

Testimony of Dr. Samina Ahmed, South Asia Project Director, International Crisis Group, to the House of Representatives Subcommittee on National Security and Foreign Affairs, Committee on Oversight and Government Reform Hearing on “U.S. Contributions to the Response to Pakistan’s Humanitarian Crisis: The Situation and the Stakes”

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I want to thank Chairman John F. Tierney for holding this important hearing and inviting me to testify on behalf of the International Crisis Group on the challenges faced by the Pakistan Peoples Party (PPP)-led government and its international allies, particularly the United States, to meet the needs of almost three million people displaced from their homes as a result of military action. The military operation followed a conceptually flawed peace deal that had enabled the Pakistani Taliban’s takeover of large parts of Northwest Frontier Province’s (NWFP) Malakand Division. The failure to provide effective relief, rehabilitation and reconstruction will reverse any gains made on the battlefield and boost radical Islamist groups.

The Crisis Group has been in South Asia since December 2001, and has published reports directly relevant to the issues under this committee’s review. We have repeatedly expressed concern about military-devised peace deals with violent extremists in Pakistan’s tribal belt. The latest peace deal with the Swat-based Sunni extremist Tehrik-e-Nifaz-e-Shariat-e-Mohammadi (TNSM), a militant group allied to the Taliban, helped entrench Taliban control and al-Qaeda influence in the area, undermining the gains made by the transition of democracy and the defeat of the military-supported religious rightwing parties in NWFP in the February elections.

The militants’ refusal to end their armed campaign, facing strong international pressure, particularly from the United States, the military launched a campaign to eradicate Pakistani Taliban groups from their strongholds in the Malakand region. However, the military’s resort to heavy force in the ongoing operations, failure to address the full cost to civilians and refusal to allow full civilian and humanitarian assistance to the conflict zones is counter-productive. Unless relief, rehabilitation and reconstruction efforts are also urgently improved upon, the army’s offensive against the Taliban risks leaving the extremists the ultimate victors.

Communities displaced by a badly planned war may be especially vulnerable to jihadi indoctrination. The crisis, however, also presents an opportunity to win hearts and minds of millions of Pakistanis in NWFP, and more specifically in Malakand Division, who have suffered at the hands of the Taliban. With almost three million IDPs in camps, homes, schools and other places of shelter in NWFP, how these people are treated will determine if the insurgency-hit zones are saved or lost to the Taliban.

BACKDROP

In February 2006, NWFP's Awami National Party (ANP-led) government and the TNSM reached an agreement, devised by the military, for the imposition of Sharia in NWFP's Malakand district, which is composed of seven of NWFP's 24 districts, including Swat. According to the agreement, the government would establish religious courts to ensure adherence to Sharia; dismantle security checkpoints; and withdraw troops to the barracks. It also agreed to release militants detained in anti-terrorist operations, including those responsible for violent crimes such as public executions and rape. In return, the TNSM was to ensure that the Pakistani Taliban in Swat lay down heavy weapons, ended its armed campaign and accepted the government's writ. Crisis Group's report on the militant jihadi challenge in Pakistan, published in March 2009, had warned that this accord would only embolden the militants, and given al-Qaeda's links to Swat-based militants, also enhance al-Qaeda's presence, as did the military's previous appeasement deals with the militants in the Federally Administered Tribal Areas (FATA).

Less than a month after Pakistan's National Assembly and President Asif Ali Zardari approved a military-devised accord with the Swat-based extremists on 13 April, the tribal militants openly defied the writ of the state, and expanded their activities to Swat's neighbouring districts. Pressured by the U.S., with the Pakistani public alarmed by the Taliban's brutal rule in Swat, their domestic legitimacy and external support at stake, the military finally took action, but instead of a targeted operation, aimed at Taliban command-and-control, restored to massive force. The fighting between the military and the militants has forced an estimated 2.8 million persons fleeing Malakand since the start of the operation, adding to roughly 500,000 IDPs from FATA. Thousands are still leaving the conflict zone.

The scale of the IDP crisis is the consequence of failed military policies that have enabled militancy to spread for several years, thus expanding the theatre of war and hence the numbers of affected civilians. It is also the result of the use of excessive force, including artillery, helicopter gunships and jet fighters, which have forced millions to flee their homes. The safety and security of thousands of others, who have been unable to flee Malakand's conflict zones because of military-imposed curfews and the use of heavy force, is also gravely endangered not just from direct fire but also through illness and food shortages. The full civilian cost will not be known till the independent media and humanitarian groups have full access to the conflict zones.

RESPONDING TO THE CRISIS

The current military campaign is unlikely to end soon unless the military decides to enter into another accord with the militants, which would be unwise in the extreme. With the end of the harvest season and the approach of Malakand's bitter winter, significant numbers of IDPs might have no choice but to remain in exile until mid-2010.

The NWFP government has established a number of IDP camps; however, more than 85 per cent of IDPs, close to two million persons, are residing outside them-- with host communities, on school premises, in rented accommodation or other places of shelter.

The UN has appealed for \$543 million for IDPs up to December 2009, of which only a quarter has been committed. It has also called for \$280 million in food aid but has so far received less than half that amount. Food, clean water, health facilities and other support are all in short supply. UN agencies are working overtime but are in urgent need of support.

With the government's resources severely strained, there is urgent need for international assistance. Without assistance, the Islamist groups will fill the gap, hoping to radicalise the disaffected, particularly the youth. While the United States should respond and urgently to the Pakistan government and UN's appeals, how well these and other funds are spent, and how well the government provides security and basic services will determine the IDPs fate, including whether they become vulnerable to jihadi recruitment or constituencies for peace.

The absence of coordination between military and civilian institutions has undermined effective planning for humanitarian relief. The absence of such measures as transit camps at key exit points and government-provided transport to see people to safety has compelled non-combatants to travel as far as 100 km, often on foot.

Pakistan's fledgling democracy has inherited an administrative structure that needs major restructuring if it is to meet civilian needs. The Federal Relief Commission, National Disaster Management Agency and Provincial and District Disaster Management Agencies, set up by Musharraf's military government, remain dysfunctional. At the military's behest, Prime Minister Yousaf Raza Gillani established a federal Special Support Group to assist the provincial government in logistics, health, administration and registration, headed by Lieutenant General Nadeem Ahmed, a serving corps commander. While the military's track record of working with civilians and in support of civilian efforts is poor, the distribution of relief funds through the district bureaucracy, without meaningful consultation with IDPs or local NGOs is also hampering effective delivery of relief.

The National Database and Registration Authority (NADRA), now run by competent dedicated civilians, is playing a pivotal role in registering the IDPs, an essential precondition to assess needs, and to guarantee a fair distribution of relief assistance and ensuring the safety of vulnerable IDPs, particularly women and children. Registration is even more essential because the vast majority of IDPs have settled outside camps. Since a National Identity Card (NIC) is required upon registration, the government has, through NADRA's efforts, been able to reach citizens it had difficulties reaching in the past.

NADRA has designed a 'smart card', with embedded biometric features for the federal government's Benazir Income Support Program, a social welfare scheme, aimed primarily at the most economically vulnerable women. This scheme has been restructured for registered IDPs, who would be provided cards with encoded data on the beneficiary and the details of entitled assistance. The creation of a similar smart card, based on NADRA's technology, would provide an incentive not just to Malakand's IDPs but also FATA IDPs to register, enable humanitarian aid organisations to channel assistance far

more effectively particularly to non-camp IDPs and give recipients control over the aid they receive.

Cash-based incentives should also cover child and adult education. Provided through cash vouchers, such assistance would help parents return their children to school in lieu of the alternative, the jihadi madrasa. Cash vouchers for vocational and skills improvement training would help displaced households become economically independent and contribute to the reconstruction of Swat and other conflict-hit zones in Malakand and FATA.

OPPORTUNITIES AND RISKS

While the assistance provided to IDPs by local communities, including shelter and material support, has been critical in preventing this massive exodus from becoming a major humanitarian disaster, many IDPs understandably question how sustainable it is. If the already limited supply of aid to off-camp IDP communities dries up, there is risk of dependence on jihadi groups that are already delivering both resources and financial aid.

Islamist groups and parties are hoping to use this crisis to win hearts and minds. The Jamaat-i-Islami, which also maintains a jihadi wing, is particularly active in providing relief to IDPs through its welfare wing, the Al-Khidmat Foundation. More overtly militant groups are also actively assisting the IDPs, most notably, the Falah-i-Insaniat Foundation (FIF), the Lashkar-e-Tayyaba's (LeT) latest reincarnation. A signatory to al-Qaeda's global jihad, the LeT, renamed Jamaat-ud-Dawa (JD) was nevertheless one of the most prominent NGOs to provide earthquake relief in Pakistan-administered Kashmir and NWFP in 2005, with the military's support. Following the Mumbai attacks, designated a terror group by the UN and banned once again by the Pakistan government, the LeT has re-emerged as the FIF, and has reportedly sent thousands of workers to provide food and other assistance to NWFP's IDPs. Reports of jihadi indoctrination in Al-Khidmat and FIF camps and schools are widespread.

While the government needs to prohibit jihadi groups, banned under the Anti-Terrorism Law, from participating in the relief effort, Malakand's IDPs, who have had first hand experience of Taliban atrocities, including public beheadings and floggings, their schools destroyed, women deprived of work and girls of education, are potentially powerful constituencies for peace.

Yet the military's intentions and the directions of its operation will ultimately determine if those who have fled Taliban-controlled areas are rescued from the militants' grip. IDP return too will depend on the displaced feeling safe enough to return home. Premature claims of victory by the military only to see action once again starting is unlikely to create a conducive environment for IDP return. The military's appeasement deals with the militants, the latest with the Swat-based Taliban, have understandably provoked doubts about its intentions. Both the PPP-led federal government and the ANP-led provincial government in NWFP must resist any pressure from the military to renew such agreements.

Instead, they should plan ahead now for the transfer of security responsibilities, once the military operation ends, to civilian law enforcement agencies. With their knowledge of the area and of the militants, the police and civilian intelligence agencies would enhance the government's ability to dismantle jihadi networks. A strengthened and reformed judiciary would also help restore peace to this troubled region. Arrests and prosecution of religious extremists and their allies in local criminal gangs is the only long-term solution to militancy.

With the costs of poor governance in NWFP and FATA now clear to Pakistan's mainstream moderate political parties, building on political and public support for an end to militancy in these regions, the government should implement political and constitutional reforms in the Provincially Administered Tribal Areas (PATA) of which Malakand is a part, as well as in FATA so as to incorporate their districts and tribal agencies respectively into NWFP with full provincial rights.

WINNING HEARTS AND MINDS: THE U.S. ROLE

The Obama administration's positive response, including Ambassador Richard Holbrooke's pledge of an additional \$200 million for the IDP is a step in the right direction. Helping Pakistan's young civilian government to effectively deliver relief, and to support plans for rehabilitation and reconstruction, is certainly an appropriate response to a humanitarian crisis. U.S. assistance will also serve national security interests by depriving the jihadis of an opportunity to fill the gap in the hope of radicalising the disaffected.

The U.S must, however, recognise the importance of ensuring that such support is delivered urgently and effectively if the Pakistan government is to win not just the battle but also hearts and minds of citizens.

The U.S.

- ❑ should urge a humanitarian pause in the fighting to allow much-needed assistance to non-combatants in conflict zones, to allow them to flee and to account for civilian casualties, with the time frame dependent on assessment of needs and available logistical support and other resources and material support, as determined by the provincial government and international and local humanitarian agencies.
- ❑ ensure that relief, rehabilitation and reconstruction are civilian-led and empower displaced communities to determine their own needs and priorities.
- ❑ prioritise the relief and rehabilitation of IDPs, not just from Malakand but also from FATA, through cash transfer programs that provide income support, payment of school tuition and paid vocational training;

- support Pakistan civilian-led plans for return of IDPs to their communities with reconstruction programs that incorporate support for the provincial government and help build the capacity of civilian police and advance judicial reform with new training, equipment and mentors; and
- encourage political and constitutional reforms in PATA and FATA through support for comprehensive governance, stabilisation and rural development programs.