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# Betwixt and Between: The FATA Reform Process and the ChinaPakistan Economic Corridor

Pakistan offers very unique political culture featured by deeply entrenched security-dominated worldview and concrete processes of behaviours in all spheres of the country's politics. One of the most remarkable characteristics of Islamabad's official rhetoric is the persistently formulated claim of the existence of a 'foreign hand' in all kinds of the internal issues. However, there are clear indications that most of these flashpoints are of colonial origin and/or are 'homemade'. The unfortunate trajectories present in the Federal Administered Tribal Areas (FATA), Pakistan's most fragile, underdeveloped, and war-torn areas, can be seen as an example par excellence of how conflicts inherited by former colonial ruler turned worse due to a bad governance, geo-political considerations, and partisan economic interests of the national elite after gaining independence. However, in order to reverse these unfortunate trajectories within the FATA, it seems that the so-called establishment is finally convinced to carry out a substantial and sustainable reform for this disadvantaged region. But this is only a part of the whole story. It can be argued that the current FATA reform efforts must be put in a correlation with the ongoing China-Pakistan Economic Corridor (CPEC) implementation. In addition, the FATA reform process is not only about reconciliation, reconstruction, improvement of the social and economic conditions, and political transformation of the area into a 'post-conflict scenario', but it is also about 'making FATA fit for CPEC'. In other words, the reforms have to make sure that FATA will not become a roadblock for an effective implementation of the envisaged economic corridor.

Keywords: Pakistan, FATA, CPEC, KPK

## **Introduction: Contextualizing of FATA and CPEC**

The China-Pakistan Economic Corridor (CPEC), a multi-billion dollar infrastructure investment project, is heralded as a 'game changer' for the Pakistan's economy and regional cooperation (Daily Capital 2015, October 2; Fazil 2016, May 29; Sahgal 2015, April 24). Being a crucial part of a major development initiative led by China, known as 'One Belt, One Road' (OBOR), to connect Asia with Europe, Africa and the Middle East, the CPEC is much linked to the hopes and interests, as well as to the regional and global geopolitics (Ze 2014). However, such megaproject raises numerous questions, especially in regard of its feasibility (Wolf 2016, June 28). In order to achieve the implementation and smooth functioning of this mega-development project and to keep the flow of the respective Chinese investment going, three major pre-conditions have to be clearly addressed by the Pakistani government (Wolf 2016, June 28; March 16): Firstly, as China and other potential foreign donors require a terror and insurgency free Pakistan, peace, security and stability need to be achieved in the country and, in particular, in the areas hosting the CPEC infrastructure as well as other related projects.

Secondly, creation of a healthy political environment, within which decision-making can draw on national harmony and consensus as additional source of legitimacy for a project which will have tremendous impacts on every sphere of the people's life. In other words, domestic political rivalries, as well as unregulated and unrestricted struggles over distribution of the CPEC projects, resources and revenues, must be solved or avoided. Thirdly, efforts have to be made to achieve maximum connectivity for CPEC, and thus to open up the project for other neighbouring countries, especially Afghanistan (westward orientation) and India (eastward orientation). In some directions, Pakistan already underwent several substantial changes in order to fasten the CPEC development process. However, until now, Islamabad was not able to address the core demands to Beijing, such

as the creation of a favourable environment for the CPEC featured by national consensus and security.

One of the greatest hurdles is the social, economic and political situation in the Federal Administered Tribal Areas (FATA), the country's most fragile, underdeveloped and neglected area in Pakistan (Zissis/Bajoria, Jayshree 2007, October 26). Even if the FATA territory does not represent a major constituent of the CPEC, all the developments – positive and negative – will have a crucial impact on the overall implementation and functioning of the CPEC. Therefore, the challenge of brining this area at par with the rest of the country must be seen as a *sine qua non* condition for a successful implementation of the CPEC project. In order to address this task, the government of Pakistan initiated a reform process for the FATA which will be here in *focus*.

#### The CPEC Project: What does it mean for FATA?

In theory, the advantages of the CPEC and its related projects could be manifold. From an economic point of view, the FATA would have a unique chance to receive significant amount of foreign capital. In other words, the CPEC comes at a time when there is a surge of major investments in Pakistan (Chang 2014, December 10) and in the FATA in particular. Through the integration of FATA into the CPEC and the successful implementation of the respective projects, the tribal areas can hope to improve their infrastructure (mainly roads and railways), energy situation, and to generate a positive spill-over effect in all other economic sectors (Khan 2015, January).

In this context, through building up the specific economic zones, FATA would not only become a part of a transit route for important commodities and raw materials, but it would also benefit from industrialisation and from the new manufacturing hubs. These hubs could then boost FATA's underperforming economy and create new opportunities for

entrepreneurs (Brunner 2013). In addition, the CPEC would also help to effectively address the problem with the unemployment in the underdeveloped region.

There is no doubt that the above mentioned economic opportunities would significantly influence the whole spectrum of the political and social life in the region. One may expect that both improvement of the relations between the FATA and other provinces and regions, together with better centre-state relations (Iqbal 2015, May 25), could possibly be achieved in future. Plus, a successful implementation of the CPEC would also improve the capacities of the central (civilian) government and its credibility among the local habitants. These two potential factors could effectively contribute to strengthen the governance of the FATA region. All this could potentially lead to a new international status and better regional standing of Pakistan based on the emergence of a 'new economic self-confidence'.

What is more, the Pakistani security establishment could also reassess its relationship with its neighbours, due to which the bilateral ties could be much improved in the future. Against this backdrop, FATA would certainly benefit from stronger economic and political cooperation with Afghanistan too. In addition, opening up of the CPEC towards India would boost India-Afghan trade via FATA. Last but not least, the extraordinary growth predictions will generate positive results for the common people (Rafi 2015, April 29). In this context, there is a great hope that the subsequent improvement of the living conditions would also help to eliminate the political radicalisation, Islamisation, militancy, and jihadism. Briefly speaking, the CPEC might also help with the eradication of the terrorism in Pakistan. However, the realities look quite different.

#### The FATA Reform: An Assessment of the Current Process

In order to address the ongoing challenge of the effective integration of the FATA, the 2016 Reform Committee has been established. The five committee members – headed by the Special Advisor to the Pakistani Prime Minister on Foreign Affairs, Mr. Sartaj Aziz – were

nominated on November 3, 2015. The Committee identified four different options (GoP 2016, August) for reforms related to the future status of the FATA:

- I. To maintain the status quo, to introduce judicial/administrative reforms and to increase focus on the development activities;
- II. To create the FATA Council on the pattern of the Gilgit Baltistan (GB);
- III. FATA to become a separate province;
- IV. To merge FATA with Khyber Pakhtunkhwa.

By mapping and assessing these four potential scenarios, the Committee as well as many analysts are aware of the fact that they have to take the following major determinants into account: Firstly, that the old 'political agent system' will not be able to remain. Secondly, after the weakening of the old political-administrative system and the traditional decision-makers, the eradication of the parallel institutional structures of the militants, and the (upcoming) withdrawal of the Pakistan Armed Forces, FATA will be featured with a power vacuum. Thirdly, FATA needs to develop a new system of governance to administer the area, and such decision should be made by the tribal communities themselves via referendum organized in each tribal area (IPS 2016).

In order to make any of the new or reformed systems of governance within the FATA work, it is crucial to address the above mentioned determinant, and for that, there is an obvious need to ensure the local ownership and to achieve law and order. In fact, the enthusiasm and efforts to implement reforms within the FATA might seem as nothing new. However, a critical juncture was represented by the extension of the Political Parties Act (NDI 2011, August 15), and Adult Franchise to the FATA (Ali 2014, July 6), which resulted into greater political awareness and activism. As a result, various political and social groups including several political parties, the FATA diaspora, students and professionals, became active and started a campaign for the FATA reforms. Furthermore, the mass exodus (emerged in

reaction to the terror and counter-terror actions) and subsequent return of the FATA people back to their homeland, played a significant role in raising the demand for reforms too. Moreover, a new generation of tribal leadership with a progressive mind-set emerged in the region and started expressing interests for further reforms. In result, not only the call for reforms, but also realizing that any solution regarding the future of FATA needs to include the decision of the tribal communities themselves, and thus it must be clearly articulated. However, in regard of the official report by the FATA Reform Committee, it seems that the central government and also a significant part of the tribal communities favour the integration between the FATA and neighbouring Khyber (Pakhtunkhwa KPK), one of the four provinces of Pakistan (Mitra/Wolf/Schoettli 2006).

The rationale given by the 'pro-merger faction' is that the individual agencies have their own economic, social and cultural links with the adjoining districts of KPK. Furthermore, FATA and KPK already established several administrative linkages as well as infrastructure (GoP 2016, August). In contrast, the report pointed out that the vertical connectivity between the Agencies in the FATA region is more or less non-existent. Moreover, the statements by the Committee claim that there are severe doubts about the ability of the FATA Agencies 'to generate the required resources and trained manpower' to run the whole region as a separate province. In addition, there are certain concerns that the set-up of the FATA as a separate political-administrative entity could lead to the loss of 'the current advantages of its connections with KPK' (GoP 2016, August). Taking these concerns into account, merging FATA with KPK in the context of the CPEC development present several opportunities as well as challenges:

#### Problematic decision-making and Democratic deficit

Clearly, the report indicates a 'democratic deficit' within the FATA reform process. Briefly speaking, the whole attempt of the political rearranging of the tribal areas can be described as purely elite-driven process featured by the mechanism of consulting and bargaining

between the national and local elites. Having this in mind, one must agree that there are certain critics claiming that the Committee lacks any representation from the region itself (IPS 2016). The trigger of the controversy is that the Committee was nominated by the federal government – by the Prime Minister Nawaz Sharif himself – and not chosen by the local people (IPS 2016). This is quite surprising, since Mr. Sharif emphasizes that 'the future of FATA will be decided according to the aspirations and wishes of the people of those areas' (PMO 2016, August 26). As such, it became obvious that any decision imposed on the local people of the tribal areas will lack ownership and subsequently support. In result, any 'reform' which lacks the local ownership and legitimacy accepted by the tribal people will be most likely contra-productive and will at least provoke resistance. Strictly speaking, the people of FATA should be given the right to hold a referendum in order to express their vision of the future political and socio-economic trajectories of their region. Unsurprisingly, this aspect gains significance especially in the context of the CPEC development because, as mentioned above, China made clear that the overall harmony and consensus in the country has to be achieved. Besides, it is highly unlikely that the CPEC will run smoothly in the long run when there will remain some unresolved issues between the local population and the central government.

However, currently there are no concrete signs that the central government in Islamabad is willing to organize such referendum. Instead, the Committee is convinced that the best vehicle to 'ensure acceptability of the Reforms' will be 'to take recourse via the Parliament' (NAS 2016b, September). Subsequently, the final report of the Committee has been presented to the Prime Minister Nawaz Sharif for onward approval by the Cabinet and then to be tabled in the National Assembly. In addition, the document was sent to all the chief ministers' offices and to the chiefs of all the army forces for their feedback. The recommendations of the Committee are displayed through the Prime Minister Secretariat's website. The Ministry of States and Frontier Regions (SAFRON) has been asked to be prepared to deal with it. Moreover, the above mentioned institutions are also supposed to

call for and collect public feedback (Khan 2016, August 28). However, holding a referendum, the most important procedure of all, is not going to happen so soon.

### Bridging the gap in capacities, resources and skills

There is an argument that the merger of FATA with KPK would help to bridge the present lack of the capabilities and skills among the tribesmen to run their own provincial government, and it would also better the implementation of the major development projects organized by the local people themselves. Apart from the fact that the local people have enough qualified human resources among themselves to run their own state of affairs, it is out of question that the actual institutional structures are severely weakened, and that most of the population is still internally displaced (Mahr 2016, March 16). In this context, it is stated that KPK possess relatively well established administrative structures (compared to FATA) and these structures could be easily extended into the tribal areas (GoP 2016, August) – instead of building-up a new ones from the scratch – and would help to improve the process of the administrative mainstreaming. In sum, the KPK administration could fill these gaps with its institutional capabilities and human resources, and make sure that FATA will not only be merged with KPK, but will also be integrated into the CPEC project. Such a scenario would not only help KPK and FATA to deepen their existing linkages, but it would also boost the process of the reconstruction within the FATA itself, which is probably the most important aspect of all as the large segment of the tribesmen 'want the rehabilitation and reconstruction of their houses, shops and infrastructure before any major political reforms are initiated' (GoP 2016, August). In this context, on should mention that China already pledged 129 billion USD to ensure a successful repatriation of the displaced people back to their homes in FATA and to build up necessary facilities in order to improve the social and economic conditions (NAS 2016a, September).

Enhanced inter- and intra-regional connectivity

It is argued that the integration of FATA into the CPEC development schemes, and especially the subsequent building up of the infrastructure and establishment of the Special Economic Zones (SEZs), would help to create the connection between various agencies. Furthermore, with integrated infrastructure, stable political and security environment (terror-free), FATA would be able to provide extraordinarily useful 'mini-corridor(s)', and would thus improve the bilateral trade and economic cooperation between Afghanistan and Pakistan, which would of course increase the overall effectivity of the CPEC.

However, in order to improve the connection between both countries, the security within the FATA region must be fully achieved. This not only requires the normalization of the relations between Kabul and Islamabad, but also the implementation of the effective border management mechanisms in order to undermine cross-border terrorism. However, until now, the attempts to establish any kind of the border control already created several conflicts between the two South Asian states, even armed confrontation, like the exchange of fire at the border town Torkham in June 2016 and the following dispute over the construction of a barbed wire fence (Joshi 2016, June 21). Besides that, by following this line of argumentation, what should also be highlighted here is that the CPEC project has the potential to create enough economic performance and financial resources that it could allow FATA to operate as a separate province. In fact, this gained attention of many observers, since there are certain concerns that the KPK government 'may not be able to spare adequate financial resources for the speedy socio-economic development of FATA' (GoP 2016, August). As such, one could state that a successful implementation of the CPEC featured by an effectively integrated FATA, might abet critics of the 'FATA-KPK merger option' to raise their demand to create a separate province for the tribal area. Nevertheless, the current relations between New Delhi and Islamabad worsen again after the Pakistanbased terrorists – acting for the 'good will' and obviously supported by the Pakistani state – attacked the Indian military base located in the Jammu and Kashmir near the small town of Uri (the third major attack in 2016) on September 18. Consequently, both India and Afghanistan (besides Bangladesh and Sri Lanka) decided not to join the upcoming SAARC meeting that was supposed to be held later in Pakistan. Occasions like this will most probably worsen the opportunity for the regional connectivity of the CPEC, and it will also have negative effects on the FATA's opportunities for economic development and trade. Moreover, it will reduce the opportunity of the area to become a strategically well-placed border region as well.

#### Rising regional leverage in FATA of the central government

Besides the economic considerations regarding the future of FATA, there are no doubts that the 'merger option' will happen at the expense of the introduction of more federalism in Pakistan. Furthermore, the report is obviously formulated in an old rhetoric of the national elite, which causes couple of problems as the tribal communities live in remote areas, are often uneducated and still stuck in the 'clutches of an old outdated system' (Daily Times 2016, September 8). The process of how the Committee was set up and how does the concrete decision-making currently works confirms the statement mentioned above. The integration of FATA into KPK does not refer to mainstreaming the region by bringing it at par with other provinces, but it actually means to bring the region under the control of the central government. In addition, for the smaller provinces of Balochistan and KPK, it is already highly unlikely to ensure their own, regional interests, vis-à-vis the central government in Islamabad. Being integrated into KPK, it will be even more difficult to formulate and induct their regional interests into the political-decision making and to get successfully recognized.

#### Final Thoughts

In sum, the idea of integrating FATA into KPK is primarily aimed at the successful establishment of the CPEC. The proclaimed goal by the central government of bringing FATA at par with other provinces regarding the political rights and socio-economic

indicators must be described as an element of a much larger development strategy. Having said this, it must be highlighted that there are several decisions made by the central government aiming to gain control over the area but not to grant remarkably more political leverage in the national or regional state of affairs to the local people. The fact that the Committee (working on behalf of the central government) creates recommendations for the potential FATA reforms with support from the selected local elites (which would of course benefit the FATA's incorporation into CPEC) strengthens the idea of merging FATA with KPK. However, by shifting all other potential options and by exclusion of the common tribal people away (for example by ignoring a public referendum as decision-making mechanism) will not help to calm the situation in FATA.

In contrast, it will have most likely severe consequences for Islamabad, since it shows one time more that is not able to ensure domestic stability and security in areas of conflict-driven areas as well as to work out a national consensus and harmony. Both factors, security and peace are non-negotiable pre-conditions for the successful implementation of the CPEC project. In this context, the case of Sri Lanka shows how political conflict between different political factions (namely the new democratic government and the followers of the former authoritarian regime), over the allowance and implementation of the large Chinese infrastructure investment projects (Hambantota Port and international airport), have the potential to easily turn much promising 'economic game changer' into white elephants (Pattanaik 2015, June 5; Wolf 2013, March 24).

At the moment, it seems that the Pakistani leadership is either unaware of such potential scenario, or is just ignoring it. However, China will definitely monitor the development of its economic corridor projects very carefully. Being less enthusiastic about the BCIM-EC, it is not astonishing that Beijing also actively cooperates with Iran in order to build up the infrastructure that would be able to offer access to the Middle East and Europe by land and sea. In view of this, Pakistan has to realize that the CPEC will not be able to function well

with unstable FATA, and hence needs to develop a healthy relationship with the local tribal communities. However, the way how the actual FATA reform process is operationalized seems rather deconstructive and gives a grim perspective for the FATA political future and successful economic integration in the CPEC. To conclude, it will be extremely difficult for the civilian society as well as for the military establishment of Pakistan to keep blaming the country's unfortunate historical patterns determined by the disadvantageous colonial legacies and/or foreign hands, when the current FATA reform process is rather enhancing grievances and instability instead of ensuring harmony, local ownership and security.

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