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**RESEARCH PAPER**

**The Genesis and Development of Anti-Terrorism Policy in Pakistan:  
A Historical Context**

**Dr. Sharaf Ali**

Associate Lecturer, Department of Political Science & I.R., University of Gujrat, Punjab,  
Pakistan

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**\*Corresponding Author:** shaarif.ali@uog.edu.pk

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**ABSTRACT**

This paper reviews the historical evolution of the anti-terrorism policy in Pakistan and it discussed the socio-political context which necessitated the various changes into the anti-terrorism laws and policies i.e. in the historical context. After providing a detailed review of the evolutionary context for the anti-terrorism policy in Pakistan, this study has also highlighted the prospects and challenges which Pakistan has faced regarding the successful implementation of anti-terrorism policy in i.e. in the past. The study has mainly used the descriptive research design and it has used the secondary data for achieving the objective of this study. It is concluded that most of the changes into the anti-terrorism policy of Pakistan were brought with political haste and under the pressure of the international powers and Pakistan lacked the institutional capacity to implement the anti-terrorism policy. It is recommended that for the successful implementation of the anti-terrorism policy Pakistan need to thoroughly review her investigation, prosecution and adjudication departments of the prevalent criminal justice system otherwise any changes to the mere document of the policy would not bring any result.

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**KEYWORDS** Anti-Terrorism Laws, Anti-Terrorism Policy, NAP-2014, NAP-2021, National Action Plan

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**Introduction**

Pakistan is one of those countries around the globe which were facing the menace of terrorism even prior to the formal outbreak of international war against terrorism e.g. even before the unfortunate incidents of 9/11. Although Pakistan has played the role of a 'front-line state' in the post-9/11 international war against terrorism, but it was not up till the unfortunate Army Public School incident in Peshawar (on December 16, 2014) when finally, a national level consensus was developed for crafting some solid/serious state level anti-terrorism policy. To materialize the aforesaid policy objective, on December 24, 2014, the parliament of Pakistan- quite haphazardly -approved a 20-point National Action Plan (would be referred as NAP- 2014).

In fact, the NAP-2014 was the second national level policy document e.g. to deter terrorism which was introduced after the National Internal Security Policy (NISP-2014), the first anti-terrorism policy document in Pakistan. After the six years of effective (since, it is quite difficult to claim it as fully successful) implementation of NAP-2014, the government of Pakistan has launched a revised/updated version of the anti-terrorism policy which is termed as NAP-2021. The aforesaid revised draft of the NAP-2021 is comprised of 14 points in total, which means the core policy objectives initially introduced through NAP-2014 are revised e.g. as per the prevalent security conditions in country, and some of the old policy objectives are removed by inserting some fresh goals.

In backdrop of the above given facts, this study has endeavored to revisit the historical evolution of the anti-terrorism policy in Pakistan. Further, the study aimed to evaluate the still ongoing implementation of the NAP. For accomplishing the aforesaid purposes of this study, the researcher has adopted the historical-descriptive approach. This study has attempted to pen down the various anti-terrorism laws and respective policy initiatives taken by different regimes along with the respective institutional responses e.g. from the Supreme Court of Pakistan or civil society to such policy initiatives, and vice versa. The study provides a critical review of the various historical developments regarding the evolution of anti-terrorism policy viz-a-viz the issues pertaining to the implementation of the respective anti-terrorism laws/policies e.g. resulting due to their respective implementation.

### Literature Review

During the 1970s, the government of Zulfikar Ali Bhutto faced turbulent political opposition and nationalist movements in NWFP and Baluchistan, responding to which his government decided to undertake all necessary steps to suppress the political violence and separatist movements (Ziring, 2000). In October 1974, Bhutto regime promulgated an ordinance under which special courts were established to curtail the acts of "sabotage, subversion and terrorism". Under the said ordinance, the courts were required to conduct speedy trials against the alleged acts of terrorism etc. and were provided exclusive jurisdiction over such crimes. Although, the courts were established in order to suppress the prevalent violence aiming to ensure speedy justice yet it was a clear departure from the regular judicial system. Later, the ordinance was approved by the parliament as a regular law in the form of The Suppression of Terrorist Activities (Special Court) Act, 1975. That law initiated a new phase in the legislative history of Pakistan as special laws and courts to deal with the terrorism and terrorist acts became a new policy front for the future regimes (Shah, 2011).

Earlier, before the enactment of the aforesaid Suppression of Terrorist Activities Act (1975), most of the governments took refuge of the old British Criminal Procedure Code, especially Section 144, to proscribe the alleged political activities and other incidents of violence. Originally, the British imperial government had crafted that particular provision to empower a district magistrate to forbid unwanted political gatherings and show of arms in public during the times of civil disobedience. During the military regime of General Ayub Khan, there existed multiple laws to deal with special law and order conditions e.g. in case of need. Such laws including The Security of Pakistan Act (1952), the Defense of Pakistan Ordinance (1955), and the Defense of Pakistan Rules (1965), were frequently used against political forces for the political objectives (Mehmood, 1999). The military regime of General Ayub Khan also attempted to control the political dissent and role of the judiciary through the enactment of Public Offices (Disqualification) Order (PODO) and the Electoral Bodies (Disqualification) Order (EBDO) in 1959 (Rizvi, 2000).

The Suppression of Terrorist Activities (Special Court) Act of 1975 remained enforced up till 1997 when the then government of Nawaz Sharif repealed the old law by enforcing Anti-Terrorism Act (ATA) of 1997. ATA of 1997 is the basic anti-terror law which is in force now-a-days. Between the period of enforcement for these two laws, the changing regimes introduced a plenty of laws to deal with the changing needs of their particular periods. Such laws were mainly concerned with the speedy trial of the cases of the alleged terrorist activities (Hussain, 2012). Following table shows the summary and detailed time line of the respective anti-terrorism legislation in Pakistan.

**Table 1**  
**Time Line of Anti-Terrorism Oriented Legislation in Pakistan**

Sr.	Title	Year
1	Suppression of Terrorist Activities (Special Courts) Act 1975	1975
2	Special Courts For Speedy Trial Ordinance 1987	1987
3	Terrorist Affected Areas (Special Courts) Ordinance 1990	1990
4	Special Courts For Speedy Trial Ordinance 1991	1991
5	Special Courts For Speedy Trial Act 1992	1992
6	Anti-Terrorism Act 1997	1997

### Material and Methods

This study mainly deals with the reviewing the historical evolution of the anti-terrorism policies and laws in Pakistan. Keeping view of the nature and targets of the study, this study has utilized descriptive research methods. Further, for accomplishing the main objectives of this research the research has basically utilized the secondary data sources, and as per need of this research, the researcher has conducted an extensive survey of the relevant material i.e. Books, distributed reports of the different research organizations, periodicals, research diaries, news reports and so forth. After conducting the extensive survey of the relevant material, the researcher has presented the relevant facts and figures i.e. in the form of results/ discussion.

### Results and Discussion

Basically, the promulgation of Anti-Terrorism Act (ATA-1997) was an idea of the then newly elected government of Mian Nawaz Sharif which mainly aimed to provide speedy and swift justice by creating an alternate legal setup. The foremost reason behind the aforesaid enactment i.e. of the ATA-1997 was the prevalent sectarian violence and increasing acts of terrorism all across the country, especially, in the urban Sindh region. The Nawaz regime was aggressively committed to punish the terrorists and criminal elements for the sake of restoring the peaceful environment in the state. The law provided special procedure to speed up the trials against the alleged terrorists with a clear objective of eliminating the terrorist elements and acts of violence (Zafar, 2001). The law was designed to work as deterrent instrument even against the potential terrorist elements as it incorporated the first- of its kind -legal definition of the terrorism in the legislative history of Pakistan. The ATA-1997 defined terrorism as:

*“Whoever, to strike terror in the people, or an any section of people, or to alienate any section of the people or to adversely affect harmony among different sections of the people, does any act or thing by using bombs, dynamite or other explosive or inflammable substance, or firearms, or other lethal weapons or poisons or noxious gases or chemical or other substances of a hazardous nature in such a manner as to cause the death of, or injury to, any person or persons, or damage to, or destruction of, property or disruption of any supplies or services essential to the life of the community or display firearms, or threaten with the use of force public seroants in order to prevent them from discharging their lawful duties commits a terrorist act” (PLD, 1997).*

Although Pakistan is one of the most terrorism-affected countries in the world. Its legislature and judiciary have remained indecisive in devising a comprehensive definition of ‘terrorism’ (Tariq, 2019). Such an elastic definition of terrorism resulted to create confusion among the serious corners of civil society and it was interpreted as an easy instrument available to any ruling party for treating any kind of violence as a virtual incident of terrorism i.e. against their political opponents (Din, 2007).

As it is discussed earlier that the ATA-1997 was still another attempt of the government to establish a parallel judicial system which essentially tended to deviate from standard legal practice i.e. by changing and challenging the credibility of the prevalent judicial system. So, it was quite evident that the newly implemented ATA-1997 had to undergo through the very due judicial scrutiny, accordingly, it followed a strict perusal by the superior judiciary. Consequently, The Supreme Court declared some parts of the ATA as repugnant with the constitution and the court asked the government of Nawaz Sharif to revise the relevant provisions of the aforesaid law accordingly. The court declared that the newly established anti-terrorist courts will follow the same rules and procedures as were followed in the rest of judicial system (Mehram Ali vs Federation of Pakistan, 1998). Responding to the verdict of Supreme Court, the Nawaz regime duly revised the ATA accordingly and enforced an amended version of ATA, namely Anti-Terrorism (Amendment) Ordinance, 1998 (Fayyaz, 2008). Following table provides an overview of the various amendments in the ATA along with their respective time line.

**Table 2**  
**Various Amendments in the Anti-Terrorism Act (1997)**

Sr.	Title	Year
1	Anti-Terrorism (Amendment) Ordinance 1998	1998
2	Anti-Terrorism (Second Amendment) Ordinance 1999	1999
3	Anti-Terrorism (Third Amendment) Ordinance 1999	1999
4	Anti-Terrorism (Amendment) Ordinance XXXIX of 2001	2001
5	Anti-Terrorism (Amendment) Ordinance VI of 2002	2002
6	Anti-Terrorism (Amendment) Ordinance CXXV of 2002	2002
7	Anti-Terrorism (Amendment) Ordinance CXXIV of 2002	2002
8	Anti-Terrorism (Amendment) Act X of 2004	2004
9	Anti-Terrorism (Second Amendment) Act 2004 (Act II of 2005)	2005
10	Anti-Terrorism (Amendment) Ordinance Xxi of 2009	2009
11	Anti-Terrorism (Amendment) Act 2013	2013
12	Anti-Terrorism (Second Amendment) Act 2014	2014
13	Anti-Terrorism (Third Amendment) Act 2020	2020

During October 1998, Karachi faced a fresh wave of ethnic killing and incidents of political violence, responding to which Nawaz Government promulgated the Pakistan Armed Forces (Acting in Aid of Civil power) Ordinance (PAFO) in November 1998. Under the PAFO the civil government of Mian Nawaz Sharif, in addition to launching the military operation, also established the military courts for the trial of civilian criminal (PLD, 1998). The PAFO was challenged in Supreme Court, and the Supreme Court rejected the invocation of the PAFO by declaring it to be thoroughly unconstitutional. Further, the court ordered to abolish the military courts contending that the jurisdiction of military courts cannot be extended to try civilians (Liaquat Hussain vs Federation of Pakistan, 1998). This verdict of Supreme Court was a great set-back for the Sharif government's commitment to curb the terrorist elements and upsurge of militancy from state, responding in that scenario the government decided to amend the ATA-1997 so as to justify the establishment of the military courts. Accordingly, the Sharif government promulgated the Anti-Terrorism (Second Amendment) Ordinance, 1999. Unfortunately, the Nawaz regime could not see the effectiveness of her newly implemented law because his regime was ousted as a result of successful military coup lead by the then Chief of Army Staff (COAS) General Pervez Musharraf in October 1999.

Musharraf regime envisioned to reform the overall administrative infrastructure, including anti-terrorism policy of the state (Musharraf, 2006). The extra-constitutional

move of the General Musharraf was challenged in the Supreme Court, and the Supreme Court provided legitimacy to the Musharraf regime, for at least next three years (Syed Zafar Ali Shah vs Federation of Pakistan, 1998). Musharraf regime decided to amend the anti-terror laws for discrediting of the ousted regime of Mian Nawaz Sharif and justification of his coup d'état, by incorporating some tailor made amendments in the early enforced anti-terrorism laws of Nawaz regime (Kennedy, 2002). Accordingly, the Musharraf regime promulgated the Anti-terrorism (Second Amendment) Ordinance, 1999 (PLD, 1999), and Anti-terrorism (Third Amendment) Ordinance, 1999 (PLD, 2000) just to expand the jurisdiction of the anti-terrorist courts and for incorporating a whole list of crimes to be regarded as 'acts of terrorism'.

Soon after the implementation of the new law, there occurred 9/11 attack on World Trade Centre which changed the whole scenario for the national and international security (Khan, 2013). In the purview of 9/11, USA started global war against terrorism and pressed Pakistan to join the aforesaid as 'front line ally'. The aforesaid war became a serious challenge for the policy makers in Pakistan due to its geo-strategic location and its influence over Afghan government. Pakistan became one of the leading states in the global war against terrorism (Kayani, 2011). The new international scenario necessitated changes in its domestic laws and policies so as to make them compatible with her international responsibilities (Yameen, 2020). Musharraf regime exacerbated the process of banning the extremist and militant groups all across the country and established 11 new anti-terrorism courts in Sindh and the erstwhile NWFP (called KPK now a days).

In November 2002, Musharraf regime further amended the anti-terror laws and promulgated Anti-Terrorism (First Amendment) Ordinance and Anti-Terrorism (Second Amendment) Ordinance in 2002. The new law enhanced the powers of police i.e. for taking more stringent actions against the terrorist elements. Under the new law the concerned police authorities could demand security of good behavior from the suspected terrorist, further, the law enforcement agencies were empowered to detain any suspected person for a period of one year without any legal restriction. Moreover, the government banned some vital militant groups under the aforesaid new law (Klasra, 2002). Such measures of the government were hardly effective in curbing the wave of terrorism because the forces behind the banned militant groups were still able to camouflage the government authorities (Kayani, 2011). Responding to this situation, the Musharraf regime promulgated the Anti-Terrorism (Amendment) Act (PLD, 2005: 1), and another Anti-Terrorism (Second Amendment) Act (PLD, 2005: 2), in January 2005. The aforesaid amendments in the law enhanced the degree of punishment for the acts of terrorism. It curtailed the power of the anti-terror courts to grant unnecessary adjournments and created special benches for the disposal of appeals. Further, the cases of ransom abduction and explosive material were to be included in the exclusive jurisdiction of anti-terrorism courts (Siddiq, 2011).

The country faced a fresh wave of terrorism after the assassination of the chairperson Pakistan People's Party (PPP) Ms. Benazir Bhutto at Rawalpindi in December 2007, and in a changed political scenario Mr. Asif Ali Zardari became President of Pakistan in 2008. Right from the start of its inception, the country- under newly Zardari regime -faced a massive tide of suicide attacks. In fact, the rampant suicide strategy of the militants became a serious challenge for not only the general public, but for the law enforcement agencies also. To face the aforesaid alarming law and order conditions in the country, the Zardari regime enforced Anti-Terrorism (Amendment) Ordinance, 2009 (PLD, 2009), and another Anti-Terrorism (Amendment) Ordinance, 2010 (PLD, 2010) which expanded the purview of the terrorism's definition by incorporating the 'acts of attack on the government\public property' into it. Further, the aforesaid new

law granted some additional powers to the investigation agencies according to which the police became empowered to detain the criminals for an extended period upto one year e.g. for investigation purpose, whereas, the onus of proof for proving “not guilty” was shifted to suspects. Under the aforesaid new law, the extra-judicial confession recorded by the security agencies were made acceptable in the anti-terrorism courts. The government took all these legal steps to stop the suspects/potential suicide attackers, their master minds and facilitators in advance but all these measures hardly helped the government in controlling the suicide incidents in the country (Zaidi, 2012).

Responding to the still degrading law and order situation, the Zardari regime took four crucial steps. Firstly, in 2011, by invoking article 245 of the constitution, for dismantling the alleged bases of terrorism it decided to carry out a military operation against the terrorist organizations, and accordingly, the Pakistan military started a full scale war like operation for dismantling the alleged terrorist bases operating in the erstwhile FATA and PATA regions of the present Khyber Pakhtunkhwa (KPK) province (Shah, 2012). Secondly, it passed the Investigation for Fair Trial Act (2013) allowing the law enforcement agencies to carry out covert intelligence by taping the phone calls or other electronic communication of the suspected terrorists after obtaining a prior warrant from a judge of the High Court for such purpose (Aadhi, 2013). Thirdly, it enforced Anti-Terrorism Amendment Act (2012), which granted additional powers to the law enforcement agencies for seizing, freezing or confiscating the property suspected to be used in terrorism. Lastly, in the ending months of his regime in 2012, the Zardari regime established the National Counter Terrorism Authority (NACTA). The main purpose for creating the NACTA included the advancing of anti-terrorism strategy, and the swift coordination among law enforcement agencies in their counter-terrorism efforts. The NACTA was comprised of a governing board which included the prime minister as its chairman and the key federal ministers, chief ministers and chiefs of the intelligence agencies as its members. Additionally, the NACTA had to work under the Federal Ministry of Interior affairs and the new law created a position of a national coordinator to monitor the ongoing operations under NACTA (Hussain, 2012). Despite of all these policy measures the Zardari regime remained unsuccessful in curbing the ever increasing terrorist incidents all across the country. In the backdrop of his failure to effectively coup with the increasing militancy and corruption his party lost the elections in March 2013.

Nawaz Sharif became prime minister for the third time in May 2013, and shortly after assuming the office he created Counter Terrorism Rapid Deployment Force. The main objective to create the aforesaid force was to take rapid action against any incident of terrorism, the force initially comprised of 500 serving or retired personnel e.g. of the armed forces. The force had the authority to operate in all provinces, whereas, the operational command of the aforesaid force lied with NACTA (Khan, 2015).

Nawaz regime introduced the National Internal Security Policy (NISP-2014), which formally was the first ever comprehensive national level policy document for dealing with the menace of terrorism. The NISP projected three main policy tools for coping with various militant/terrorist groups: engaging in dialogue with militant groups; dismantle support bases for the various terrorist groups; and strengthening the basic security apparatus through capacity building for enabling it strong enough to neutralize the potential threats to the internal security of state (Rana, 2017).

To actively pursue the policy objectives of the aforesaid NISP-2014, the Nawaz regime decided to be engaged in peace talks with the militant groups especially Tehrik-e-Taliban Pakistan (TTP) e.g. for converging the efforts to restore peace in country (Golovina & Ali, 2017). The aforesaid peace talks were failed due to the persisted terrorist

incidents committed by TTP and the government of Nawaz Sharif decided to carry out military operation in the FATA against the Taliban insurgency, and hence, a full scale military operation titled as "operation Zarb-e-Azab" was launched against TTP in June 2014 (Sherazi, 2014). The militant groups reacted with an increased intensity of attacks over the state installations and institutions. The terrorist incident in the APS Peshawar was a historical incident, because it brought civil-military leadership on the same page e.g. for the adoption of a comprehensive anti-terrorism policy in the shape of National Action Plan (NAP-2014).

In the backdrop of the aforesaid lethal terrorism incident in APS Peshawar, the then Prime Minister Mian Muhammad Nawaz Sharif convened an All Parties Conference (APC) for evolving a consensus among the political leadership of Pakistan e.g. for framing an effective and improved version of the anti-terrorism policy. The APC led to form a National Plan of Action Committee (NPAC) for making recommendations e.g. regarding the desirable anti-terrorism policy reforms. On December 25, 2014, the parliamentary and military leadership convened an official meeting and examined the proposals of NPAC for over ten hours and developed a consensus regarding the implementation of an action plan against the terrorist organizations operating in the country. On the same day i.e. after the aforesaid meeting, the then premier Nawaz Sharif declared to instantly implement a 20-point National Plan of Action (NPA) which provided the comprehensive policy guideline for dealing with various facets of the rampant terrorism incidents, elements and their potential support bases operating in the country. The NPA also vowed to create military courts i.e. for the trial of militants/terrorist elements. (Haider, 2014). Later, the aforesaid NPA was started to be termed as NAP-2014.

Adoption of the NAP-2014 was not liberated from questions of the different political stake holders. The Pakistan People's Party (PPP) viewed that the proposed Military Courts may be utilized against the legislators by raising before them the instances of supposed defilements and corruption cases (Pakistan Herald, 2014). The Pakistan Tehrik-i-Insaf (PTI) posited that supporting the constitution of Military Courts would subvert its well established liberal-popularity based electoral legacy. At first the Muttahida Qaumi Movement (MQM) fostered a worry that the proposed military courts may be utilized to stifle its party workers in the metropolitan Sindh (Ghumman, 2014). The Jamiat-e-Ulema-e-Islam (Fazlur-ur-Rehman) (JUIF) expected that the relevant provisions of the aforesaid NPA could disturb their political base by hampering the smooth functioning of the traditional theological schools/madrassahs (Dawn, 2014).

The provisions of the aforesaid NAP-2014 necessitated to amend the constitution for providing the room for the proper functioning of the military courts e.g. which were proposed to be created under NAP-2014 provisions (Qureshi, 2015). Accordingly, on January 06, 2015, the 21st Constitutional Amendment Bill and the Pakistan Army Act (Amendment) Bill 2015 were passed by the parliament. In January 2015, the federal government established a first set of nine military courts in all over Pakistan. Out of the aforesaid nine military courts, three were located in each of the Khyber Pakhtunkhwa (KPK) and Punjab province, two were located in Sindh and one was located in Baluchistan (Dawn, 2015). Special APEX committees were formed in all the four provinces to monitor the implementation of the National Action Plan (NAP) against terrorism (Now NPA was called NAP). The aforesaid committees were to be called Provincial Apex Committees (PACs) and it included representatives from both the civil and military leadership (Sayyed, 2015).

Contending the establishment of military courts, several petitions, including one by the Lahore High Court Bar Association (LHCBA) and another by the Pakistan Supreme Court Bar Association (SCBA), were filed in the Supreme Court; and accordingly the Supreme Court admitted them for hearing through forming a three-member bench. Further, following the ongoing proceedings the supreme court suspended the punishments announced earlier by the military courts. Later, through a split verdict of the full court, the Supreme Court rejected the above said petitions by upholding the aforesaid 21st Constitutional Amendment Act and the Pakistan Army (Amendment) Act, 2015 (Dawn, 2015).

After the expiry of initial two years e.g. granted under 21st Constitutional Amendment Act (2015) i.e. to the military courts, the parliament of Pakistan extended the tenure of the already functional military courts for further two years by adopting the 23<sup>rd</sup> Constitutional Amendment Bill in 2017. As per previous practice, the reinstatement of military courts under the aforesaid 23<sup>rd</sup> Constitutional Amendment was also challenged in the Supreme Court through petitions filed by the Supreme Court Bar Association (SCBA) and Lahore High Court Bar Association (LHCBA). Later, the Supreme Court once again dismissed the aforesaid petitions filed against the reinstatement of military courts. Accordingly, the military courts remained operational up till 30 March, 2019 e.g. up till the date mentioned in the sunset clause of the Constitution (twenty-third) Amendment Act, 2017. So far as the performance of the military courts is concerned, in total 617 criminals were convicted on the charges of terrorism, out of which 346 were sentenced to death and 271 were punished with the imprisonment. Out of the aforesaid total 617 terrorism convicts 56 people have received capital punishment, and only four were acquitted e.g. through appeals (ICJ., 2019).

In the ending months of PTI regime, the government decided to implement a Revised National Action Plan (NAP-2021). In contrast with its earlier version e.g. NAP-2014 which was comprised of 20 agenda points in total, the NAP-2021 was comprised of only 14 points. The major areas of concern under the aforesaid plan included: capacity building/strengthening of the already operational Counter-Terrorism Departments (CTDs); curbing terror finance; reforms in the criminal justice system; managing cyber security; and repatriation of Afghan refugees (NACTA, 2021). The core objectives of the NAP-2021 are ought to be achieved through establishing an independent NAP-secretariat (in parallel to the already operating NACTA secretariat) which would be headed by a serving brigadier rank officer from Army. The civil society has raised her eye brows upon the establishment of an additional secretariat having quite similar functions e.g. jeopardizing with the functions of the NACTA, and envisaging high handedness/extended control to the military officials in the newly established NAP-secretariat (Gillani, 2021).

Further in the ending months of PTI regime, the government has also launched the first of its kind – National Security Policy (NSP, 2022-26) of Pakistan. According to the officially released abridged version of the original policy document, The NSP envisions Pakistan as an emerging economic hub for the modern day world, and it formally envisaged to shift the main national security policy focus from traditional territorial security to economic security. The main policy outcomes claimed under NSP-2022 are aimed to be ‘human’ centric, and the aforesaid objectives of the NSP are ought to be achieved through the enhanced regional connectivity, trade cooperation, capacity building, countering climate change and investing on the human capital. The government has not unleashed any solid plan yet for elaborating that how the aforesaid high-end policy outcomes would possibly be achieved in such a short span of time e.g.



in just five years (Leeza, 2022). The following table provide details of the main national level policy documents aiming to deal with security/terrorism related issues in Pakistan.

**Table 3**  
**Various National Level Policy Documents aiming to deal with the Security/Terrorism Related Issues in Pakistan**

Sr.	Title	Year
1	National Internal Security Policy (NISP) 2014	2014
2	National Action Plan (NAP), 2015	2015
3	National Action Plan (NAP), 2021	2021
4	National Security Policy (NSP) 2022-26	2022

Another challenge for already struggling Pakistan government was propelled by the Financial Action Task Force (FATF) as it declared the financial system of Pakistan as weak and fragile i.e. for its capacity to curb the persistent terror financing. The FATF has placed Pakistan on its infamous “grey” list on multiple times e.g. from 2008 to 2010; from 2012 to 2015; and from 2018 to 2022. Over the period of time, the FATF’s main demands were to introduce appropriate legislation e.g. ensuring the forfeiture of the assets possessed by the internationally proscribed terrorist organizations and create a solid legal framework to restrict the terror financing mechanisms (WIRE, 2020). Accordingly, Pakistan has made a number of legislative adjustments so as to curb the terror financing and to meet the standards projected by FATF. The following table provides a comprehensive list of the various laws (including FATF related legislation) which were introduced in Pakistan to indirectly supports the ongoing anti-terrorism efforts of the Pakistani government.

**Table 4**  
**Legislation for Indirectly Curbing Terrorism in Pakistan**

Sr.	Title	Year
1	Pakistan Armed Forces (Action in Aid of Civil Power) Ordinance 1998	1998
2	Anti-Money Laundering Ordinance 2007	2007
3	The Prevention of Electronic Crime Act 2007	2007
4	Anti-Money Laundering Act 2010	2010
5	Action (in Aid of Civil Power) Regulations 2011	2011
6	Anti-Terrorism (Amendment) Act 2012	2012
7	The Investigation in Fair Trial Act 2013	2013
8	Protection of Pakistan Ordinance 2013	2013
9	National Counter Terrorism Authority Act 2013	2013
10	Protection of Pakistan Act 2014	2014
11	21 <sup>st</sup> Constitution (Amendment) Act, 2015	2015
12	The Prevention of Electronic Crime Act 2016	2016
13	23 <sup>rd</sup> Constitution (Amendment) Act, 2017	2017
14	25 <sup>th</sup> Constitution (Amendment) Act, 2018	2018
15	National Counter Terrorism Authority (Amendment) Ordinance 2019	2019
16	Anti-Money Laundering (Second Amendment) Act 2020	2020
17	Anti-Terrorism (Amendment) Act 2020	2020
18	The United Nations Security Council (Amendment) Act 2020	2020

## **Conclusion**

What one gathers from the ongoing discussion is that the ineffectual anti-terrorism laws, weak judicial system and unequal application of available laws has been the practice during most of the policy developments, whereas, there has been a historical lack of congruence between Political, Military and Judicial high offices of the state. Most of the time i.e. in the historical context, the aforesaid factors have resulted to deter the success of different policies i.e. for both during the framing and implementation of the anti-terrorism policy in Pakistan.

In the light of the above given historical facts, this research concludes that most of the changes into the anti-terrorism policy of Pakistan were brought with political haste and under the pressure of the international powers and Pakistan lacked the institutional capacity to implement the anti-terrorism policy. Further, the country lacked of an independent centralized -strong enough- law enforcement machinery which might have had the capacity for pre-empting and countering the terrorist designs e.g. in more efficient and coherent manner. It is unfortunate that Pakistan is a country which is constantly trying to cope with the menace of terrorism but still its society and institutions are facing confusion regarding the precise definition of "terrorism", as it is quite difficult for them to draw a line between the various regular crimes and the terrorist activities. Accordingly, the investigation, prosecution and the judicial departments of the criminal justice system of Pakistan is constantly facing issues of resources, capacity and competence for dealing with the aforesaid menace of terrorism in Pakistan.

## **Recommendations**

This research recommends that for the successful implementation of the anti-terrorism policy, the state authorities in Pakistan need to introduce structural reforms in the investigation, prosecution and adjudication departments of the prevalent criminal justice system in Pakistan otherwise any changes to the mere document of some policy would not bring any result.

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