppose reforms on one pretext or the other. Efforts to merge FATA with KP have existed for decades. However, previous attempts never found consensus. Reforms have most often been undermined by political conflicts, watering down most governments' preliminary proposals.

### Fruition of Years of Campaigning

The completion of legal formalities for mainstreaming FATA marked a historic event and were the culmination of years of advocacy for the rights of dozens of ethnic Pashtun tribes that inhabit these regions. The credit for this goes to all those national political forces who have been part of consultations on this particular issue all these years. Foreign donors also deserve recognition for their contribution to national campaigns in support of FATA reforms. The Center for Research and Security Studies (CRSS) is proud to have contributed to the campaign for political rights for FATA. Twenty TV shows (on PTV and Express TV) involving 200 key stakeholders with the title *"Hum Bhi Pakistan"* (We are also Pakistan) were aired by CRSS. This was an unprecedented initiative by CRSS for inclusive democracy and fundamental rights. Never before did FATA come under such focused and sustained debate.

Additionally, CRSS also produced and aired another 100 radio shows on issues surrounding FATA under the title of *"Moong Qabail"* (We - the Tribes). This happened with the support of National Democratic Institute (NDI) plus a few other foreign sources, including the USAID. Often such interventions would draw flak and suspicion from the civil and military security establishment but at the end of the day this hard work of several years helped all political stakeholders to join forces for the mainstreaming. The 10-point reform recommendations in 2013-14, signed off by all mainstream political parties was also an NDI-sponsored initiative. This shows that advocacy helps in gradually evolving consensus on thorny issues.

The military also fully backed the extension of Pakistan's constitution to the tribal region as it understands that if Pakistan is to consolidate on the counterterrorism gains that it has made over the last few years, FATA should become a region that is fully regulated. The presence of local governance mechanisms can only ensure that militants remain isolated and their ability to penetrate the region is constantly challenged. Therefore, the PATA (Provincially Administered Tribal Areas) were also merged in the province, to leave no power vacuum (administrative and legal infrastructure) for unwanted activities, which primarily includes terrorism.

## Challenges Ahead

Even though looking simple on surface, the road ahead will be thorny and will require a whole-of-government-approach for accelerated administrative mainstreaming. This means raising service structures aligned with the provincial government. All political parties in the country shall have to treat mainstreaming of FATA as a national cause and not as the responsibility of the party ruling the province. Without a grand political consensus, meaningful FATA mainstreaming will remain elusive and fraught with impediments. Also the army, particularly after the Army Public School attack in December 2014, has done well in clearing and establishing its writ in most areas. It will do good to join civilians in putting in place the security regime for a region that bears scars of conflict. Raising and training a culturally-sensitive but well-equipped security force i.e., police and affiliated institutions will be a huge challenge and will require joint efforts. They shall have to consciously try to humanize security. This also calls for the army to step back and let the local authorities manage matters independently. This will be the key to establish and consolidate the civilian writ.

More importantly, the restive FATA youth - educated and energetic - will require calibrated support for a better future. Many people, particularly youth, suffer from the trauma that decades of militancy and military operations have inflicted on their psyche. This will require policies and mechanisms to provide constant support to the youth of FATA which will enable them not only to flourish but to contribute towards their local and national economy. In terms of gender equality and empowerment, the female population is particularly vulnerable in FATA. It is a region ruled by FCR, with oppressive, male-dominated systems such as *Jirga* and *Riwaj* in place. There is significant political marginalization, social isolation, a depressed economy, which contribute to a disenfranchised youth population. Male literacy in the region is at 54%, while female literacy is at an abysmal 7.8%. In addition there have been threats by the Taliban against female voters, mass migrations and displacements, and local and political strife in the past. All these factors coalesce to create severe oppression and marginalization of women in the region. The FATA-KP merger presents the State with a golden opportunity to capitalize upon in this regard.

Finally, the incoming government needs to ensure the merger process is hiccup free by allocating the funds necessary for FATA's development. As Ghazi Ghazan Jamal, a development economist, writes, "With an impasse over the allocation of necessary funds to FATA, the (Pakistan Muslim League-Nawaz) government went ahead with the merger without the initially agreed upon interim period or having first brought FATA on par with adjacent districts in Khyber Pakhtunkhwa. Again, the

elusive 100-billion promise (first made in 2015) has been made without detailing where exactly these funds will come from.”<sup>74</sup> This situation, therefore, presents a major challenge towards FATA’s merger, development and reconstruction.

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74 Jamal, Ghazi Ghazan (2018). Developing FATA: Where are the funds?. Dawn News. Retrieved June 11, 2018 from <https://www.dawn.com/news/1412821>.



## Conclusion

This report originally began with the objective of profiling various aspects of tribal life in FATA regions including the provision of a brief demographic, political, social and ethnographic picture of FATA. But political events, namely the reforms process, overtook this endeavour. The 31<sup>st</sup> Constitutional Amendment for the merger of FATA into Khyber Pakhtunkhwa in May 2018 provided the long-awaited break into FATA's integration into Pakistan.

Pakistan's retention of the FCR since 1947 skewed state policies. Nearly four decades of conflict in Afghanistan practically defiled the centuries' old socio-political structures in the region, which also hosted millions of both registered and undocumented Afghan refugees. All this stunted the socio-economic and institutional growth of the region, where most of the population lives below the poverty line. The internecine wars – Afghan war, militancy and military operations - have destroyed livelihoods, deserted many orchards, and scuttled scores of small businesses because of an environment of fear. Industry is practically non-existent and socio-economic infrastructures are in shambles. That is why smuggling and drugs via and to Afghanistan have been the preferred options for many local residents.

With poor socioeconomic conditions, the merger of FATA with KP should work to the advantage of the oppressed and marginalized. The solution to the woes of the oppressed masses is the necessity of a socioeconomic system that can guarantee development and eliminate poverty, misery, illiteracy and deprivation. Other regions of the country have only a relatively better socioeconomic situation. The prime task of everybody thereupon is to help to put in place the legal-administrative infrastructure, support the fast-paced economic development of the region and give these victimized regions some semblance of legal-political equality. Nit-picking small issues and politicizing issues that are critical to mainstreaming will only delay and squander the gains of the military campaign against terrorism and the parliamentary process thus far.

In this context, the Iranian warning that Pak-Afghan border regions may now be the target for a hideout of Daesh terrorists must serve as a wake-up call for all those who want all of Pakistan to be treated equally under the constitution. Equitable and accelerated mainstreaming is the only answer to fixing fault-lines that are prone to exploitation by the vested local and external interests.

The historic merger plan, albeit made partially controversial by the vested interest, offers a new beginning for the tribes in the ex-FATA regions. They need unqualified empathy and magnanimous support by all stakeholders for economic development

and full political rights, as promised by the Article 25 of the Constitution of Pakistan. However, the merger process will not be free of hiccups, also because the PML-N government did little to ensure financial resources required for the mainstreaming. Hence, stakeholders from FATA are concerned about the merger plan's funding ambiguity. This presents a larger and more important challenge than the merger itself, therefore requiring key stakeholders to think and act in unison for FATA's transition into formal KP districts.

## Annex 1: Interviews

### Interviews conducted for this report with:

- **Dr. Hussain Shaheed Soharwardi** - Chairman of the International Relations Department, Peshawar University.
- **Brig (Retd) Mehmood Shah** - Defense and security analyst, who had retired as Brigadier from the Pakistan Army and served as Secretary Home and Tribal Affairs, Secretary FATA (Security).
- **Sailab Mehsud** - Senior journalist and analyst from tribal areas, who has closely monitored and reported on the events in the region for the last more than six decades.
- **Safdar Dawar** - Former president of the Tribal Union of Journalists.
- **Nasir Dawar** - Serving as special correspondent with Dunya News Network and reported on the militancy in Pakistan and Afghanistan.
- **Ali Shinwari** - From Khyber Agency and works for electronic media from the tribal areas.
- **Safiullah Gul** - Senior journalist and Bureau Chief for Dunya News in the Khyber Pukhtunkhwa province. Safiullah is also an Ochberg Frank - Dart Center Fellow at Columbia University.
- **Ali Afzal** - Parachinar-Kuram Agency based journalist and researcher.
- **Advocate Abid Ali** - From Orakzai Agency.
- **Dilawar Wazir** - Journalist from South Waziristan.
- **Anwarullah Khan** - Researcher and journalist Bajaur Agency.
- **Mushtaram Khan Mohmand** - Journalist.

## **Annex 2: Major Pashtun Tribes with Locations**

### **Afridi Tribe – Khyber, Darra Adam Khel, Tirah**

The Afridi tribe almost exclusively inhabits Khyber Agency, Darra Adam Khel and Tirah. The Afridi tribe has eight main clans namely Malakdin Khel, Qambar Khel, Kuki Khel, Zakha Khel, Sipah, Kamar Khel (or Kamarai Khel), Aka Khel and Adam Khel. The former six primarily reside in Khyber, while the latter two live in FR Kohat and FR Peshawar (Adam Khels) and Kurram/Orakzai border in Tirah (Aka Khels).

### **Shinwari Tribe – Khyber Agency**

The Shinwaris are an ethnic Pashtun tribe of western Pakistan and Eastern Afghanistan. A major portion of Sinwari is settled in the area between Landi Kotal (Pakistan) and Jalalabad (Afghanistan). They are also found in Nangahar, Kunar and in north Afghanistan. They enjoy a very important position in the Khyber region along with the Afridis, with whom they have lived in harmony for centuries. They have a history of opposing the British. They had even signed a pact against the Taliban when the group was in power in Afghanistan.

### **Mohmand Tribe – Mohmand Agency**

Mohmand (or Moomand) is a large Pashtun tribe. Though the center of Mohmand tribe's population is the Mohmand Agency itself, yet many Mohmands also live in Peshawar, Charsadda, Mardan, and Afghanistan (Kunar and Nangarhar). The Mohmand tribe, in addition to its own sub-tribes, has several affiliated and vassal clans. Most of the affiliated clans are meanwhile considered a part of the Mohmand tribe itself. The vassal clans, however, maintain their separate tribal identity. The most significant and famous vassal of Mohmands is the Safi tribe.

### **Utman Khel Tribe – Bajaur Agency**

Though the core of Utman Khel tribe's population resides in Bajaur Agency, many Utman Khels also live in Malakand Agency, Mohmand Agency, as well as Mardan and Dir districts in the KP Province. The major clans of Utman Khel tribes are Alizai, Ismailzai, Bimmarai, Mandal, Sanizai, Gorai, Peghozai and Muttakai.

### **Tarkanri Tribe – Bajaur Agency**

Tarkanri tribesmen mostly live in the Bajaur Agency but many of them also live in Afghanistan (Kunar Province) and Dir District of KP Province. Major clans are

Mamund, Salarzai, Isazai and Ismailzai.

### **Turi Tribe – Kurram Agency**

Turi is a major and important Pashtun tribe of Kurram agency. It is exclusively based in Kurram Agency (mostly upper Kurram). Turi tribe is divided into two main clans: Chardai Turi and Sargalli Turi. Many sections of Syeds (called Syedan) also live among the Turis. Whereas Mengal and Muqbil are said to be settlers with Turi but historically Turi claim that the Mengals and Muqbils used to attack and loot the Turis and Bangash.

### **Bangash Tribe – Kurram Agency, Hangu, and Kohat**

Bangash mostly inhabit Kohat and Hangu districts of KP but many Bangash also live in Kurram Agency. Ethnic Bangash Pashtuns also live in different areas of India, most notably Farrukh Abad. The Bangash are primarily divided into three main clans i.e. Miranzai, Baizai and Samilzai. Miranzai comprises sub-clans of Aba Khel, Alisherzai, Azi Khel, Badda Khel, Hasan Khel, Isap Khel, Labi Khel, Lodi Khel, Mandar Khel, Mardo Khel, Aaji Khel, and Shahu Khel. They primarily reside in Hangu.

Baizai's sub-clans include Alisherzai, Gulshah Khel, Landi Khel, Shingi Khel, Biland Khel, Hasan Khel, Mandar Khel, Tapi Khel, Dang Khel, Isa Khel, Mastu Khel, Daulat Khel, Shamshedi, Musa Khel, Darsamand, Kamal Khel, Mysaro Khel, Doda Khel, Kati Khel, Shadi Khel, and Makhizai. They primarily reside in Kohat. Samilzai's sub-clans include Alizai, Darbi Khel, Kalesar Khel, Kasi Khel, Khadi Khel, Khadir Khel, Khotizai, Landi Khel, Mama Khel, Mari Khel, Satorizai, Mozu Khel, Musa Khel, Naso Khel, Pae Khel, Tana Khel, Tazi Khel, and Ustarzai. They live in parts of Kohat and in Kurram agency.

### **Chamkanni Tribe – Kurram and Peshawar**

Chamkanni is a small but important Pashtun tribe. The center of Chamkanni tribe's population is Kurram Agency. However, many Chamkannis have migrated to the settled areas of Pakistan, like Peshawar. It is believed that they were the original inhabitants of Kurram and that the chief town of Kurram, Parachinar, is named after the Para Khel clan of Chamkannis. Haji Khel or Para Khel, Khwaja Khel, Khani Khel and Badakhel, are the main clans of Chamkanni tribe.

### **Zaimukht Tribe – Kurram Agency**

The people of Zaimukht tribe are almost exclusively based in Kurram Agency

(mostly central Kurram) and Orakzai Agency. The Zaimukhts are divided into two main clans: 1) Mamuzai or Muhammadzai Zaimukhts, and 2) Khoidad Khel or Bayuk Zaimukhts.

### **Orakzai Tribe – Orakzai, Kurram Agency**

Orakzai, or Aurakzai, is a big Pashtun tribe of FATA. Though the center of Orakzai tribe's population is at Orakzai Agency, many Orakzais have fanned out to Kurram Agency, Hangu, and Tirah. The Orakzai tribe, in addition to its own sub-tribes, has several Hamsaya (who had sought refuge with the clans). The Hamsaya clans maintain their separate tribal identity. The most important and famous Hamsayas of Orakzais are the Mishti and Sheikhan tribes.

### **Mehsud Tribe - South Waziristan Agency**

Mehsud tribe is based in South Waziristan Agency alongside the Ahmadzai Wazir tribe. The Mehsud's center of gravity is the Makeen-Laddah-Tiarza-Sarwakai belt in South Waziristan. However, Mehsums also live in Dera Ismail Khan and Tank. The Mehsums are divided into three main clans (famously known as the "Dre-Maseed" (means "Three Mehsums") i.e. i) Shaman Khel, ii) Bahlolzai, iii) and Alizai. Beside the Mehsum tribesmen, Urmur (Burki) tribe inhabits the Kanikurram area. They have further sub-clans like Khekani; Khurm Chani; Mula Tanri; Bekasi and Jaranri.

### **Ahmadzai Wazir Tribe - South Waziristan Agency**

Ahmadzai Wazir is a clan of the Darwesh Khel Wazir tribe. However, for all administrative and tribal purposes, they are considered a separate tribe. The tribe is based in South Waziristan Agency alongside the Mehsum tribe. The center of Ahmadzai Wazir population is the Wana-Birmal-Toi Khulla belt. However, Ahmadzai Wazirs also live in Bannu, Dera Ismail Khan, Tank and Afghanistan (Khost). The Ahmadzai Wazirs are divided into three major clans i.e. 1) Shin Khel, 2) Kalu Khel, and 3) Umarzai (a smaller clan compared to the former two).

### **Utmanzai Wazir - North Waziristan Agency**

Utmanzai Wazir is a clan of the Darwesh Khel Wazir and based in North Waziristan Agency alongside the Dawar tribe. The center of gravity of the Utmanzai Wazir population is the Mir Ali-Miranshah-Razmak-Shawal belt in North Waziristan. The Utmanzai Wazirs are divided into three main clans; i) Ibrahim Khel, ii) Wali Khel and iii) Mohmit Khel. The other small tribes are Gurbuz and Saidgai which are also living in North Waziristan. Gurbuz were originally a clan of Wazir origin who have since lost all connection with the parent tribe. Some, however, still reside in

Shawal, the Tochi near Saidgai, on the Khost border near Miranshah, at SpinNimal Khel in Mahsud area, and at Mirian in Bannu. Whereas Saidgai is a clan of Syeds who inhabit Zowe, Shawal, the Tochi, Dawarghar, Kanibogh and the Dande plain, north of Miranshah.

### **Dawar (or Daur) – North Waziristan Agency**

Dawar tribe shares vast swathes of North Waziristan Agency with the Utmanzai Wazirs. Most of Dawar tribe's population is in the Mir Ali-Miranshah-Boya-Datta Khel belt in North Waziristan. The Dawars are divided into two main clans: Mallizad Dawar and Tappizad Dawar.

### **Bhittani Tribe – FR Tank**

Though the center of Bhittani tribe's population is in FR Tank, many Bhittanis also live in FR Lakki Marwat, Dera Ismail Khan and FR Bannu. The Bhittanis are divided into three main clans: i) Warraspun, ii) Dana, and 3) Tatta.

### **Powindah (Pawindah or Pawinda) - Dera Ismail Khan**

Powindahs are the Afghan tribes that were originally nomadic. These tribes shuttled between Afghanistan (in summer) and Dera Ismail Khan (in winter). Many of them later gave up the nomadic life to settle down in Dera Ismail Khan and its FR. The main Powindah tribes/clans settled in these areas are: i) Dautani or Dotanni, ii) Lohana and its affiliate clans, like Kundi and Umrani etc. iii) Niazi, and iv) Ghilzai.

### **Sherani – FR Dera Ismail Khan**

The Sherani tribe inhabits FR Dera Ismail Khan and many Sheranis also live in Balochistan (Zhob and Qila Abdullah).

### **Ustrana Tribe – FR Dera Ismail Khan**

The Ustrana tribe inhabits the hilly areas opposite the southernmost portion of Dera Ghazi Khan District and parts of FR Dera Ismail Khan. They descended from a Syed, who settled among the Shiranis, and married a Sherani woman. Therefore, the Ustranas have an intimate connection with the Sheranis.

## About CRSS

### CRSS Background

The Center for Research and Security Studies (CRSS) is a think tank/advocacy center founded in September, 2007. Founded by noted security analyst Imtiaz Gul, it committed to the cause of independent research and nonpartisan analysis, and help people outside Pakistan understand this nation of 212 million people.

As an advocacy center, CRSS is dedicated to trigger critical thinking through discourse anchored in global democratic values such as socio-political diversity, rule of law, equal citizenry, and acceptance of diversity, fundamental human rights, all at the intersection of empirical research in security studies.

### CRSS Core Values

CRSS believes in embedding the national conversation in constitutionalism, and rationalizing it over extremism and sectarianism. CRSS believes the path to peace is through strict adherence to rule of law, and stringent implementation of rules, educating the public on civic issues, especially fundamental human rights, providing training and opportunities to youth to veer them away from the path of radicalization, and promoting women's rights as universal rights.

The core values above are reflected in every CRSS endeavor, personally and professionally. CRSS believes that these values, along with time-tested methodologies in strategic communications, impactful message development, research and advocacy can result in a more tolerant, secure and cohesive Pakistan.

### CRSS Publications

CRSS produces several publications annually. Our flagship publications are the NAP Tracker, an annual audit of the National Action Plan (NAP) by the Pakistan government to eliminate extremism from the country, and the Annual Security Report, a measure of the state of security in Pakistan by gauging the number of violence-related casualties across the country. In addition, two of our recent publications include the Role of Madrassas, in which we interview 550+ families across Pakistan with children in seminaries, to answer why parents continue to send their children to madrassas. CRSS also regularly publishes research papers by our research fellows from around the world. ([www.crss.pk/publications](http://www.crss.pk/publications)).

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