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PAPER ON

“THE ROLE AND WORKINGS OF PARLIAMENT IN CRISIS SITUATIONS”

By

AMJED PERVEZ MALIK

**Secretary General
Senate of Pakistan**

user

Varying forms and complexities of Crisis

Crisis management has of late remained an unquestioned domain of the Executive, with parliaments, despite being imbued with the responsibility of overseeing government action, often relegated to playing a more secondary and latent role in many countries.

The primacy given to the Executive branch as the lead crisis response arm of the state is often premised on the literal and limited definition of crisis. Usually, crisis is dubbed an immediate emergency requiring urgent, concrete or physical action. This puts Executive on the front and parliament on the back burner.

However, an in-depth analysis of various definitions of what constitutes a crisis reveals a much broader scope and canvass. A crisis may be “a time of intense difficulty or danger”, but it can also be “a time when a difficult or important decision must be made”, or a turning point when an important change takes place. Elaborating further, Merriam Webster defines crisis as “the decisive moment”, an unstable or crucial time or state of affairs in which a decisive change is impending.

In more traditional terms, the crises and conflicts being faced by nations, regions and international community as a whole were differentiated along four core fronts, the inter-state; intra-state; trans-state; and Natural crises. The diversity and interconnectivity of wars and conflicts ranging from traditional and non-traditional to asymmetric and hybrid often blurs the fine line differentiating crises as inter-state, intra-state or trans-state.

The demise of the Cold War era saw emergence of conflicts and crises that were earlier lying dormant under the bipolar conflict matrix, and further mutating into, and overlapping as, both inter-state and intra-state ethnic, religious and territorial conflicts, new nationalist expressions, extremisms of different types and the re-emergence of border disputes.

The multiplicity and increasing frequency of these conventional, non-conventional and emerging trends and patterns on national, socio-economic, security, geo-political, geo-strategic, geo-economic and environmental fronts are posing diverse challenges to national, regional, and global stability.

At the same time, it is of utmost importance to differentiate between genuine crises on account of key issues such as economic, energy, human rights, and conflicts etc., and cosmetically or artificially stoked up crisis, whereby some countries are attacked after negative labelling and repeated and exaggerated accusations.

Also of great relevance is focus on parliaments that themselves are faced with constitutional, political or power struggle crises and have to find ways and means to ensure their own survival and sovereignty.

Enhanced Role of Parliaments

The frequency and complexity of traditional and new forms of crisis has necessitated multi-stratum responses at the state and international levels, pushing the **national parliaments** right at the centre of crisis management and prevention matrices, be it national, regional or international efforts.

However, overlooking **parliament's representational legitimacy** to engage in crisis situations as representative institutions, the Executive branch, parties to conflict and even international peace-brokers tend to exclude legislatures from negotiations and accords. Even the international multilateral organizations, and also the UN, prefer dealing solely with the Executive branch and not the national parliaments in this regard.

These results in transient solutions and brittle bubbles of cosmetic stability since arrangements agreed upon by various actors and stake-holders fail to incorporate public sentiments and aspirations, or the collective wisdom of their elected representatives. Without the involvement of parliament, all peace-building or crisis resolution efforts risk being skewed off-target or being counter-productive.

In fact, by virtue of their place within the structure, functioning and activities of the State, parliaments have an edge to expanding their role from mere reactive to progressively pre-emptive – through proactive legislations and oversight -- so as to better manage crisis and bring about lasting stability and resolution.¹

As such, the role of national and even regional legislatures is crucial to peace-building processes, including validating agreements and building constituencies for peace, oversight of reconstruction, and legislating human rights guarantees.

Since governance may also be a cause of crisis and social unrest, parliaments can provide means of exercising representative governance, based on the rule of law and respecting peoples' fundamental rights, to manage and resolve all types of intra-state crises such as ethnic, religious, lingual or political issues.

Having established the complex and interconnected nature of crises and parliament's central role as an important response and resolution forum, this paper, in following sections, dilates upon the role of Pakistan parliament in particular as a case study in crisis management by using specific constitutional and parliamentary tools and procedural devices. Also listed are a set of proposals as to how parliament as an institution can improve and enhance its scope from a mere reactive forum to a proactive platform that can make meaningful, structured and institutionalized contributions to crisis management.

¹Guidelines on the role of parliaments in conflict and post-conflict situations.pdf.UNDP.

Crisis Management in Pakistan: with or without Parliament

The young nation of Pakistan that turned 70 August this year has had a chequered political and constitutional history. Besides the initial issues and dissolution of Constituent Assembly, the country experienced three Martial Laws by the dictators who ruled the country for several decades.

There have been some periods in which Parliament functioned under the umbrella of military dictator, but since the restoration of democracy in the country in 2008 and democratic transfer of power from one elected government to another, the role of parliament has increased in crisis management in the country.

Before giving the details of role of the Pakistan Parliament in crisis management, a comparative list of major crises or decisions taken in crisis situations, both during the presence vis-à-vis those in the absence of parliament, are given below, followed by a brief explanation of the marked difference in crisis handling when parliament is there to play a role, even if secondary.

The comparison mainly focuses on Pakistan's crisis handling, especially in terms of addressing the issues terrorism, extremism and international conflicts, from two different perspectives: In the absence, or without the involvement of Parliament; and in the presence, of with the active engagement of Pakistan.

Crisis handling in the absence of Parliament	Crisis handling in the presence of Parliament
<ul style="list-style-type: none">• Jumping in Afghan War 1979-80s• “U” Turn Global war on terrorism 2001	<ul style="list-style-type: none">• Successive anti-terror operations in extremists concentrated areas.• NATO-ISAF attack on Salala Checkpost.• Peshawar School children massacre: National Action Plan (NAP).• Yemen Crisis.• Recent pressures and US President Trump's new policy.

Crisis handling in the absence of Parliament

- **Afghan War 1979-80s**

Pakistan's country policy with regard to the Soviet-Afghan war (1979-89) was developed solely and arbitrarily by the then President and dictator Gen Zia-ul-Haq, in the absence of the national parliament. Lacking in-depth and broad political consultation, consensus and collective national wisdom that only the representative forum of Parliament can provide, the policy entailed grave political, socio-economic, strategic, demographic, peace and security challenges for Pakistan, continuing till date.

- **Global war on terrorism 2001**

The Global War on Terror again targeting primarily the Afghanistan war theatre started in 2001. Pakistan's decision to join this war, the terms of engagement and national policy were developed by the then President and dictator Gen Pervez Musharraf without any directions, debate, assent, or role, of the Parliament.

This Parliament-national/foreign policy disconnect resulted in flawed, hasty and short-term approach to a matter that otherwise required Parliament-led consultative, deliberative, legislative and oversight approach based on both short and long-term national and geo-strategic policy guidelines.

The first Afghan war of 80s, and the Musharraf Era war on terror are examples of crisis situations response whereby either absence of parliamentary role, or its limited purview, during times of suppression, resulted in wrong decisions and faulty policies with disastrous ramifications, triggering a multitude of inter-state, intra-state and trans-state crises for Pakistan.

Crisis handling in the presence of Parliament

- **Successive Anti-terrorist Operations in Extremists concentrated areas**

The success of anti-terror military campaigns such as 2009 Operation Rah-e-Raast and Operation Rah-e-Nijat that targeted Swat and South Waziristan areas, to 2014 Operation Zarb-e-Azb that rid North Waziristan of terrorist elements, to the on-going 'Operation Radd-ul-Fasaad' that covers all of the country is inter alia rooted in the fact that these efforts had complete backing, support, deliberative collective wisdom and political consensus of the Parliament in the form of various resolutions, legislation and committee oversight.

The Parliament also played a front-runner role in putting in place a firm constitutional and legal framework through relevant constitutional amendments and new laws to address the threat of terrorism and extremism through legal dimensions as well. A National Action Plan had been chalked out which had crossed political parties, institutions, provincial lines or boundaries ownership.

- **Attack on Salala Check-post**

On 26th November, 2011 US-led NATO forces engaged Pakistani security forces at two Pakistani military check-posts, resulting in 28 casualties of Pakistani troops. This attack resulted in deterioration of relations between Pakistan and the United States. However, Pakistan Parliament played an exemplary role in addressing and diffusing the crisis situation that threatened to derail Pakistan-NATO anti-terror cooperation.

The Senate of Pakistan passed a unanimous resolution which denounced the attack and called it contrary to UN resolutions and international laws.

However, the most significant development -- and a first in Pakistan Parliament's efforts to evolve a specialized institutional framework for crisis response and management -- took place in the form of **Parliamentary Committee on Security**.

Following the Salala incident, a joint session of the parliament was convened on October 27, 2008. The session passed a joint resolution "calling for an urgent review of the national security strategy and revisiting the methodology of combating terrorism in order to restore peace and stability through an independent foreign policy".

The resolution also called inter alia for constituting "a special committee of parliament to periodically review, provide guidelines and monitor the implementation of the principles framed and roadmap given in this resolution."

As a result, the Parliamentary Committee on National Security was constituted for the period of November 2008-March 2012. The committee held a total of 63 meetings averaging at 16 meetings per year till March 2012

On 3rd December, 2011, the Committee endorsed the decision of the Defence Committee of the Cabinet to abstain from Bonn Conference to halt in NATO supplies and evacuation of the Shamsi Airbase. On 10th January, 2012, the Committee unanimously endorsed the cut in ground supply to US and NATO forces while disapproving use of Pakistani airspace.

The committee finalized a total of 16 "guidelines for revised terms of engagement with USA/ NATO/ISAF, and general foreign policy", and submitted the same to a joint session of the Parliament on March 20th, 2012.

The Committee recommended that the relations should be conditional on greater access to US and European markets, the transfer of civil nuclear technology and an agreement to assist Pakistan in overcoming its energy crisis.

On 3rd July, 2012 the then US Secretary of State Hillary Clinton officially apologized for the losses suffered by the Pakistani military. Subsequently Pakistan restored the NATO supply routes.

Pakistan's Parliamentary Committee on National Security is a good example of procedurally-innovative role model of close, productive and result-oriented coordination between the two houses of Pakistan Parliament in national crisis situations.

- **Peshawar School children massacre: National Action Plan (NAP)**

As an aftermath of the deadly attack on Army Public School, Peshawar in 2014 which claimed 141 lives, a National Action Plan (ANNEX A) was developed by the parliamentary parties as per a collective political consensus of the Parliament. This Plan was widely debated and discussed in the Parliament of Pakistan. This Plan, inter alia, identifies some of the steps which can be taken to prevent spread of violent ideologies.

- **Regional pressures and US President Trump's new policy statement**

The recent Afghanistan policy speech by U.S. President Donald Trump where he levelled wrong accusations against Pakistan and questioned its integrity in fighting terrorism in the region created a bilateral and inter-state crisis situation.

The first response this crisis situation was a unanimous voice in both Houses of the Pakistan Parliament, where parliamentarians rejected the Trump narrative and dubbed the accusations as baseless. However, it was Senate which played a role in crisis handling. The Chairman Senate on 23rd August, 2017 referred the matter to the Senate Committee of Whole constituted to “prepare policy guidelines in the light of emerging regional realities and the Role of United States. This committee, held extensive consultations with the Foreign Office and Defence Ministry, as well as the two respective ministers, and came up with initial parliamentary response guidelines – an initiative that is still evolving – which steered Pakistan's policy and diplomatic stance in the crisis situation.

Also all Pakistan Missions abroad were advised to share the Senate's guidelines and Pakistan's perspective on the evolving situation. Moreover, as per the guidelines, a meeting of Pakistan ambassadors posted abroad was convened in Islamabad to formulate a comprehensive diplomatic response. And finally, a meeting of the Parliamentary Committee on National Security was also convened to discuss the issue. The recent visits of the Foreign Minister to China, Turkey and United States are in tandem with one of the policy guidelines that was to initiate a regional diplomatic initiative in consultation with friendly countries

- **Yemen Crisis**

Unlike the dictatorial regimes where Pakistan became engaged in international crisis and conflict situations as per arbitrary decisions, the Yemen crisis proves an interesting comparison, whereby parliamentary intervention averted the possibility of any repeat misadventure.

In this regard, a joint parliamentary session was summoned on the Yemen crisis after the Saudi government approached Pakistan for assistance in the conflict that began after Saudi Arabia started conducting air strikes against Houthi forces in Yemen.

On day five of the joint parliamentary session on Yemen, lawmakers approved a draft resolution proposing that Pakistan "should maintain neutrality in the conflict so as to be able to play a proactive diplomatic role to end the crisis".

Following parliamentary guidelines, Pakistan avoided becoming entangled in a regional crisis situation, that otherwise could have entailed serious diplomatic and bilateral consequences for Pakistan.

Main Lessons

- All these case studies are examples whereby democratically elected parliament, through collective political wisdom and institutional consensus, efficiently and amicably handled the crisis situations with positive results.
- Individual dictator or solely Executive-led handling of crisis minus Parliament may bring about administratively quick response or temporary solutions for lacking broader vision and deep wisdom that only parliament can guarantee. The institution of Parliament, no matter how weak, can help bring about peaceful and mutually acceptable solutions to the crisis situations.
- Even where Parliament is working under Dictators after revival it has played different and defining role which has proved of great value and wisdom later. A case in point is that former Prime Minister of Pakistan Mohammad Khan Junejo, despite strong resistance and fierce opposition from military dictator and the then President Gen Zia-ul-Haq, authorized his Foreign Minister to sign and ratify the Geneva Accord in 1988. The crisis that the region is facing now and in fact many of the tragic incidents around the globe could have been averted if the freedom fighters of the Afghan Jihad in 1980s had been properly handled and channelized through in the spirit of Geneva accord instead of abandoning them or allowing them to continue fighting and later their rebranding as terrorists.
- Proactive role of the Parliament in crisis handling has two dimensional advantages. Firstly it helps executive of the country in sustaining undue pressure and not change policies on one telephonic call without taking the nation on board. On the other hand, the properly debated, deliberated and planned change of course by a nation is only possible through continuous Parliamentary involvement and leading role. Otherwise, the fight against terrorism or any societal menace remains cosmetic and temporary leading to contradictory scene and situation.

Constitutional Mechanism and Initiatives of Pakistan Parliament

For the proclamation of emergency, the Constitution of Pakistan sets out a detailed legal framework regarding when and how emergency on account of internal or external threats or war is to be imposed in the country. This ensures that these provisions are used only as a last resort, are expressly time bound, and aim to preserve and restore the original constitutional order after the emergency has lapsed². These provisions are set out in Section X, articles 232 – 237 of the Constitution of the Pakistan. **Article 256** forbids Private armies, stipulating that *“No private organisation capable of functioning as a military organisation shall be formed, and any such organisation shall be illegal.”*

The **21st Constitutional Amendment**, which provided for establishment of special trial courts following the tragic massacre of children in a terrorist attack on an Army Public School in Peshawar, was a somewhat bitter intervention on part of the Pakistan Parliament due to clash with fundamental rights. However, the Parliament ensured through incorporation of Sunset Clause in the Amendment that the Special Courts would be a time bound intervention for a period of two years only, after which their continuity was subject to re-approval of the Parliament. With the expiry of the sunset clause of the 21st Constitutional Amendment on January 07, 2017, the Government and the opposition parties reached an across the-board consensus on March 16, 2017 to revive Military Courts for another two years. The two-year sunset clause also aimed at allowing the Government and the Parliament to institute necessary reforms to strengthen the legal system to adequately and effectively manage challenges of terrorism.

With regard to addressing the crisis of terrorism and extremism that constitute intra, inter and trans-state challenges, Pakistan Parliament has taken significant constitutional measures in form of several acts, ordinances and amendments to augment our legal framework against this challenge.

In addition, Pakistan Penal Code, Suppression of Terrorist Activities (Special Courts) Acts (1974 to 1997), The Anti-Terrorism Acts 1997 and its related Amendments, Anti-Money Laundering Act 2010, Counter-Insurgency (In Aid of Civil Power) Regulations 2011, Anti-Terrorism (Amendment) ordinances, and Protection of Pakistan Ordinances are some of the examples of the legal interventions taken by Pakistan Parliament to address this enduring crisis. (The Detailed List of Acts, Laws, Ordinances and Amendments are annexed)

Similarly, the **National Action Plan** (NAP 20 points **Annexed as “A”**), Pakistan’s premier anti-terror policy compass, has been evolved with the consent and involvement of the political parties having representation in the Parliament.

² Giorgio Agamben, State of Exception, 2003,

Use of Parliamentary Procedural Devices and Tools

In addition to constitutional amendment and new or amended Legislation, provisions, Pakistan Parliament has also used specific parliamentary procedures devices and specially-developed tools and structures that address internal, external crisis and transnational crisis.

During the past 10 years, starting from a fully civilian democratic elected Parliament in 2008, the Parliament of Pakistan had played very important role on different occasions in a variety of crisis situation. The ones being highlighted here are those related to the issue of terrorism. The first and most important is the formulation and ownership of a policy whereby a number of areas in the control and influence of Taliban were got vacated through different operations conduct by the braved Armed forces of Pakistan. These included South Waziristan operation which involved planned shifting of millions of people from the infected areas and destroying of all hideouts and areas in the control of Taliban.

The Parliamentary Committee on National Security and Pakistan Senate's Committee of the Whole initiative are procedural tools specifically conceived to shape and amplify parliamentary response in crisis situations in both pre-emptive and reactive scenarios.

While the Parliamentary Committee on National Security is a unique example of parliament's emergency and prompt response mechanism in national security crisis situations on both internal and external fronts, Pakistan Senate's Committee of the Whole House has set new benchmarks in strengthening and expanding parliamentary role in addressing key challenges on account of bilateral relations, institutional harmony, reforms in underdeveloped areas, speedy justice etc.

Towards addressing Intra-state crisis, Pakistan Parliament's crisis response matrix includes tools and devices such as Constitutional Framework on Fundamental Rights, Anti-terror Legislation, Senate Committee of Whole, Public Petitions Table of Pakistan Senate, Parliamentary hearings.

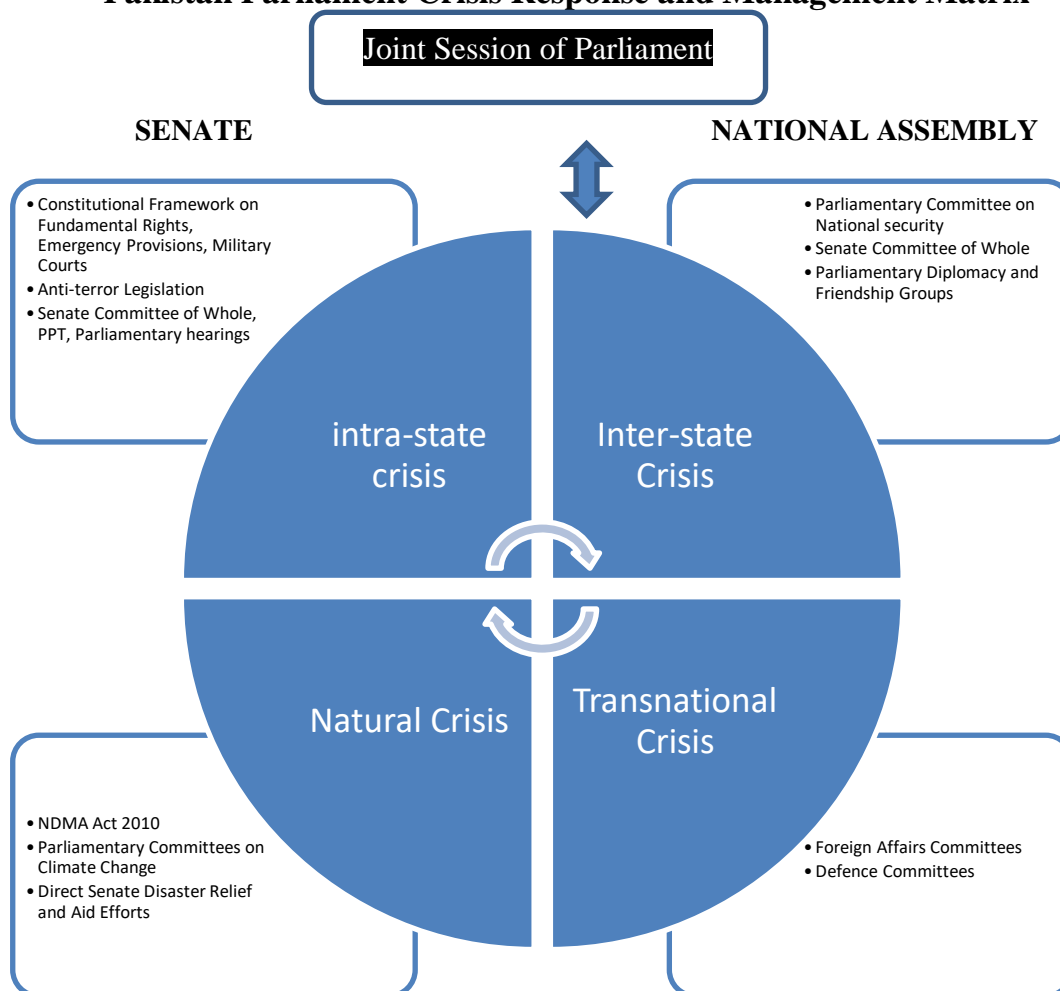
Towards addressing all types of inter-state, intra-state, transnational and natural crisis, the Joint Session of the Parliament is an important and effective crisis response mechanism of the Pakistan Parliament.

Towards addressing inter-state crisis, the tools include Parliamentary Committee on National security, Senate Committee of Whole, Parliamentary Diplomacy and Parliamentary Friendship Groups.

Towards addressing Natural Crisis, the tools developed by the Pakistan Parliament include the National Disaster Management Act 2010, Parliamentary Committees on Climate Change, and Direct Senate Disaster Relief and Aid Efforts.

Towards addressing trans-national crisis, the crisis response parliamentary devices include Committee of Whole, Foreign Affairs Committees of the two Houses, Defence Committees of the two Houses.

Pakistan Parliament Crisis Response and Management Matrix



Procedures

In Plenary:

- Debate and discussion (on agenda or Adjournment Motions).
- Statement / response of government by Minister.
- In camera Question Answer session with civil and military intelligence and law enforcing agencies.

Output: Resolutions (by individual House or Parliament).

In Parliamentary Committees:

- Interactive session, hearings, documents, briefings, inviting government agencies and experts.

Output: Report of the Committee to be adopted by the House.

In Committee of the Whole:

- Senate Committee of the Whole on “Emerging Regional Situation and Role of USA”

Output: Report of the Committee containing policy guidelines – adopted by the House implementation to be reported back.

Pakistan Parliament's Crises Response mechanism: Terrorism as a Case Study

Terrorism today is a global concern, and is not geographically limited. For Pakistan, the dimensions of terrorism are intra-state, inter-state, as well as trans-state. The *Intra-State* aspect for terrorism has profound meaning to Pakistan which is fighting terrorism on the front lines, and most importantly, is itself a victim on home soil. This fight against terrorism has seen its share of legislative and parliamentary evolution where various laws have been passed not just to facilitate the fight against terrorism, but also to prevent members of the Pakistani society from becoming a part of any terrorist groups due to any form of demographic vulnerability.

The **inter-state** and **trans-state** repercussions of terrorism are of equal importance, and need to be addressed through multilateral consultations. For this purpose, the Senate of Pakistan, through its involvement in the Asian Parliamentary Assembly (APA) and Inter-Parliamentary Union (IPU), has taken up the issue to address its root causes and devise plans of action. This is backed by several APA resolutions, declarations, and has been taken up as agenda items by the APA Standing Committees.

Parliament of Pakistan has openly denounced terrorism and has declared it as the biggest internal threat to peace. Pakistan has always, and continues to reject any and all claims that consider state involvement in any kind of terrorist activity inside and outside of the country. Most importantly, Pakistan also faces undue international pressures regarding the same, which adds insult to injury.

- **Legislation:** In the last few years Pakistan has passed a number of antiterrorism laws, including the National Counterterrorism Authority Act, 2013, the Investigation for Fair Trial Act, 2013, the Protection of Pakistan Act of 2014, and several amendments to the Anti-Terrorism Act of 1997. These laws also lay down the details of punishments for acts of terrorism, which include a death penalty for any act of terror that causes the death of another person. A complete list of terrorism related legislation is **Annexed as "B"**.
- **The Pakistan Penal Code:** Sections 121, 122, 124, 124-A, 131, 402-B and C, and 436, all deal with terrorism related crimes, and lay down strict punishments.
- **Resolutions:** Numerous Resolutions have also been adopted by the Senate from time to time against acts of terrorism, denouncing such actions as unacceptable. In fact, almost every act of terrorism is condemned in the Senate by adopting a resolution. On a regional and international level, the Senate of Pakistan, through its involvement in the APA and IPU has been party to several resolutions on terrorism, and its geo-political effects regionally. These include, the APA/Res/2014/03- Denunciation of Terrorism and Violent Extremism, APA/Res/2015/03- Deploring Acts of Terrorism and Violent Extremism, APA/Res/2013/04 - Asian Parliaments against Terrorism and Foreign Occupation.
- **Use of Traditional Parliamentary tools:** In addition to parliamentary committees, traditional Parliamentary tools, such as special debates under Motion 218, resolutions, questions etc. have proven to be extremely effective in ensuring comprehensive oversight of the executive branch, especially in light of the ongoing offensive against terrorism in Pakistan.

These tools have not only allowed Parliament to remain informed of all progress, but have also allowed Parliamentarians to contribute and direct the course of anti-terrorism efforts. These have also been instrumental in curbing the activities and funding of proscribed organizations in Pakistan, and in keeping their activities in check.

- ***Consensus Building by Parliament:*** Pakistan Parliament has specifically focused on fighting and eliminating terrorist elements by initiating and continuing national policy dialogue and consensus building. The National Action Plan, the 21st Constitutional Amendment, and Initial Response to the US President's Trump's Afghan-South Asia Policy Statement are milestones in Pakistan Parliament's anti-terror strategy, which became possible only as a result of hectic political consensus building on the floor of the parliament.

In this regard, special House debates, committee meetings and coordination between and within the two Houses, as well as between treasury and opposition benches played a major role in creating a national policy response to the crisis through a harmonious and joint effort.

- ***Pakistan Parliament- A Centre-Stage for Building Counter-Extremist Narrative:*** Pakistan Parliament has also initiated the novel initiative to turn itself into a hub of building counter-extremist narrative. On 18th September, 2017, the Senate under a motion commenced discussion regarding the alternate narrative to curb militancy as envisioned in the National Action Plan.

Members from both Treasury and Opposition benches agreed on the need for developing an alternate narrative. They identified that this is a battle of ideas and the aim should understand the factors which promote militant mind set. The members suggested on the need for reforms in the curriculum, effective utilization of media (TV channels), collaboration among various segments of society and better implementation of laws regarding banned outfits.

It was also suggested that an alternative narrative be developed after consultation with all parliamentary parties drawing inspiration from the speeches of the founding father Quaid-e-Azam Muhammad Ali Jinnah on tolerance and the Constitution of Pakistan. Furthermore some members of the Senate were of the opinion that this matter is referred to the Committee of the Whole where it could be further deliberated upon and a set of policy guidelines be developed.

Recommendations

1. The UN, multilateral organisations, and Think Tanks and Media must accord more recognition and space to the role of Parliament in addressing crisis situations.
2. IPU must strive for developing institutional mechanisms at the UN to facilitate enhanced Parliamentary representation, and engagement in UN Debates and proceedings relating to crisis resolution.
3. In addition to constitutional and legislative Interventions, Parliament must strive to conceive and bring into use specialised procedural; devices and tools such as Special Committees and Forums for crisis resolution.

20 Points of the ‘National Action Plan’- developed by the Pakistan Parliament

- After the Peshawar incident, government decided to proceed with the execution of extremists convicted in terror related cases. The Government has already started implementation.
- Special courts, headed by the officers of the armed forces, will be established for the speedy trial of terrorists. These courts will be established for a term of two years.
- Formation of armed militia will not be allowed in the country.
- National Counter Terrorism Authority will be revived and made effective
- There will be a crackdown on hate-speech, and action will be taken against newspapers, magazines contributing to the spread of such speech.
- Financial sources of terrorists and terror organisations will be cut.
- Banned outfits will not be allowed to operate under different names.
- Special anti-terrorism force will be raised.
- Measures will be taken to stop religious extremism and to protect minorities.
- Madrassas will be regularised and reformed.
- Print and electronic media will not be allowed to give any space to terrorists.
- Keeping the rehabilitation of IDPs as the top-most priority, administrative and development reforms in FATA will be expedited.
- Communication systems of terrorist organisations will be destroyed.
- Social media and the Internet will not be allowed to be used by terrorists to spread propaganda and hate speech, though exact process for that will be finalised.
- Like the rest of the country, no space will be given to extremism in any part of the Punjab.
- Operation against terrorists in Karachi will be taken to its logical conclusion.
- In the interest of political reconciliation, Baluchistan government will be given complete authority by all stakeholders.
- Elements spreading sectarian violence will be prosecuted.
- Comprehensive policy will be formed for registration of Afghan refugees.
- To give provincial intelligence agencies access to communication of terrorists and to strengthen anti-terror agencies through basic reforms in the criminal justice system. Constitutional amendments and legislation will be carried out for this purpose.

Historical Overview: Counter Terrorism Legislation in Pakistan

- ***Pakistan Penal Code 1860:*** Terrorist related crimes were dealt under the provisions of Pakistan Penal Code 1860 (PPC) which contained offences of waging / attempt to / wage or abetment of waging war against Pakistan (Section 121 PPC), collection of arms etc. with the intention of waging war (Section 122 PPC), assaulting President, Governor etc. (Section 124 PPC), Sedition (Section 124-A PPC) and Mutiny (Section 131 PPC, High-jacking (Section 402-B and C of PPC and Mischief (Section 436-PPC)). These sections of law still form part of the Pakistan Penal Code.
- **Suppression of Terrorist Activities (Special Courts) Acts (1974 to 1997):** History of special legislation regarding terrorism in Pakistan starts with the legislation of Suppression of Terrorist Activities (Special Courts) Act 1974. Thereafter, Special Courts for Speedy Trial Ordinance 1987, Terrorist Affected Areas (Special Courts) Ordinance 1990, Special Courts for Speedy Trials Ordinance 1991 and Special Courts for Speedy Trials Act 1992 were promulgated /enacted.
- **The Anti -Terrorist Act 1997 and Amendments:** Efforts were continuously made for improvement of these laws and finally after the repeal of these laws of 1974 to 1992 from time to time, the FOLLOOWING Amendments were made by the Parliament of Pakistan.
 - Anti-Terrorism Act No. XXVII of 1997
 - Anti-Terrorism (Amendment) Ordinance IV of 1999
 - Anti-Terrorism (Second amendment) Ordinance XIII of 1999
 - Anti-Terrorism (Amendment) Ordinance XX of 1999
 - Anti-Terrorism (Amendment) Ordinance XIX of 2000
 - Anti-Terrorism (Amendment) Ordinance XXIX of 2000
 - Anti-Terrorism (Amendment) Ordinance XXXIX of 2001
 - Anti-Terrorism (Amendment) Ordinance VI of 2002
 - Anti-Terrorism (Amendment) Ordinance CXXV of 2002
 - Anti-Terrorism (Amendment) Ordinance CXXXIV of 2002
 - Anti-Terrorism (Amendment) Act X of 2004
 - Anti-Terrorism (Amendment) Act 2004 (Act II of 2005)
 - Anti-Terrorism (Amendment) Ordinance XXI of 2009
 - Anti-Terrorism (Amendment) Ordinance I of 2010
 - Anti-Terrorism (Amendment) Act, 2013
 - Anti-Terrorism (Amendment) Ordinance, 2013

- **Special Courts and Protection of Judges & Witnesses**
- **Anti-Money Laundering Act, 2010:** This Act was enacted for the prevention of money laundering, combating financing of terrorism and forfeiture of property derived from, or involved in money laundering or financing of terrorism or for matters connected thereto.
- **Counter Insurgency (In Aid of Civil Power) Regulations 2011:** This regulation was specifically meant to curb the menace of terrorism especially in areas of FATA and PATA where the armed forces have been called in aid of civil administration. This regulation also provides mechanism of keeping the suspects in custody as internees.
- **The Investigation for Fair Trial Act, 2013:** This was enacted to prevent the Law Enforcement and Intelligence Agencies from using their powers arbitrarily and also to provide for their permissible and fair uses in accordance with law. Rules have been framed under this act.
- **Anti-Terrorism (Amendment) Ordinance, Ordinance VII of 2013:** It deals with Detention issues, JITs composition under SP, Faceless trials and through video Links, Witness Protections Programs are allowed.
- **Anti-Terrorism (Amendment) Ordinance, Ordinance VIII of 2013:** It is to ensure Compliance of FATF (Financial Action Task Force) to counter Terrorism Financing and allowing for taking action against properties/assets of proscribed organisations involved in the terrorist activities.
- **Protection of Pakistan Ordinance, 2013:** This was enacted to provide for protection against waging of war and prevention of acts threatening the Security of Pakistan and also for the speedy trial of offences falling in the schedule annexed with this Ordinance. Rules have been framed under this act.
- **Protection of Pakistan (Amendment) Ordinance, 2014:** This is enacted to introduce the concept of enemy combatants and addressing the issues of missing persons. Under the constitutional limits, it gives authority to LEAs to detain suspects for longer period of time.