

# Bringing Fata into the mainstream

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RECENTLY, a septuagenarian lawmaker from Fata was illegally confined for more than 24 hours in a shack somewhere near Wana in South Waziristan. Later, he filed a privilege motion in the lower house that was admitted by the speaker and referred to the National Assembly's standing committee on rules of procedure and privileges.

The committee summoned the secretary, Fata affairs, the head of the area's Frontier Constabulary and the political officer of the agency for an explanation. The legislators were amazed to learn that although Fata is represented by 20 parliamentarians in both houses, not a single constitutional clause covers their legitimate privileges. An eight-member subcommittee was formed to scrutinize the present FC rules enforced in the seven agencies of Fata and to suggest amendments.

There is no writ of law in this federal territory, and even the parliament has no say in Fata-related matters. Only the president has the final say in its affairs under the constitutional powers contained in Article 247 (3).

Fata has been viewed as no-man's land, and people from other parts of the country have been discouraged from acquiring property there or operating a business. If Fata is a part of Pakistan, then irrespective of its semi-autonomous status, it should be opened to all Pakistanis. Here, we may also find a similarity between Fata and Indian-held Kashmir, as no Indian is allowed to settle in the occupied region or purchase any property there.

The influx from Fata has changed the ethnic demography of Balochistan, while in Sindh their population is greater in number than in Fata itself. The government should remember the mid-eighties and Karachi's Sohrah Goth that was the hub of ethnic violence then.

An unusually high number of criminals and proclaimed offenders (16,741, as per a government report) are taking shelter in Fata. This means that this area has the highest concentration of criminals (among a male population of 1.5 million) than any other political terrain in the world.

Some time ago, two journalists were gunned down there after witnessing a surrender ceremony of some outlaws. Last year, a girl was murdered by a young man in Islamabad who was packed off to one of the Fata agencies by his influential father to escape trial. For a hefty sum every month, the area's 'maliks' will keep him out of the law's reach.

There are other examples of

being kidnapped in the country and then being held in Fata for ransom. Some are released after 10 to 15 years while others are still there. The provincial police are prohibited from entering any Fata agency to arrest a lawbreaker although a provision is there for them to go to other provinces for such an arrest.

One fails to understand why, despite Islamic injunctions; hired assassins, murderers, bank robbers, rapists and national and international terrorists are living in Fata as guests. There are even some parliamentarians, belonging to religious parties, who are in this business of 'protection'.

In fact, our clerics, who are vociferous in denouncing what they see as social vices, have turned a blind eye to all sorts of drugs and weapons that are openly sold in Fata, even in religiously conservative NWFP.

Why can't the people of this territory pay taxes like those in

The solution lies in merging this so-called federal territory with the NWFP province. Besides, there is a need to scrap the anachronistic FCR and the jirga system which were encouraged by the British.

One recalls an incident in the days of President Ayub Khan when a businessman was kidnapped from Karachi and held for ransom in one of the Fata agencies. The government not only arrested the prominent male members of the clan involved in hostage taking, but impounded their vehicles and closed down their businesses all over the country. The chief of the tribe had to release the hostage the same evening.

While such action does not conform with present-day democracy, there is, nevertheless, a strong need to bring about changes in tribal society and to enforce the law of the land there.

It is up to our tribal elders and the educated class to seriously ponder this. Global change is evident in the 21st century. A new definition of terrorism and crime is emerging, opinion within the country is in the throes of change. Fata, with its 3.1 million population, should undergo reforms and be opened up to the rest of the country.

As a parliamentarian, I believe that when we propose to amend our laws in favour of legislators from Fata, not only should we also recommend the total writ of national law in the territory but also suggest the enactment of new laws to curtail the trend of providing shelter to criminals in return for financial gains. This would safeguard the rights and interests of all four provinces.

Since the power of our parliament is restricted on this issue, it is only the president, who by using his special powers vested in him by the Constitution,

can bring revolutionary changes in Fata. The existing National Security Council may also frame/recommend new laws.

Meanwhile, it has been reported that a huge sum of money, amounting to tens of millions of rupees, was paid by the government to four notorious terrorists from Fata. In return, the government wanted them to refrain from carrying out attacks on government personnel and property. The government also wanted them to suspend their activities across the border with Afghanistan.

For how long can the federal government use money to control unruly characters? This system will encourage a new breed of criminals who are neither satisfied with money nor afraid of any operation. At the moment, we have the resources and time to decimate this culture.

The writer is a member of the National Assembly.

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other areas of the country? Why don't they pay electricity charges? Why do they refuse to pay income tax, sales tax, property tax or utility bills? Wapda sustains a loss of one billion rupees per month. If we come down to statistics; then where Fata is concerned the amount outstanding must run into trillions of rupees. Fata is virtually an undeclared economic zone of the country.

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