

# Pakistan's Counter Terrorism Narrative & Future Discourse

*Seminar Report*



Center for Global & Strategic Studies  
Islamabad

# ***Seminar Report***

## ***“Pakistan’s Counter Terrorism Narrative and Future Discourse”***



**Organized by**  
**Center for Global & Strategic Studies, Islamabad**  
**at**  
**Islamabad Club, Islamabad**  
**on**  
**21<sup>st</sup> August 2017**

## **Participants**

The Seminar was attended by almost 140 participants including government representatives, retired senior armed forces officers, diplomats, law enforcement officials, students from across the country and individuals from public and private entities.

**Host**                      **Lieutenant General Muhammad Zahir UI Islam, HI(M), (Retd) -  
Chairman, Center for Global & Strategic Studies (CGSS)**

**Guest Speakers**      **Lieutenant General Haroon Aslam HI(M), (Retd)**

**Mr. Cesar Guedes- Country Representative United Nations  
Office of Drugs and Crime Prevention (UNODC)**

**Mr. Ahmer Bilal Soofi- Former Federal Law Minister**

**Moderator**              **Major General Syed Khalid Amir Jaffery HI(M), (Retd) -  
President CGSS**

## **Introduction of the Speakers**

### **Lieutenant General Haroon Aslam HI(M), (Retd)**

Lieutenant General Haroon Aslam HI(M), (Retd) has 40 years of commendable military career to his credit and also a rich and varied experience of command, staff and instructional assignments. In senior ranks he was engaged in counter terrorist operations in FATA, Swat and Baluchistan. He commanded Special Service Group (SSG) twice and earned Sitra-e-Basalat for his outstanding achievements while in command of various formations. In recognition of his outstanding services. He was awarded Hilal-e-Imtiaz (Military) and Sitara-i-Basalat.



### **Mr. Cesar Guedes – Country Representative United Nations Office of Drugs and Crime Prevention (UNODC)**

Mr. Guedes is the Country Representative of United Nations Office of Drugs and Crime Prevention (UNODC). Mr. Guedes is working in the United Nations with 20 years of experience in various agencies such as UNODC, UNDP, UNIDO and UN Volunteers. During his long tenure with the UN system, he has served in several country offices including China, North Korea, Peru, Panama and Bolivia as well as the Headquarter located in Germany and Austria.



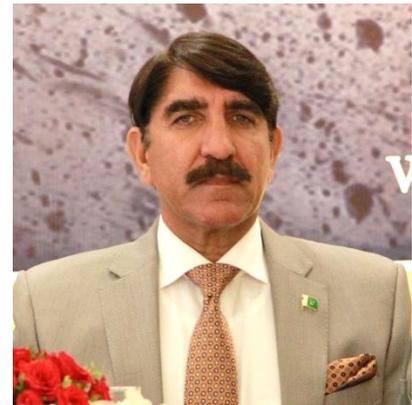
**Mr. Ahmer Bilal Soofi- Former Federal Law Minister**

Mr. Ahmer Bilal Soofi is an Advocate of the Supreme Court of Pakistan. He served as the Federal Minister for Law, Justice & Parliamentary Affairs and Human Rights, he is also the founding President of Research Society of International Law. He has also served as the Member Advisory Council of United Nations Human Rights Committee.



**Lieutenant General Muhammad Zahir UI Islam, HI (M), (Retd) – Chairman CGSS**

Lieutenant General Zahir UI Islam, HI(M), (Retd), is the former Director General of the Inter-Services Intelligence (ISI). He has also served at Commander 5 Corps, Karachi. Presently he is the Chairman of Center for Global & Strategic Studies, Islamabad.



**Major General Syed Khalid Amir Jaffery HI(M), (Retd) – President CGSS.**

Major General Syed Khalid Amir Jaffery HI(M), (Retd) is the former Director General Anti-Narcotics Force and has also remained Pakistan's Ambassador to Bosnia-Herzegovina. He has served on various command, staff and instructional assignments including Military Intelligence Directorate, General Headquarters and Inter-Services Intelligence Headquarters.



## Seminar Report

### Session - I

#### Lieutenant General Muhammad Zahir UI Islam HI (M), (Retd) – Chairman CGSS

The Center for Global & Strategic Studies organized a seminar on the topic “Pakistan’s Counter-Terrorism Narrative and Its Future Discourse”, attended by a large number of participants from different professions. The session was chaired by Lieutenant General Muhammad Zahir UI Islam HI (M), (Retd) – Chairman CGSS who expressed his gratitude to the worthy panelists and the participants of the event on the behalf of Center for Global & Strategic Studies.



He welcomed all to the seminar and paid special gratitude to the speakers, Lieutenant General Haroon Aslam HI (M), (Retd), Mr Cesar Guedes - Representative of UNODC in Pakistan, and Mr Ahmer Bilal Soofi – Former Federal Law Minister for sparing their valuable time.

He further endorsed his stance on this very important subject which the Center for Global & Strategic Studies (CGSS) had selected for the seminar. He said that terrorism is a global phenomenon and most of the countries in the world are fighting it with varying degree of success. Pakistan has been facing this menace since 2001 and suffered huge losses in terms of human lives and material. During the process, our armed forces, paramilitary forces, intelligence agencies and civil armed forces including police have enhanced their capabilities and refined their skills to fight this threat at a very successful rate.

Resultantly, their achievements in the counter terrorism efforts are being acknowledged and applauded world over. However, notwithstanding the individual brilliance and departmental excellence, we are falling short as a collective whole in our national counter

terrorism efforts. Many successful clear and bold operations have not been followed by rehabilitation of masses and infra-structure. The National Counter Terrorism Authority (NACTA) has not been able to assume its role of a coordinator and force multiplier.

In a nutshell, at the level of policy and strategy, we have not been able to capitalize on our tactical and operational achievements. Therefore, in the overall analysis, desired results have not been yielded at the national level.

After concluding his opening remarks the Chairman handed over the session to the guest speakers for their keynote speeches.

**Speaker 1: Lieutenant General Haroon Aslam HI (M), (Retd)**

Lieutenant General Haroon Aslam HI(M), (Retd) started his speech by appreciating the CGSS for conducting a seminar on such a crucial issue pertaining to the state's security and sovereignty.

The topic of his speech was "Pakistan's Counter Terrorism Narrative and its Effectiveness". While addressing the participants, he stated that terrorism has emerged as one of the major global issues and it has posed a serious threat to the peace and security of the world. In Pakistan, the growth of terrorism can be traced back to the Iranian Revolution of



1979 in which excessive polarization of (Shias/Sunnis) religious sects started. Subsequently, the Soviet invasion in Afghanistan led Pakistan to line up its military at its western borders. Afterwards, Pakistan became a frontline ally in the US led war of resistance against the Union of Soviet Socialist Republic (USSR). However, after the defeat of Soviet Union, the United States (US) turned their backs towards Pakistan which eventually led Pakistan to bear the post war consequences. During this period, militancy and jihadist narratives predominately strengthened inside Pakistan.

The Taliban backed rule in Afghanistan was good for Pakistan, in the context of having a secure front, to some extent. Their narrative was not intruding upon Pakistan by any means, but it was worrisome for the world, with their interpretation of Islamic values.



Notably, the incident of 9/11 resulted into the US invasion of Afghanistan in which Pakistan emerged as a frontline ally, but this alignment resulted in a rapid growth of terrorism in Pakistan. During this phase the Taliban narrative was that Pakistan Army supported the US who an aggressor in Afghanistan, comprising infidels, who were crushing the Islamic government and inflicting atrocities on the people of Afghanistan. Consequently, the entire campaign was termed as un-Islamic and jihad was declared mandatory against both the entities.

Unfortunately, the narrative of Pakistan at that time was weak because Pakistan was fighting a war, on the directives of an ally, and it was an ineffective strategic approach which lacked conviction. This raised the spectre of terrorism in Pakistan. Geographically, it started from the Federally Administrative Tribal Area (FATA), then from Swat to Hazara and finally supposedly, affected areas from Tarbela to Islamabad across the Margalla Hills. As far as combating tactical operations are concerned, Swat Operation proved to be a “game changer” in many ways. There was 100 percent writ of Taliban at that time in Swat. They brought worst atrocities on the people of Swat and ruined the economy, tourist industry, agriculture and education. At that time, Pakistan Army challenged to unshackle the population of Swat and restored peace in the region. The narrative was much more effective and full of conviction at that point of time. It had a national resolve because all institutions were on the same page, the operation was fully supported by the general

masses of Swat. There was “synergy”, the Law Enforcement Agencies (LEAs) and paramilitary troops were fully supporting the military. Afterwards, Pakistan initiated a counter terrorism strategy by establishing “National Counter Terrorism Authority” (NACTA) in the year 2010 which was followed by the “National Internal Security Policy” in 2014. However, various events of terrorism such as, attack on the Karachi Airbase and attack on the Army Public School Peshawar resulted into the formulation of National Action Plan (NAP) in December 2014.

Further explaining the “current Counter Terrorism Narrative”, Lieutenant General Haroon Aslam (Retd) stated that “terrorism, in all its forms and dimensions, is detrimental to national security and poses an existential threat to Pakistan and hence it should be comprehensively defeated by the nation at all costs through all elements of national power”. While the current narratives of terrorists are based on the exploitation of Islam and has a very negative track record, it gradually resulted into the lost of appeal in the masses.



While addressing the acceptability of current counter terrorism narrative in Pakistan, he talked about the general national acceptability, religious sensitivity, politics and terrorism, and effectiveness of institutions among the masses.

He further elaborated the external factors that are involved in deteriorating and halting the current counter terrorism measures. For instance, the consortium of hostile agencies (India – Afghan nexus with plus-plus) in action against Pakistan, likewise, London – South

African based sponsored terrorism. The Balochistan insurgency and the Tehrik-e-Taliban Pakistan (TTP) operating from Afghanistan are one of the major hurdles in the persuasion of effective measures to counter terrorism and extremism. Notably, these factors are intruding into our organizations and institutions through indoctrination and radicalization of individuals.

دل کے پھولے جل اٹھے سینے کے داغ سے  
اس گھر کو آگ لگ گئی گھر کے چراغ سے

While concluding his extensive and elaborative speech, he suggested that, the writ of the state holds immense significance to decimate non-state actors. Therefore, there is a dire need to strengthen institutions, bureaucracy, intelligence agencies such as Inter Service Intelligence (ISI) and Investigation Bureau (IB). There is an urgent need to revamp the role of police to maintain peace and stability at provincial and regional level.

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*“Terrorism, in most of its forms, is an essential device of fourth generation warfare. Terrorist actions are unleashed in tandem with other destabilizing actions which implode the society, disrupt law & order, and make the state apparatus dysfunctional. Thus combat the terrorism with outmost resolve to make the country safe and prosperous.”*

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In addition, there must be a logical conclusion of terrorism related cases under prosecution. Building a national resolve through institutional collaboration at federal and provincial levels shall raise the impetus of success of counter terrorism narrative of Pakistan.

**Speaker 2: Mr Cesar Guedes – Country Representative of UNODC in Pakistan**

Mr. Cesar Guedes presented his speech on “Effectiveness of Pakistan’s Action on Counter Terrorism (PACT) Program and UN’s contribution in helping the Country”.

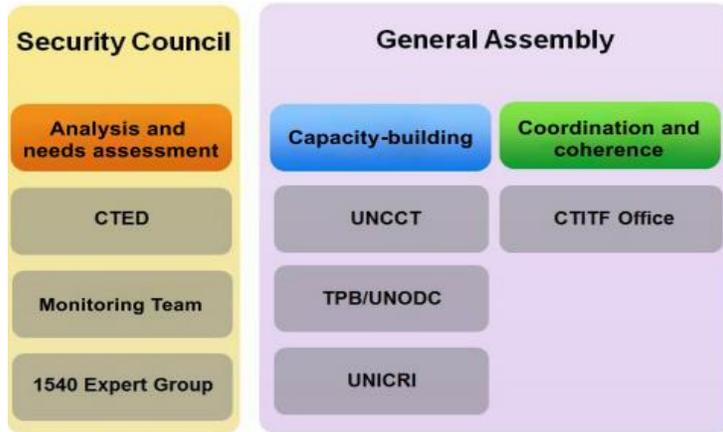


While explaining the UN’s global role in counter terrorism, he highlighted that for the first time in 2006 the United Nations (UN) General Assembly adopted the global counter terrorism strategy to strengthen the national, regional and international efforts to counter terrorism. The General Assembly reviews the strategy every two years, making it a living document attuned to member states’ counter terrorism priorities. The process of policy implementation can be executed through four different pillars that are as follows:



Elaborating further, he emphasized on the role of main United Nations Counter Terrorism Bodies. He explained that the United Nations counter-terrorism bodies are tasked with three main functions:

1. To provide counter-terrorism need assessment and gap analysis, a function supported by Security Council-mandated bodies and in part by the capacity-building bodies in the context of the strategy.



2. To deliver counter-terrorism capacity building and technical assistance.

3. To ensure coordination and coherence of counter-terrorism efforts, which is done by the Counter-Terrorism Implementation Task Force Office within the Department of Political Affairs.







to promote the ratification and implementation of the 19 international legal instruments against terrorism and assist Member States to bring their counter-terrorism legislation in line with these instruments along with providing training to criminal justice officials aimed at strengthening their capacities to prevent and combat terrorism through following measures:

- Countering the use of the internet for terrorist purposes.
- Support and assistance to victims of terrorist activities.
- Responding to transport-related offences.
- Promoting and protecting human rights and fundamental freedom while countering terrorism and terrorism financing.
- Strengthen regional and international cooperation in criminal matters.

UNODC has also supported the Government of Pakistan by launching “Pakistan's Action to Counter Terrorism Project”. The Government of Pakistan, European Union and the United Nations Office on Drugs and Crime (UNODC), launched a three year technical assistance programme to support Pakistan's resolve in overcoming the challenges posed by terrorism.

Under the project entitled “Pakistan's Action to Counter Terrorism with a special reference to Khyber Pakhtunkhwa (KP) province” skills and knowledge of investigators, prosecutors and judges would be enhanced while the use of forensic evidence in terrorism cases would be institutionalized. The project also aims to promote greater coordination between NACTA and Counter Terrorism Departments (CTD) of KP and Islamabad Police.

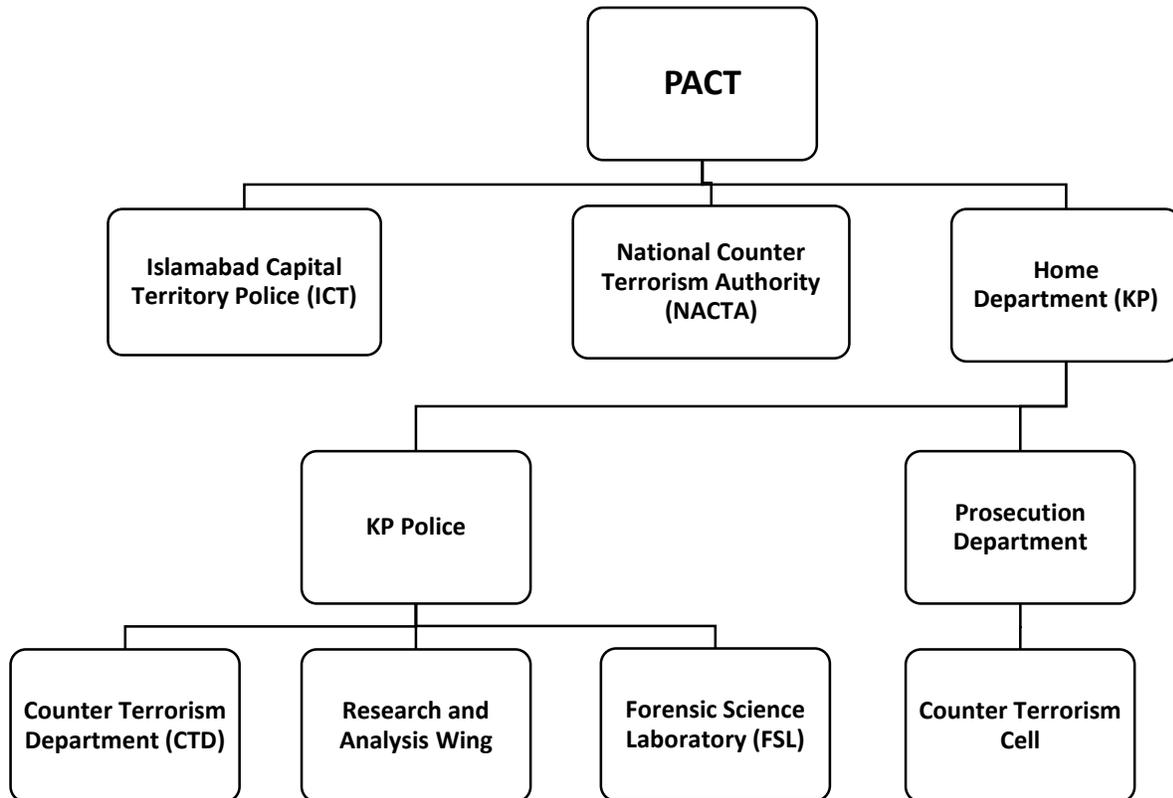
With the financial support of 7 million Euros by the European Union (EU), the project was developed by the National Counter Terrorism Authority (NACTA) on behalf of Government of Pakistan in collaboration with the UNODC. During the project development stages, both, provincial and federal stakeholders were closely consulted to ensure that project objectives directly contribute to the needs of provincial and federal institutions.

The launch ceremony of the “PACT” programme was attended by senior members of NACTA, EU Ambassador to Pakistan, UNODC Country Representative, and Ambassadors of various countries in addition to senior members from the diplomatic community, civil society and media representatives.

While explaining Pakistan's Action to Counter Terrorism (PACT) with a Special Reference to Khyber Pakhtunkhwa, he stated that, UNODC signed a three year project with the Government of Pakistan in year 2017 to deliver technical assistance in strengthening their response to counter terrorism. The 7 million Euros project entitled “PACT” has been made possible with the support of the European Union. It focuses on improving the skills and

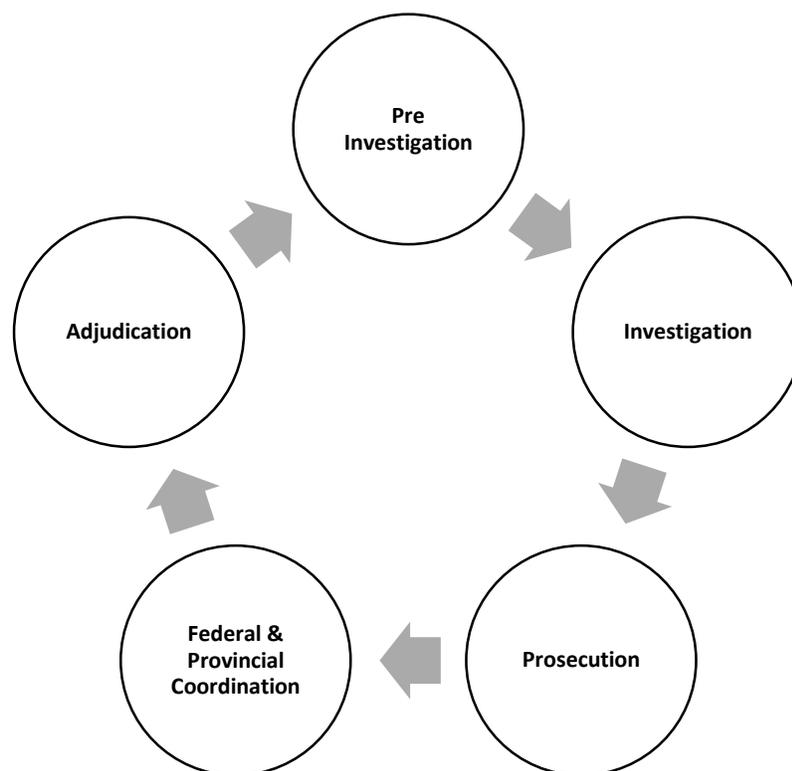


knowledge of officials from the Counter Terrorism Department (CTD), Prosecution Department, Forensic Science Laboratory of KP, while enhancing coordination between the NACTA and provincial authorities.



The objectives of PACT project are:

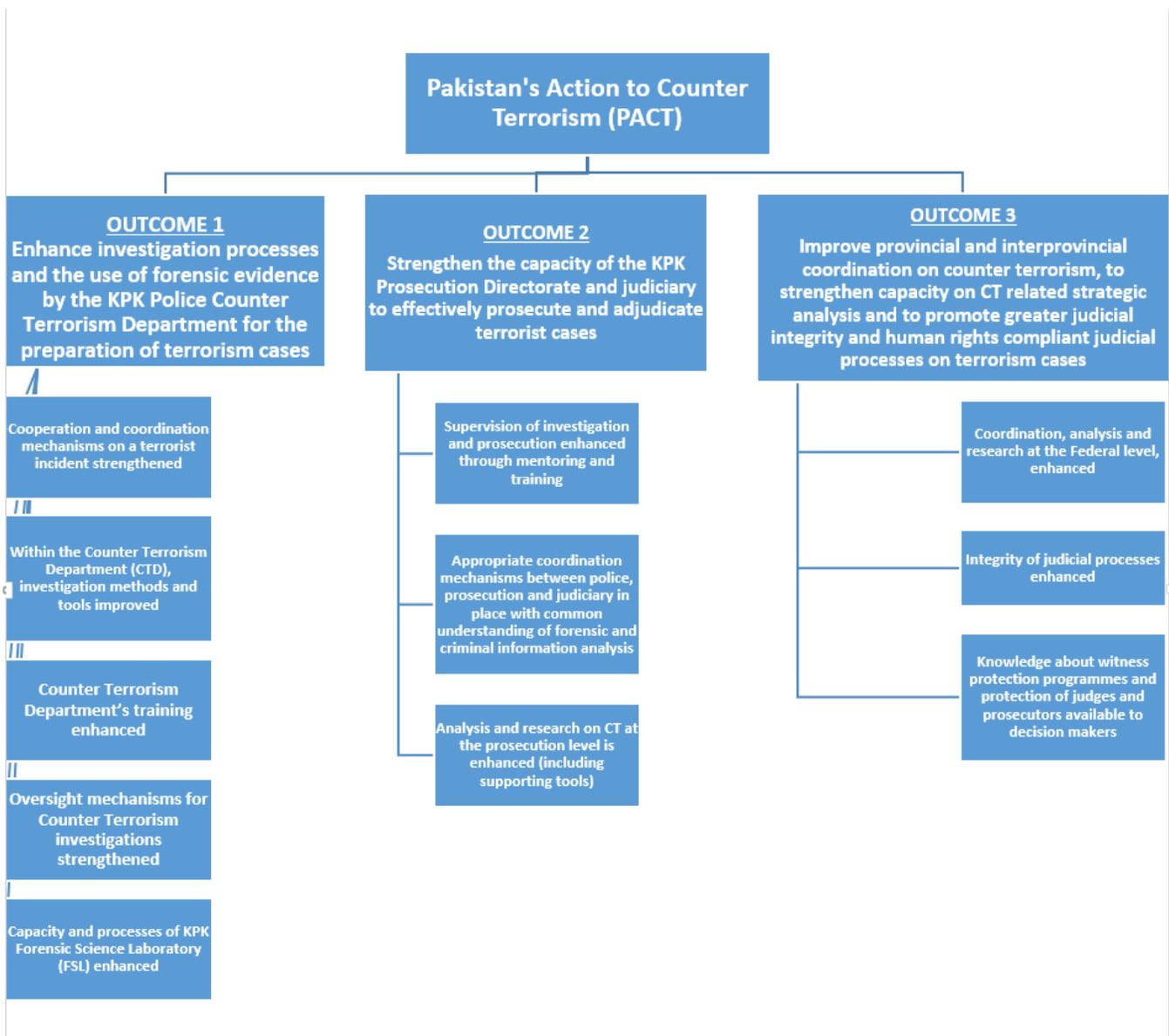
- **Objective I:** Enhance investigation processes and the use of forensic evidence by the KP Police Counter Terrorism Department for the preparation of terrorism cases.
- **Objective II:** Strengthen the capacity of the KP Prosecution Directorate and Judiciary to effectively prosecute and adjudicate terrorism cases.
- **Objective III:** Improve provincial and inter-provincial coordination on CT, to strengthen capacity on CT related strategic analysis and to promote greater judicial integrity and human rights compliant based judicial processes on terrorism cases.



Furthermore, Mr. Cesar Guedes also highlighted assistance provided under PACT as follows:

- UNODC facilitated a Case Analysis Exercise with NACTA, Police, Anti-Terrorist Prosecutors and Judges in collaboration with the Home Department of KP during the inception phase of this project. This has been completed.
- Undertake armoring of 20 vehicles for CTD, KP Police. (This procedure is under process)
- Improve the capacity of investigators in Crime Scene Management including evidence collection post terrorist incidents.
- Develop training manuals for CTD personnel and the KP Police training schools to ensure a common standard of training.
- Improve Federal- Provincial Coordination in information sharing between NACTA and CTD.

- Build the capacity of NACTA to develop national and provincial policy and strategy related documents.
- Enhance the knowledge and skills of personnel at Forensic Science Laboratory KP and promote the use of forensic evidence in prosecuting terrorism related cases.
- Develop training manuals for CT prosecutors of KP and improve their skills in preparation of terrorism related cases.
- Training 2000 plus police officers (KP & ICT) and prosecutors



**Speaker 3: Mr Ahmer Bilal Soofi – Former Federal Law Minister**

Mr. Ahmer Bilal Soofi, started his speech by congratulating the Chairman of the Center for Global & Strategic Studies for initiating the institution which extensively addresses the issues and problems that have not been addressed so far. As those issues hold immense significance in the socio-political, economic and security contours of Pakistan. He beautifully elaborated the rhetoric of the Pak-US bilateral alliance by quoting a poetic verse:



آغاز عاشقی کا مزا ان سے پوچھیے  
انجام عاشقی کا مزا ہم سے پوچھیے

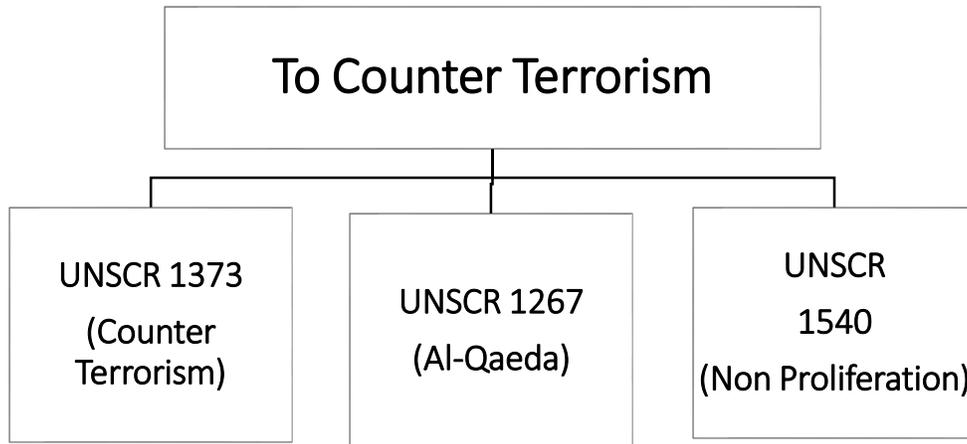
Indeed, Pakistan has suffered drastically from this alliance and the post war consequences caused heinous challenges to the peace and stability of the country. The counter terrorism narrative of Pakistan has been handled from a legal point of view, while the most ambitious prosecution exercises under any involved party. Counter terrorism does not necessarily means to kill the terrorists. It does mean that you may have to kill



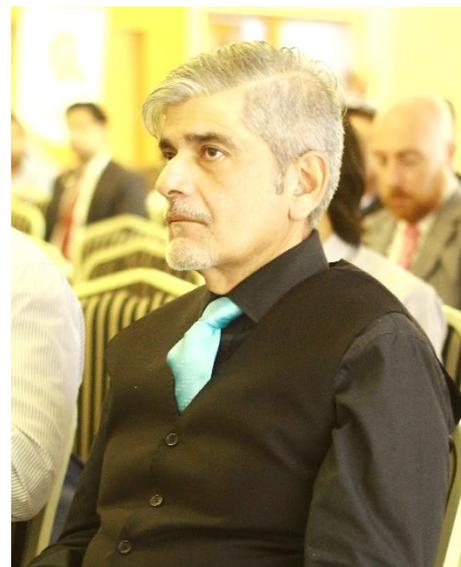
because during confrontation between armed forces and terrorist an action has to be taken against a confronting terrorist, however, during peace time or no confrontation, the counter terrorism means to take the necessary steps by bringing justice through legal process and it also means to de-radicalize the processes of indoctrination of individual's mind. Narrative building also involves the point of acceptance of political narrative among the masses. The legal

aspects of narrative building will make it more convincing and convicting.

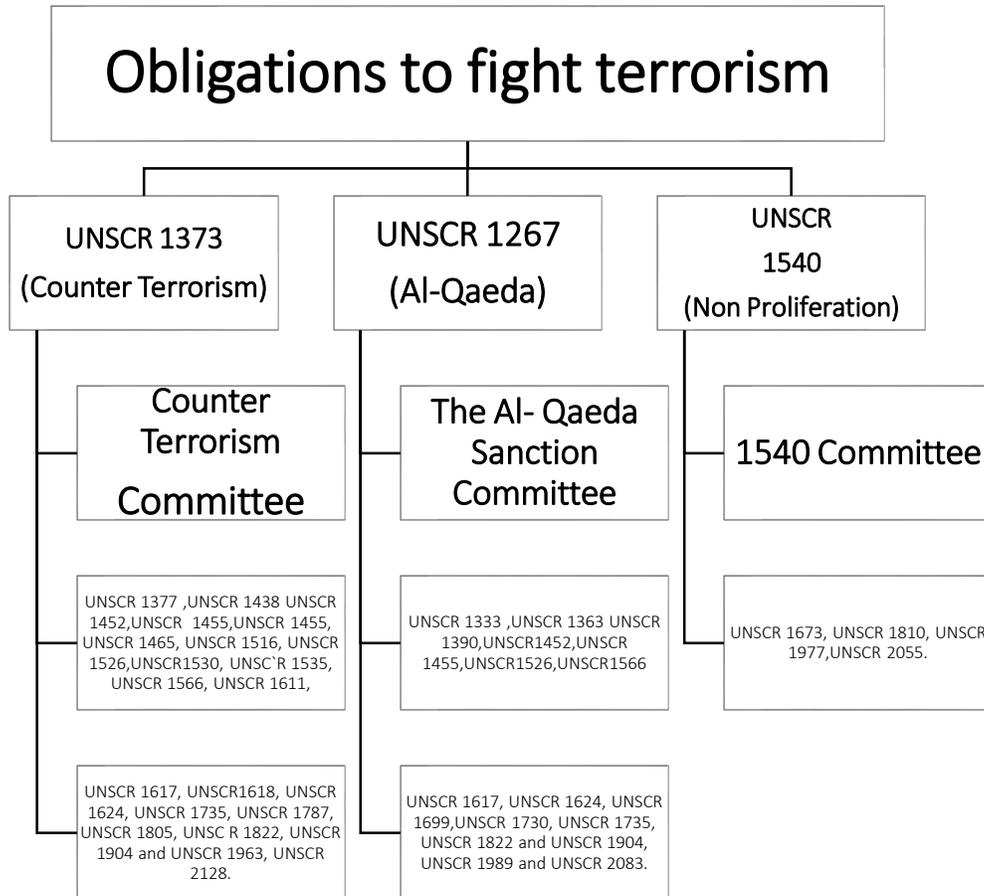
While highlighting the international obligations of countering terrorism, Mr. Ahmer Bilal Soofi mentioned the following resolutions by the United Nations Security Council (UNSC).



In the light of these resolutions, Pakistan's political, executive and judicial institutions are fully responsible to fulfil the clauses of those resolution which addresses countering terrorism as a "State Obligation". It is the responsibility of provincial and federal government as well as the government of Azad Kashmir and Gilgit Baltistan, to pursue counter terrorism as an international responsibility with coalition and collaboration of domestic institutions. Adding further, he highlighted that unfortunately the judicial system

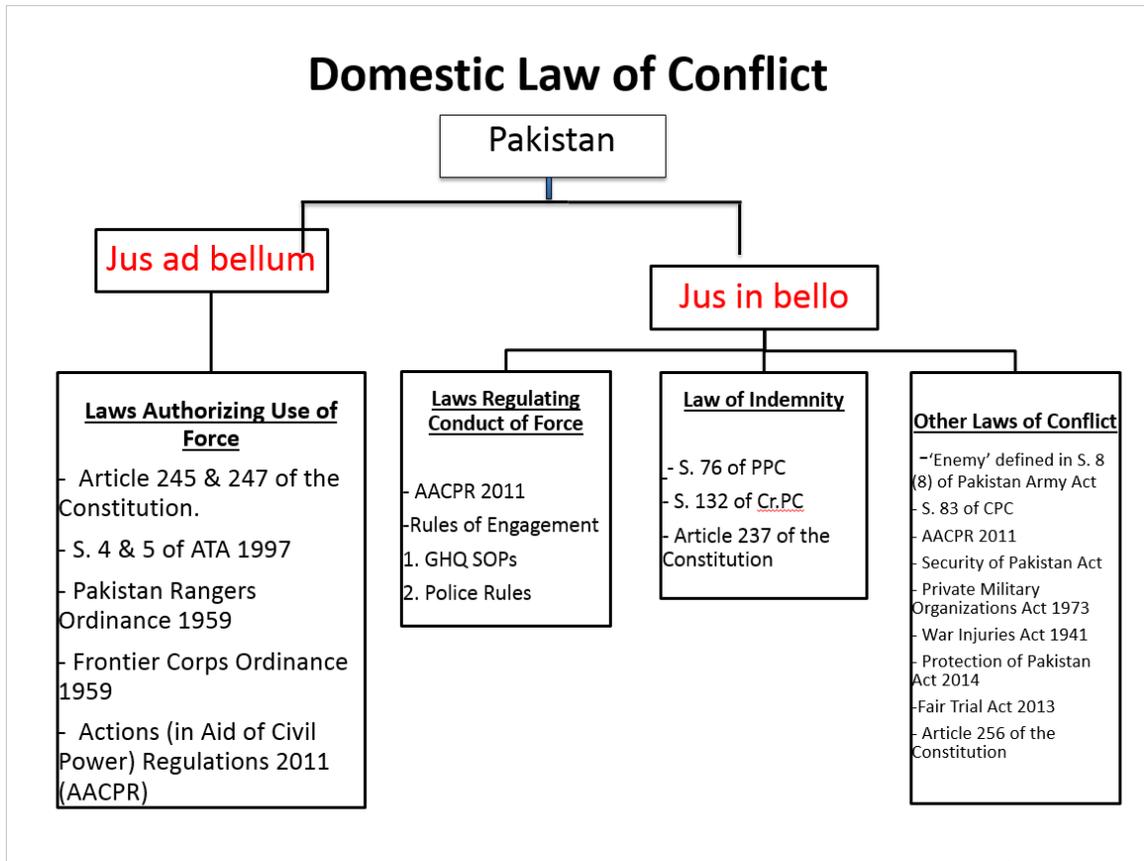


of Pakistan has not been able to play its effective role in bringing peace and stability in the country.

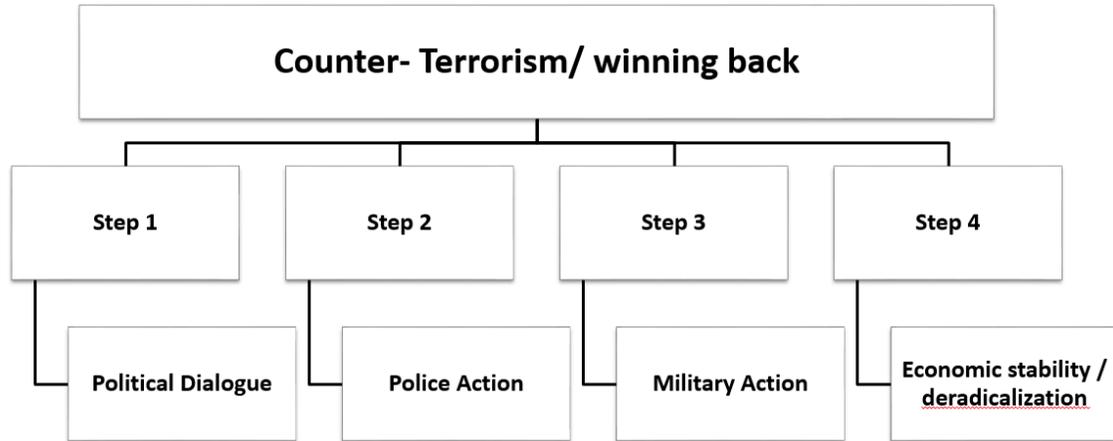


In the same manner, the political government has not built its narrative for public acceptance. The authorities have not translated the International Resolution of UNSC in the local languages to understand the dynamics and technicalities of those resolutions, which are more than thirty in UNSCR 1373 related to terrorism, which was further expanded with the clauses of countering terrorism and reporting of the counter terrorism measures. In this regard, the government and the authorities have failed to compile a data of socio-economic and human losses. Due to lack of statistical facts and evidences, Pakistan has been unable to share information with the UNSCR and other international stakeholders to draw attention towards the sufferings and losses caused by terrorism. Furthermore, there is no record sharing of Indian infiltration from Afghanistan to escalate

violence and terrorism in Pakistan, with the UNSCR. If the state manages to provide this kind of data, it would strengthen Pakistan's counter terrorism narrative that the country is efficiently committed to uproot the causes of terrorism but there are some states who are violating the international law which is causing hindrance in the process of peace restoration and creation of stability.



Adding further, he explained the case of Kulbushan Jadav, whose case has been taken to International Court of Justice (ICJ) in which there are technicalities and conditions for Pakistan to build a strong stance of Indian sponsored terrorism in Pakistan. Furthermore, he urged Pakistan to cooperate with the UN because it is also a liability under the international law. Despite gaining success at tactical and operational levels, the counter terrorism narrative in Pakistan is failing at strategic level. Pakistan is also facing problems in addressing the ambiguities that lies between balancing International Counter-Terrorism and Human Rights Obligations. These differences can be resolved through innovation in the laws.



There are different articles for the endorsement and balancing with the laws and charters of human rights. For instance, Article 245, which endorses the commencement of law of conflict by the state in case of threat of war where even the state is permitted to use violence to counter terrorism. Similarly, Article 256 primarily restricts the foundation of non-state actors who are responsible for challenging the writ of state through violence.

Mr. Ahmer Bilal Soofi concluded his presentation by recommending a few necessary steps to be followed in order to improve legal dimensions of counter terrorism narrative in Pakistan.



- Pakistan has to invest in developing legal dimension of countering terrorism in the state.
- Judicial infrastructure has to be improved and the lawyers have to work in this domain to consolidate the legal dimensions of countering terrorism measures in Pakistan.
- There is a need of projecting and highlighting of Pakistan's counter terrorism narrative at all international forums, to make the world acknowledge the efforts of Pakistan in restoration of peace in the world.
- The disparity in judicial law at domestic level must be eliminated for smoothing the role and authorities of individuals to bring transparency at grass root level.
- Endorsement of international laws in academic discourses at grass root level will increase the impetus of understanding the legal framework of Pakistan's role in counter terrorism to the general masses.



## **Session - II**

### **Interactive Session**

The second session was moderated by Major General Syed Khalid Amir Jaffery HI (M), (Retd) – President CGSS. He commenced the session by appreciating the extensive and elaborative speeches given by the worthy guest speakers on one of the most significant issues being faced by the state. Subsequently, he opened the house for the question & answer session.

#### **Q 1: Mr. Irshadullah Khan - Secretary General Oxford and Cambridge Trust**

He made a comment that every Pakistani stands with the intelligence agencies of Pakistan such as ISI, IB, and MI because they are the defenders of Pakistan and there is no doubt in the efforts and determination of these institutions to safeguard and ensure the security of the state. He then set forth an argument that despite such a massive contribution, why there is no recognition from United States of America and the international community in order to help them understand what Pakistan has done to curb this menace? Why has there been no real projection of Pakistan's counter terrorism narrative at



global forums to elaborate what Pakistan has done in the fight against terrorism? And how many people in Pakistan have been affected by terrorism?

**Answer:** While responding to this question, Lieutenant General Haroon Aslam HI(M), (Retd) stated that Pakistan has to help herself. Furthermore, in his assessment, there are three reasons which are hindering the projection of Pakistan's counter terrorism narrative at global forums.

First is the priorities of the government, our government and stakeholders unfortunately have not been able to devise a strategy through which Pakistan as a state can project the narrative internationally.

Secondly, it is the state's obligation to project their achievements to the world through the forums of foreign office, ambassadors, ministers and the government functionaries who go abroad for various visits, it is their obligation to project Pakistan's narrative.

Thirdly, despite our contributions to combat terrorism by our allies on War on Terror, who preach global restoration of peace and security by wiping out all the terrorist actors across the globe, are not acknowledging our efforts and sacrifices rationally and fairly.

Adding further, he elaborated that there is a lot of work needed to be done at grass root level, for instance, revamping the approach of domestic institution, change in the idiosyncratic approaches of common masses by pursuing the narrative of civic volunteerism. Notably, these are the aspects that needs to be cleaned up, collectively and comprehensively. The state has to redefine its priorities and perspectives to set the right tone for the projection of the real narrative at the global forums. Technically and strategically, the authorities and institutions have to work really hard to be professional and sell our narrative as best as we can.

## **Q 2: Anees Ali Shah – Works at National Assembly of Pakistan**

He initiated his question by mentioning the commendable sacrifice of Lieutenant Colonel Haroon Islam HI(M), (Retd) for his country during Operation Silence, and added, there was a video released in which Moulana Abdul Aziz was openly welcoming the leader of the Islamic State of Iraq and Syria (ISIS) and criticizing the state policies, specifically Pakistan Army. He further added that, we have our allies of war on terror operating in Afghanistan's territory, since they have their presence over there for almost two decades then why are we not asking them to do more, while they have asked the same rhetoric from us in recent past?



Furthermore, He argued that during the speech, Lieutenant General Haroon Aslam HI(M), (Retd) mentioned central institutions and their importance of being integrated on one book, one page, one line; so could he please elaborate on bridging the civil-military gap?

**Answer:** While responding to this question, Lieutenant General Haroon Aslam HI(M), (Retd) stated that, Colonel Haroon was my namesake, who embraced martyrdom in Operation Silence, and when the APS Peshawar Massacre took place in the year 2014, the same person against people whom the operation was launched, Moulana (Aziz) came on the television and said that the killing was understandable, because we people have made them as adversaries. Why he is still there at Lal Masjid, and this is my question to the State of Pakistan. Despite all these incidents, which depict the clear stance of anti-state narratives, the state authorities are unable to deal with such radical actors. It means that there is a lack of harmonious strategic policies and state institutions have disparity in their agendas and policy principles. Comprehensively, summarizing state's institutional policies he said

“We are not on the same page. We may be on the same page, but on a different book.”

Adding further, our policies at operational and tactical level are productive and the institutions are doing what they are supposed to do. In addition, the US could be asked



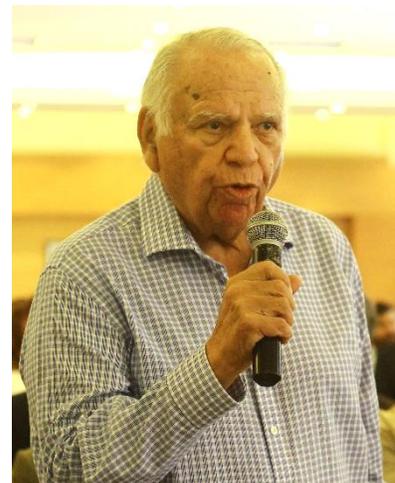
to “do more”. However, Pakistan has to fight against a number of constraints. There is clear misguiding and wrong sharing of intelligence reports, which are fed to these countries but “they are going to listen what they want to listen”.

About how to bridge the civil-military gap, he emphasized that there should not be any kind of institutional conflict and disparity because we are a collective representation of the state and the sovereignty of the state is attached to the institutional collaboration and there must be harmonious strategic policy execution in all the affairs regarding security. Referring to the institutional collaboration of a state, he metaphorically quoted that, “We have to live in the same waters, we may be different species of fish but we have to live in this water”. So all these institutions should work for the country. There is a baggage that belongs to early history, but we must forget the past and move forward. Rest assured that these civil-military gaps have been bridged quiet a lot.

### **Q 3: Ambassador Akram Zaki - Former Secretary General and Minister of State for Foreign Affairs**

Ambassador Zaki asked that, evidently, some major countries create non-state actors that are an instrument of their foreign policy, and they in fact promote terrorism. What are their international obligations?

**Answer:** While responding to this question, Mr. Ahmer Bilal Soofi stated that, according to the legal dimension of the international law, non-state actors create an obligation to reliability, and if a state sends their non-state actors to any frontier outside its territory and the other state becomes aware of it that any state has sent its non-actor outside its territory to commit acts of terror, then there is a liability and responsibility of the respective state to deter and counter it by using all the necessary measures. This responsibility of the state is documented in Article 16 of the UN Charter which states that “Any person who discloses without lawful authority to another person any information acquired in the course of his or her official duties that enables or leads to the identification of a victim and/or witness of trafficking in persons shall be guilty of an



offence and, upon conviction, shall be liable to punishment” Adding to it, Lieutenant General Haroon Aslam HI(M), (Retd) remarked that there is no denying of the facts about state sponsored terrorism. We have the same concerns and the state is collectively looking forward to address this issue on priority basis. Furthermore, the Chairman CGSS, Lieutenant General Muhammad Zahir UI Islam HI(M), (Retd), made an extensive comment on the question and said:

*“Perhaps the easiest way is to blame external force about the problems that are primarily ours. I can assure you that most of the problems we face today are more internal and less external in their nature. Our friend from UNODC, has come here to help us, not to fight the war which has to be fought by us. He has come here to proceed after the operations have been carried out. As far as the legal issues are concerned on how to prosecute those people, this is the type of training which they are going to provide us. Terrorism is the result of political, social and economic problems such as poverty, exploitation, injustice, and the difference between have and have not.*

*In addition, the Former Chief of Army Staff, General Ashfaq Pervaiz Kiyani, was of the view that if you kill every terrorist in FATA, you are only tackling 40% of the problem and the rest 60% is dealt by the rehabilitation, reconciliation, de-radicalization and infrastructural build-up.*

*Back in the day Jihad was the driving force because we had infidels for enemies. Now the situation is different, we are engaged in a fight against each other”.*

**Q 4: Advocate Asif Tanveer**

Advocate Asif asked that, what are the legal and constitutional acts regarding military operations? How they are constitutionally legitimate and lawful? And how is the function of military courts provided a legal cover?



**Answer:** While responding to these questions, Ahmer Bilal Soofi expressed his views by stating, there is no doubt that the acts of the military courts are lawful. One of the easiest way to check the reality is the decision and verdict of the Supreme Court of Pakistan, which actually holds the Constitutional right to decide the role of institutions. Furthermore, an interpretation of Supreme Court addressed the validity for military operations, and it recognized the facing of threat of war even in cities, hence, extending authority for military operations in preventive detention, which is the legitimate way of doing it.

From the perspective of military courts, indeed they are short term solutions. The parameters and criteria were determined for the functioning of military courts and to determine which cases were to be taken up by the military courts and which by the civilian courts. This can be contested through mainstream process of justice. Coordination between Supreme Court and Law Ministry is considered essential.

**Q 5: Abdullah Gull – Chairman Tehrik Jawanan/Kashmir**

He started his question while constructing an argument regarding Swat Operation that it was a fruitful operation, however we have to understand that why there was a pragmatic shift from Afghanistan-Pakistan policy to Pakistan-Afghanistan policy? And when did we understand that friends are not masters? Please mention the dynamics of Swat Operation as a game-changer?



**Answer:** Lieutenant General Haroon Aslam HI(M), (Retd) responded that as mentioned previously, we need to be on the same page, same book, and same line, but it is very difficult to be on the same line when we at least need to be on the same page because of the constraints and repercussions pertaining to the peace and security policies of the state. Adding further, he stated that, with regards to the Swat Operation it was a milestone achievement and a game-changer, because it was the first elaborated operation that Pakistan Army conducted in which first there was sanitization of the area and then air and land operation were conducted to clean Swat from the menace of terror. Evidently, now the situation of Swat is totally changed and is an example for success of our narrative in its operational and strategic dimensions. This operation had synergy and conviction. Moreover, the success of Mullah Fazlullah in Afghanistan, predominately whirls around his Islamic fundamentalist narrative because it was appealing to the sensitivities of the people following Islam. He rode on horseback carrying Quran in his hand and he swept the entire population. However, during my command in that area, we used to listen to the Pashto radio transmission where Muslim Khan said that we have come to this village and they are not listening to us. He also said to take out a few 'Mashars' (leaders of tribes), slice their throats and throw them on the streets and everybody listened. This was the narrative of Fazlullah.



In addition, regarding the disclosure of confidentiality and secret information, it was mentioned in his speech that there is a “Fifth Column” operating inside Pakistan, which is aiding and abetting terrorism across Pakistan by the hostile agencies.

It is our moral obligation to take care of our country and our national interests rather than depending on friends in geo-political affairs of the international world. In the context of asking our allies to do more, our Chief of Army Staff has rightly and bluntly said that, “we do not need your money, we need you to acknowledge our fight against terror and our sacrifices”.

Notably, we are in dire need of projecting our country to the world in terms of our sublime ethical and normative values, our prestigious infrastructure, our unique cultural heritage, and our moderate educational institutions. It is our core responsibility to project the real and positive image of our country to the international community.

**Q 6: Sardar Arshad Rafeeq – Intellectual Summit Pakistan**

Sardar Arshad Rafeeq said that, potentially Pakistan is quite capable of protecting our boundaries but the infiltration of cross border sponsored terrorism is causing a colossal blow to the state’s counter terrorism measures. In retrospect, what role UN can play in terms of mediation between the escalating hostility among the states in perspective of terrorism and Kashmir issue.



**Answer:** In response to this question Mr. Cesar Guedes stated that, UNODC is working in Pakistan since last 30 years. The organization is directly dealing with narcotics trade and terrorism. As far as Kashmir issue is concerned, the UN is observing cross border activities along the Line of Control (LoC). However, the UN responds to a specific issue on the request of the concerned party.

Adding further, Mr. Ahmer Bilal Soofi highlighted the legal dimensions of the role of UN by stating that, there are two chains, one is called the “doctrine of warfare” and the other is called “doctrine of lawfare” through which strategic objectives are achieved. The

doctrine of lawfare is starting to take shape for the enhancement of international forums where bilateral territorial legal matters can be taken and the international community is investing in international lawfare on a large scale in this regard.

Additionally, there have been three judgments made by the Srinagar High Court which are of significance as it is actually supporting Pakistan's stance. Pakistani officials need to take up the verdicts of Indian court and use it.

The interactive session was concluded with comment by the Lieutenant General Ahsan Mehmood (Retd), who said that after listening to the whole session, in my opinion, Pakistan as a country lacks a national counter terrorism narrative because before the national counter terrorism narrative, the military and civilian establishment are one of the components which achieve it. If they are not doing what they are supposed to do, the state will only continue to achieve tactical operation successes. Therefore, there is dire need of revamping the role of NACTA.

### **Closing Remarks**

At the end of the seminar, the Chairman CGSS - Lieutenant General Zahir Ul Islam HI(M), (Retd), in his concluding remarks payed gratitude to the worthy speakers for sharing their views, pertinent observations and also giving very useful suggestions. He also said that he is a great exponent of a holistic approach to any issue. With regards to the counter terrorism, there is a dire need to carry out comprehensive review of our policy and strategy to fight terrorism. It should actually be done by NACTA which is not effective yet. Therefore, either we should activate and make NACTA effective or else



Government should form a high level panel for this purpose including experts from relevant departments and institutions. The earlier we do, this better it is.

Lastly, he again thanked the worthy panelists distinguished guests and all participants for their presence and active participation in this seminar, thus making it a success.





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