

## The Mere Merger of FATA with KPK Will Never Bring Needed Change

### News:

An intense debate has been initiated in Pakistan's province of Khyber Pakhtunkhwa, since 12<sup>th</sup> November 2017, when the participants of the youth conference in Jamrud, called for steps to abolish the Frontier Crimes Regulation (FCR) and merge Federally Administered Tribal Areas (FATA) with Khyber Pakhtunkhwa as soon as possible. The Member of the National Assembly (MNA) Shahjee Gul said that the time had come to bring FATA into the mainstream by abolishing the FCR. He maintained that the tribesmen had rejected the FCR and wanted to be governed under the constitution of the country.

### Comment:

The Federally Administered Tribal Areas (FATA) is a semi-autonomous tribal region in northwestern Pakistan, consisting of seven tribal agencies (districts) and six frontier regions. These are directly governed by Pakistan's federal government through a special set of laws called the Frontier Crimes Regulations (FCR). This draconian set of laws was created by the British Raj, the previous colonialist occupation of Muslim India, to suppress the defiant Pushtoon resistance against its occupation, with its origins in the Murderous Outrages Act 1877.

The FCR permits collective punishment of family or tribe members for crimes of individuals. It denies the accused the right to trial by judiciary. Tribal chiefs can also be held responsible for handing over suspects charged by the federal government without specifying an offence. Failure to comply can make the tribal chiefs liable for punishment. Although the British never succeeded in completely suppressing the resistance in the region, the laws were used to form a buffer zone from unrest in Afghanistan. Eventually, the British troops were forced to withdraw and never dared to return again.

After the creation of Pakistan, FATA remained a defiant base of resistance to foreign occupation. The Muslims of FATA heroically resisted the invasion of Soviet Russia, which like the British imperialists, withdrew and never returned. After the US invasion, FATA again became the main region from where attacks were launched upon the US forces in Afghanistan. However, the agents of the US in Pakistan's leadership, then adopted the stance of the colonialist oppressors and started collective punishment of the tribal Muslims in order to break the resistance. These agents have turned the tribal areas upside down, creating a huge refugee crisis. Now, the US agents want to increase the suppression of the resistance by creating a pretext for the permanent deployment of federal security apparatus in the tribal regions, by removing the FCR, thus bringing the tribal regions under the ambit of the constitution.

As with all execution of US plans, the rulers of Pakistan portray the changes as beneficial for Pakistan. This time they are claiming that they want the Muslims of FATA to enjoy the same judicial rights as everywhere else. So after 24<sup>th</sup> January 2017, when the federal government initiated the subject of FATA's merger with Khyber Pakhtunkhwa, the regime claimed that they wanted to grant the Muslims of FATA the same rights enjoyed by the rest of the country. Then on 17<sup>th</sup> October 2017, the National Implementation Committee on FATA Reforms directed the law minister to expedite the passage of the bill, through both houses of parliament, as well as initiating other legal and administrative measures, so that the current judicial laws can be extended to FATA.

Of course the regime's claim is nonsense. It is clear to see throughout Pakistan that the Muslims of Pakistan do not "enjoy" rights anywhere. Whilst Democracy remains, the Muslims will be denied their rights from Islam, inside FATA and outside FATA, under the FCR or outside of the FCR. The current man-made judiciary itself is a cause of injustice for the Muslims, with court cases dragging on for years and even decades. As for the rights of affordable education, accessible health care, constant security and a reasonable standard of living, for most, they are unachievable under the current capitalist system, that concentrates wealth in the hands of a few.

The Muslims of the Indian Subcontinent struggled for the creation of Pakistan, to live under the shade of Islam, by implementing Islam comprehensively in every sphere of life. Today the Muslims of FATA, Khyber Pakhtunkhwa and the rest of Pakistan must work for the re-establishment of Khilafah (Caliphate) on the Method of Prophethood. Then and only then will every citizen of the state "enjoy" the rights and duties that are needed. ﴿إِنِ الْحُكْمُ إِلَّا لِلَّهِ﴾ "Verily! The decision rests only with Allah" [Yusuf: 67]

Written for the Central Media Office of Hizb ut Tahrir by

Shahzad Shaikh

Deputy to the official Spokesman of Hizb ut Tahrir in Wilayah Pakistan