

# Pakistan : régions des tribus pachtounes dans le nord-ouest, situation des femmes

Recherche rapide de l'analyse-pays de l'OSAR

Berne, le 18 juin 2018

## **Impressum**

Editeur

Organisation suisse d'aide aux réfugiés (OSAR)  
Case postale, 3001 Berne  
Tél. 031 370 75 75  
Fax 031 370 75 00  
E-mail: [info@osar.ch](mailto:info@osar.ch)  
Internet: [www.osar.ch](http://www.osar.ch)  
CCP dons: 10-10000-5

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# 1 Introduction

Le présent document a été rédigé par l'analyse-pays de l'Organisation suisse d'aide aux réfugiés (OSAR) à la suite d'une demande qui lui a été adressée. Il se penche sur les questions suivantes :

1. De quelles informations dispose-t-on sur les tribus pachtounes et les clans *Mohmand*, *Musa Khel* et *Yara Khel* ainsi que sur la situation des localités homonymes ?
2. De quelles informations dispose-t-on sur la situation des localités *Ghalanai* et *Lakaro* dans la *Mohmand Agency* ?
3. De quelles informations dispose-t-on sur la situation sécuritaire dans les régions anciennement appelées *Federally Administered Tribal Agencies* (FATA), y compris dans la *Mohmand Agency*, au mois de décembre 2016 et depuis lors ?
4. A quel groupe armé est-il fait référence lorsqu'il est question des « talibans » dans la *Mohmand Agency* ?
5. Existe-t-il des informations selon lesquelles les « talibans » pratiquent des actes de persécution réfléchie dans les régions anciennement appelées FATA, y compris dans la *Mohmand Agency* ?
6. De quelles informations dispose-t-on sur la situation des femmes au Pakistan ?

Pour répondre à ces questions, l'analyse-pays de l'OSAR s'est fondée sur des sources accessibles publiquement et disponibles dans les délais impartis (recherche rapide) ainsi que sur des renseignements d'expert-e-s.

## 2 *Federally Administered Tribal Areas* (FATA)

**Statut juridique spécial des FATA jusqu'à fin mai 2018.** Selon le rapport annuel 2016 sur la sécurité dans les zones tribales sous administration fédérale (*Federally Administered Tribal Agencies* - FATA) publié par le *FATA Research Centre* (FRC), centre de recherche basé à Islamabad (FRC, 24 janvier 2017), la région des FATA se situe dans une région stratégique entre la province pakistanaise du *Khyber Pakhtunkhwa* (KP) et l'Afghanistan. Depuis le début du contrôle britannique de la région en 1894, les FATA bénéficiaient jusqu'à la fin mai 2018 d'un statut politique et juridique spécial (FRC, 24 janvier 2017 ; RFE/RL, 31 mai 2018) : selon FRC (24 janvier 2017), les FATA étaient soumises au *Frontier Crime Regulation* (FCR), selon laquelle les différentes tribus locales jouissaient d'une autonomie maximale sur leurs territoires respectifs et les administraient conformément à leurs traditions locales (*riwaj*) et aux lois de la Charia (la loi islamique). Les chefs de l'administration (*political agents*) dans les zones tribales exerçaient une autorité exécutive, judiciaire et fiscale étendue. Avec la fondation de l'Etat pakistanais en 1947, ce système administratif a été repris, faisant l'objet de peu de modifications au fil des ans, la dernière fois en 2011. Conformément à la Constitution pakistanaise, les FATA étaient gérées directement par le président pakistanais, qui a délégué

cette compétence au gouverneur de la province du KP pour l'administration des affaires courantes.

**Forte discrimination à l'encontre des civil-e-s en vertu du *Frontier Crimes Regulation*.**

RFE/RL (2 mai 2017) signale que les habitant-e-s des FATA ont beaucoup souffert du système du *Frontier Crimes Regulation* (FCR). Selon cette source, les habitant-e-s ont en effet bénéficié d'une représentation politique minimale et n'étaient pas autorisés à voter au niveau national, les infrastructures des FATA n'ont été que peu renouvelées, le chômage s'élevait à 80 pourcents et des millions de personnes ont été déplacées en raison des combats et des catastrophes naturelles. En 2004, une fillette de deux ans a été arrêtée avec sa mère et deux de ses frères et sœurs en vertu de la CFR pour un crime commis par son père. En 2009, toute la tribu Mehsud a été condamnée parce que le chef des talibans pakistanais appartenait à cette tribu. Des membres de la tribu ont été détenus et leurs biens confisqués.

**Forte discrimination à l'égard des femmes en vertu de la *Frontier Crimes Regulation*.**

Le rapport de la *Human Rights Commission of Pakistan* (HRCP) de mars 2018 révèle que les femmes sont gravement défavorisées par la *Frontier Crimes Regulation*. En 2017, des femmes des FATA soutenues par des militant-e-s des droits humains se sont ainsi opposées avec véhémence à un projet de loi visant à réformer les FATA, scandant: « FCR/1901 dissimulé sous un autre nom » et « sanctification de *jirgas* [assemblées tribales] injustes et de traditions anti-femmes au nom de la réforme ».

**La fusion des FATA avec la province du KP fin mai 2018 met fin au statut juridique spécial des FATA : les tribunaux supérieurs sont désormais également compétents concernant les FATA, introduction d'un système moderne de droit pénal.**

D'après RFE/RL (31 mai 2018), le président pakistanais Mamnoon Hussain a signé fin mai 2018 une loi sur la fusion des FATA avec la province du KP. Cette fusion a mis fin au statut juridique spécial des FATA. Selon *Dawn* (5 avril 2018), depuis cette fusion, la jurisprudence des tribunaux supérieurs du Pakistan s'applique également aux FATA. Il s'agit, selon cette même source, d'une mesure qui libère la population tribale du passé colonial et introduit un système moderne de droit pénal dans les FATA.

**Structure administrative et population.**

Selon FRC (24 janvier 2017), les FATA se composent de sept unités administratives (*Agencies*) : *Bajaur*, *Mohmand*, *Khyber*, *Orakzai*, *Kurram*, *Waziristan du Nord* et *Waziristan du Sud*. Selon FRC (24 janvier 2017), les habitant-e-s des FATA appartiennent de manière prépondérante à l'ethnie pachtoune et leur société présente des structures tribales solides fortes d'un riche patrimoine culturel et ethnique. Plus de 24 tribus habitent les FATA. Selon le recensement de 1998 (cité dans FRC, 24 janvier 2017), la population des FATA a été estimée à 4,45 millions d'habitant-e-s avec un taux de croissance annuel moyen de 3,76 pourcents. La taille moyenne des ménages s'élève à 12,2 personnes.

***Mohmand Agency*.**

Selon FRC (24 janvier 2017), la *Mohmand Agency* est frontalière avec la *Bajaur Agency* au nord, la *Khyber Agency* au sud, les districts de *Malakand* et *Charsadda* à l'est et le district de *Peshawar* au sud-est. Selon le recensement de 1998, la population de la *Mohmand Agency* a été estimée à 334 453 personnes. La capitale de la *Mohmand Agency* est *Ghalanai*. Selon les résultats préliminaires du recensement de 2017 (*Pakistan Bureau of Statistics*, 3 janvier 2018), la *Mohmand Agency* compte aujourd'hui 466 984 habitant-e-s réparti-e-s dans 48 118 ménages.

**Police tribale dans les FATA (*Khasadars*).** Selon *Express Tribune* (31 décembre 2012), les services de police dans les FATA sont assurés par la police tribale (*Khasadars*). Les *Khasadars* sont nommés par les autorités tribales. Selon *Pakistan Today* (23 mai 2016), ils comptent parmi les forces de sécurité les moins bien payées et les moins bien équipées du Pakistan. Selon *Dawn* (5 avril 2018), le pouvoir des *Khasadars* a décliné après 1979 en raison de l'arrivée dans les FATA d'extrémistes étrangers venus d'Afghanistan et du Moyen-Orient. Selon cette même source, pendant des décennies, ils ont fait l'objet d'un contrôle peu rigoureux de la part des *political agents* ou vivaient l'influence de groupes armés. *Dawn* (5 avril 2018) ajoute qu'ils ne sont pas bien formés et ne sont soumis à aucune chaîne de commandement. Selon cette source, contrairement à la police régulière, ils ne suivent aucune chaîne de commandement, mais tiennent uniquement compte des valeurs de leur tribu. La question reste ouverte quant à savoir si et comment, dans ce contexte de fusion des FATA avec le KP, les *Khasadars* pourront être intégrés dans les forces de police régulières du KP.

## 3 Tribus pachtones, groupes parentés et localités

### 3.1 Localisation des noms de tribus et de clans

**Localisation de *Musa Khel* dans la structure administrative la *Mohmand Agency*.** Selon les résultats préliminaires du recensement 2017 (*Pakistan Bureau of Statistics*, 3 janvier 2018), il apparaît que la *Mohmand Agency* est divisé en sept *Tehsils* (unités administratives). Ces *Tehsils* sont divisés en unités plus petites désignées par le qualificatif « *tribe* » (tribu) et nommées selon le nom de la tribu respective. Ces unités sont elles-mêmes chacune divisées en sections plus petites, également classées selon leur nom de tribu. *Musa Khel* est ainsi classé dans la structure administrative de la *Mohmand Agency* et peut être localisé comme suit : *Mohmand Agency – Upper Mohmand Tehsil – Khawazai Tribe – Musa Khel Section – Musa Khel (Meti Dara/Sarakhwa)*. Le nom *Musa Khel* désigne donc à la fois une *section* et l'unité administrative inférieure suivante, cette dernière étant toutefois la seule qui constitue la *Musa Khel Section* (les autres *sections* se composent de plusieurs unités inférieures). L'unité située sous la *section* comprend à nouveau plusieurs régions, que le *Bureau des statistiques du Pakistan* ne désigne pas par leurs noms tribaux, mais par des numéros à neuf chiffres, et dans lesquelles vivent plusieurs centaines de personnes chacune. La population totale de *Musa Khel* en 2017 s'élevait à 8834 personnes (1029 ménages).

**Informations supplémentaires sur la localisation de *Musa Khel* et de *Yara Khel*.** Selon les indications de plusieurs habitant-e-s de la *Mohmand Agency*, interrogés le 14 juin 2018 par une personne de contact de l'OSAR (*personne de contact A*) vivant au Pakistan, *Musa Khel* et *Yara Khel* sont deux clans appartenant à la tribu pachtone des *Mohmand*. Tout comme la *Mohmand Agency* porte le nom de la tribu des *Mohmand*, les régions où vivent les clans *Musa Khel* et *Yara Khel* portent le nom de ces clans. Les deux se composent de plusieurs grands villages selon cette même source. *Yara Khel* est un peu au sud de *Musa Khel*. Les régions de *Musa Khel* et *Yara Khel* sont situées entre 35 et 45 km au nord-ouest de la ville de *Ghalanai*. La taille des clans *Musa Khel* et *Yara Khel* est estimée à plusieurs milliers de personnes chacun. Le directeur du *FATA Research Centre* à Islamabad, *Mansur Khan Mahsud*, a également indiqué à l'OSAR le 13 juin 2018 que *Musa Khel* et *Yara Khel* étaient

les noms de deux petites tribus de la *Mohmand Agency*. Selon *Mansur Khan Mahsud*, ils vivent dans la région de *Gandap*, une bourgade à l'ouest de la ville de *Ghalanai*.

**Localisation de *Ghalanai* et *Lakaro*.** Selon les indications des habitant-e-s de la *Mohmand Agency* interrogés par la *personne de contact A*, *Lakaro* est une petite place marchande comptant entre 15 et 30 magasins. *Lakaro* se trouve entre 40 et 50 kilomètres au nord de *Ghalanai*. Selon *Mansur Khan Mahsud*, *Lakaro* est situé entre 30 et 35 kilomètres de *Ghalanai* sur la route de *Ghalanai* vers la *Bajaur Agency*. C'est à *Lakaro* que les talibans pakistanais (*Tehrik-e-Taliban Pakistan* - TTP) se sont fait connaître pour la première fois en juillet 2007 lorsqu'ils ont occupé le sanctuaire de *Haji Sahib Turangzai* et l'ont rebaptisé *Lale Masjid* (mosquée rouge) (*Personne de contact A* ; FRC, 24 janvier 2017).

### 3.2 Situation sécuritaire dans les FATA, y compris dans la *Mohmand Agency*

**Dans le contexte de la *Mohmand Agency*, le terme « taliban » désigne les talibans pakistanais (TTP) et leur groupe dissident *Jamaat-ul-Ahrar* (JuA).** Le 13 juin 2018, une autre *personne de contact au Pakistan au bénéfice d'une expertise sur la région des FATA (personne de contact B)* a informé l'OSAR de ce qui suit : dans le contexte de la *Mohmand Agency*, le terme « taliban » désigne les talibans pakistanais (*Tehrik-e-Taliban Pakistan* – TTP), bien que, dans cette région, *Jamaat-ul-Ahrar* (JuA), groupe dissident du TTP, soit principalement actif. *Mansur Khan Mahsud* a en outre indiqué à l'OSAR le 13 juin 2018 que, dans le contexte local de la *Mohmand Agency*, le terme « taliban » faisait référence au TTP et à son groupe dissident JuA.

***Tehrik-e-Taliban Pakistan* (TTP).** Selon EASO (août 2017), le TTP est le plus grand groupe armé interdit qui soit actif au Pakistan. En janvier 2016, il comptait, selon EASO, 35 000 combattants et recrues volontaires, pour la plupart des Pachtoune de la région frontalière entre le Pakistan et l'Afghanistan. Selon la *personne de contact B*, le TTP était une association regroupant plus de 40 groupes talibans pakistanais.

**Coopération étroite entre le *Jamaat-ul-Ahrar* (JuA) et « l'Etat Islamique au Khorasan » auto-proclamé (IS-K).** Selon la *Jamestown Foundation* (26 janvier 2018), JuA est le groupe dissident le plus puissant du TTP. Selon FRC (24 janvier 2017), le JuA est basé dans les provinces afghanes de Kunar et Nangarhar et a mené des attaques transfrontalières contre des civil-e-s et des forces de sécurité de l'État dans la *Mohmand Agency* et dans d'autres régions. En 2017 également, JuA est resté selon FRC (13 janvier 2018) le groupe armé le plus brutal et le plus dominant dans les FATA. Il s'est montré actif dans les *Agencies* de *Mohmand*, *Kurram*, *Khyber* et *Bajaur*. Dans le cadre de son « Opération Ghazi », il a mené, en étroite coopération avec « l'État islamique au Khorasan » autoproclamé (IS-K), des attaques de grande envergure, coordonnées et complexes dans les *Agencies* de *Kurram*, *Khyber* et *Mohmand*, notamment entre janvier et octobre 2017. La *Jamestown Foundation* (26 janvier 2018) mentionne également une alliance entre IS-K et JuA. Selon FRC (13 janvier 2018), JuA a également mené des attaques à l'explosif improvisé, des attaques transfrontalières et des embuscades visant des civil-e-s, des membres des forces de sécurité de l'État et des membres de milices civiles, en particulier dans la zone frontalière avec l'Afghanistan.

**Les conflits au sein de JuA ont conduit à une baisse de son influence vers la fin de 2017.** Selon FRC (13 janvier 2018), au cours de l'année 2017, des tensions et des conflits se



sont produits au sein de JuA, certains membres importants se rendant aux forces de sécurité, notamment dans la *Mohmand Agency*. En outre, *Abdul Wali* (également connu sous le nom d'*Umar Khalid Khurasani*), chef de JuA, a été grièvement blessé lors d'une attaque par drone en Afghanistan. Selon *Mansur Khan Mahsud* (information transmise par courriel le 13 juin 2018), il est toujours malade et actuellement incapable de diriger lui-même JuA. *Dost Mohammad Afridi* alias *Asad Afridi*, qui appartient pourtant à la tribu *Zakakhel* de la *Khyber Agency*, a été désigné comme son successeur selon FRC (13 janvier 2018), alors que la majorité des combattants de JuA viennent de la *Mohmand Agency*. Il est donc très peu probable que le nouveau chef soit accepté par les combattants, ce qui intensifiera très probablement les tensions au sein de JuA.

**Persécution réfléchie par TTP et JuA.** Selon *Mansur Khan Mahsud* (information transmise le 15 juin 2018 par courriel), il arrive que certains membres de TTP ou de son groupe dissident JuA s'en prennent aux membres de la famille d'une personne qui a agi ou est soupçonné d'avoir agi contre le TTP ou le JuA.

**« Bons talibans » et « mauvais talibans » dans les FATA y compris à Mohmand, pression exercée sur les civil-e-s de la part des « bons talibans ».** Selon la *personne de contact B*, le TTP et son groupe dissident JuA sont décrits comme des « mauvais talibans », dont les activités sont dirigées contre l'Etat pakistanais. Plus récemment, selon la *personne de contact B*, d'autres groupes talibans anciennement perçus comme de « bons talibans » tentent de se réinstaller dans certaines parties des FATA, principalement dans le Wasiristan. Certains d'entre eux pourraient également se trouver dans la *Mohmand Agency*. Les « bons talibans » ne mènent pas d'attaques au Pakistan, mais mènent principalement des attaques en Afghanistan. La *personne de contact B* cite comme exemple le groupe Mullah-Nazir dans le Waziristan du Sud.

Selon la *personne de contact B*, les « bons talibans » font partie de la campagne du gouvernement contre les « mauvais talibans ». Selon cette même source, certains membres de comités locaux pour la paix dans les FATA font possiblement partie des « bons talibans ». La *personne de contact B* indique en outre que la tâche de ces comités pour la paix est de lutter contre les « mauvais talibans » et leurs partisan-e-s (civil-e-s).

Selon la *personne de contact B*, des rapports indiquent que certains membres des « bons talibans » punissent des civil-e-s de la région pour des actes qu'ils considèrent comme « contraires à l'islam » ou « immoraux » sans pour autant avoir été contraints par les autorités de l'Etat de rendre des comptes. Selon cette même source, les « bons talibans » s'efforcent de faire respecter les codes socioculturels de l'islam et du droit islamique.

**En 2016, la Mohmand Agency a été, après le Waziristan du Nord, la région des FATA qui a connu le plus grand nombre de victimes d'attaques et d'attentats.** Selon FRC (24 janvier 2017), la *Mohmand Agency* a compté en 2016 parmi les zones des FATA les plus instables. Après le Waziristan du Nord, la *Mohmand Agency* est la région la plus touchée en terme de nombre de victimes : 113 personnes ont été tuées et 87 blessées. Cela correspond à environ 22 pourcents de toutes les victimes dans les FATA en 2016 (contre 23 pourcents dans le Waziristan du Nord). En 2016, le nombre de victimes civiles à la *Mohmand Agency* a fortement augmenté par rapport à l'année précédente (de 488 pourcents), alors que le nombre de victimes parmi les forces de sécurité a augmenté de 121 pourcents. Le nombre de victimes

a diminué de 5,8 pourcents du côté des groupes armés et de 100 pourcents du côté des *Peace Forces* (forces de maintien de la paix).

**Incidents et nombre de victimes à la *Mohmand Agency* au quatrième trimestre 2016 et sur l'ensemble de l'année 2016.** Selon FRC (24 janvier 2017), au quatrième trimestre de 2016, la *Mohmand Agency* a connu au total 18 attaques armées signalées, dont douze ont été commises par des groupes armés. Huit de ces attaques ont été menées à l'aide d'engins explosifs improvisés (EEI ou *improvised explosive devices* – IEDs) et visaient des civil-e-s, les forces de sécurité de l'État et des écoles publiques. Deux étaient des embuscades, l'une un attentat suicide à un poste de contrôle militaire près de la frontière. Les six opérations visant des groupes armés étaient des opérations de recherche menées par les forces de sécurité de l'État. Au total, quinze personnes ont été tuées et 24 blessées. Parmi les victimes, sept étaient des membres de groupes armés, quatre des civil-e-s et 28 des membres des forces de sécurité de l'État.

Dans l'ensemble, selon FRC (24 janvier 2017), il y a eu en 2016 davantage de victimes à la *Mohmand Agency* que dans les autres *Agencies* des FATA, principalement en raison d'attentats à l'engin explosif improvisé, dont un attentat suicide majeur dans le *Tehsil* (district administratif) d'*Anbar*, le 16 septembre 2016, commis par JuA, un groupe dissident du TTP. La plupart des attaques ont eu lieu dans les *Tehsils* de *Safi*, *Bezai*, *Khwezai* et *Ekkaghund*.

Selon le rapport annuel 2016 sur la sécurité du *Pakistan Institute for Peace Studies* (PIPS) (10 janvier 2017), JuA est responsable de la plupart des 36 attaques signalées à la *Mohmand Agency*.

**Amélioration de la situation sécuritaire à la *Mohmand Agency* en 2017, mais nouvelles attaques et menaces pesant sur des individus, légère détérioration au dernier trimestre de 2017.** Selon *Mansur Khan Mahsud* (information transmise par courriel le 13 juin 2018), la situation sécuritaire à la *Mohmand Agency* est aujourd'hui bien meilleure qu'il y a trois ou quatre ans. En effet, le gouvernement a, selon cette même source, repris le contrôle dans cette région. Seules les zones proches de la frontière avec l'Afghanistan ne sont pas totalement sûres ; le TTP et son groupe dissident JuA continuent d'y perpétrer des attaques sporadiques contre les postes de contrôle de l'armée et du *Frontier Corps* paramilitaire. Selon le rapport annuel 2017 sur la sécurité du *FATA Research Centre* (FRC, 13 janvier 2018), la situation sécuritaire au sein de la *Mohmand Agency* est restée instable. Bien que le nombre de victimes et d'attaques ait diminué par rapport à 2016, il a cependant légèrement augmenté au dernier trimestre de 2017. Les zones les plus touchées sont *Olai*, *Michni*, *Pandialay*, *Daudzai*, *Safi*, *Ghalanai*, *Haleemzai*, *Anbar* et *Baizai*.

D'après les informations fournies par les habitant-e-s de la *Mohmand Agency* interrogés par la *personne de contact A*, il n'y a toutefois pas eu d'une amélioration durable de la situation sécuritaire dans la *Mohmand Agency*. Il est vrai que la violence a diminué par rapport aux dernières années. Cependant, les engins explosifs improvisés (EEI) constituent un problème. En outre, des groupes armés mènent parfois des attaques visant les personnes qui leur livrent opposition.

Dans son rapport annuel sur la sécurité 2017, publié le 7 janvier 2018, PIPS fait état de treize attaques perpétrées à la *Mohmand Agency* par JuA et des groupes inconnus, au cours desquelles quinze membres de tribus ont été tués et 20 blessés.



**Amélioration sensible de la situation sécuritaire générale dans les FATA, mais toujours des attaques isolées.** La *personne de contact B* fait état d'une amélioration significative de la situation sécuritaire dans les FATA et de certains incidents isolés, tels que l'attaque de mai 2018 perpétrée par les « bons talibans » contre deux écoles de filles au Waziristan du Sud et des pamphlets dans lesquels ils menacent des civil-e-s de la région qui ont envoyé leurs filles aînées à l'école. Aujourd'hui, cependant, seuls quelques membres des « bons talibans » sont encore présents dans les FATA. Après l'opération militaire *Zarb-e-Azb* en 2014, ils auraient déplacé leur base en Afghanistan ou ailleurs. Dans les FATA, le contrôle de l'État s'est considérablement amélioré, selon la *personne de contact B* ; ce processus de renforcement du contrôle de l'État se poursuivra, selon cette même source, avec la fusion des FATA avec la province du KP à la fin mai 2018.

### 3.3 Disparitions forcées et arrestations arbitraires

**Les disparitions forcées sont très répandues au Pakistan, y compris dans les FATA, mais aucune affaire n'a pour l'instant fait l'objet de poursuites.** Un rapport d'*Amnesty International* (AI) daté du 10 juillet 2017 révèle que des disparitions forcées (*enforced disappearances*) ont lieu depuis longtemps dans les FATA, au KP et au Baloutchistan. Selon le *Comité des Nations Unies contre la torture* (UNCAT, 1<sup>er</sup> juin 2017), les disparitions forcées ne constituent pas encore un crime au Pakistan. Selon cette même source, des centaines de cas de ce type ont été signalés ces dernières années, mais les autorités n'ont pas pris de mesures appropriées pour les examiner et identifier les responsables. UNCAT rapporte ainsi que, jusqu'à présent, aucune affaire n'a fait l'objet de poursuites pénales.

Le 9 avril 2018, RFE/RL a fait état d'une manifestation à Peshawar, au KP, contre les disparitions forcées et le harcèlement des autorités, à laquelle ont participé des milliers de Pach-tounes des FATA, du KP et d'autres régions du Pakistan. Une femme de la *Khyber Agency* a rapporté que son mari a été arrêté il y a quatre ans par les forces de sécurité de l'État.

**Opérations antiterroristes dans les FATA : arrestations et détentions arbitraires, aucune obligation de rendre compte pour les forces de sécurité de l'État, réglementation spécifique adoptée en 2011 donnant carte blanche aux forces de sécurité de l'État.** D'après AI (10 juillet 2017), des rapports font état d'arrestations et de détentions arbitraires liées à des opérations antiterroristes au KP et dans les FATA. La durée prolongée de la détention provisoire dans le cadre de la législation antiterroriste demeure un grave problème. Selon cette même source, le Parlement n'a pas de fonction de contrôle dans les opérations antiterroristes, ce qui implique que les autorités de sécurité n'ont pas à rendre compte des violations du droit à la vie, du droit de ne pas être soumis à la torture et du droit à la liberté et à la sécurité de la personne. Selon HRCP et CIJ (mars 2017), les *Actions (in Aid of Civil Power) Regulations* adoptées en 2011 autorisent les forces de sécurité de l'État des FATA et du KP d'arrêter et de détenir des personnes sur la base de preuves vagues pour une durée indéterminée sans inculpation ni supervision judiciaire. Selon ces mêmes sources, des centaines de suspect-e-s ont ainsi été détenus illégalement et un grand nombre de personnes ont « disparu » et sont détenues dans des centres de détention secrets, créés sur la base des *Regulations*. Selon RFE/RL (8 avril 2018), les civil-e-s pachtounes sont les plus touchés par la violence dans la région des FATA. Par exemple, ils sont victimes d'exécutions extrajudiciaires, de disparitions forcées, de profilage ethnique et de harcèlement de la part des forces de sécurité de l'État.

## 4 Situation des femmes au Pakistan

**La discrimination à l'égard des femmes est largement répandue malgré l'interdiction constitutionnelle.** Selon la *Bertelsmann Stiftung* (2018), la discrimination contre les femmes est prédominante au Pakistan. Le taux d'alphabétisation de 69,6 pourcents chez les hommes contraste avec le taux d'alphabétisation de 42,7 pourcents chez les femmes. Selon un rapport d'ACCORD de décembre 2016, les femmes sont souvent désavantagées au Pakistan, bien que la Constitution pakistanaise interdise la discrimination entre les hommes et les femmes. Le rapport cite le *Global Gender Gap Index 2016* du *Forum économique mondial*, selon lequel le Pakistan occupe la 143<sup>e</sup> place sur les 144 pays évalués. Le pays occupe toujours la même place un an plus tard, selon le HRCP (mars 2018).

**L'accès au système judiciaire reste difficile pour les femmes.** Selon AI (10 juillet 2017), malgré certaines initiatives législatives progressistes, l'accès des femmes au système judiciaire est manifestement compliqué. Dans certaines régions du pays, en raison des normes sexospécifiques, les femmes souffrent en silence d'abus et d'exploitation. Les représentants de la police et les avocats encouragent souvent les rescapées de violences à chercher un règlement à l'amiable plutôt qu'à recourir à la voie judiciaire. Moins d'un pourcent des agents de police sont des femmes, ce qui explique en partie la réticence des femmes à porter plainte. Selon UNCESCR (20 juillet 2017), le témoignage d'une femme au tribunal n'a légalement que la moitié de la valeur du témoignage d'un homme. Les représentants de la magistrature ne connaissent pas les droits des femmes, les femmes ne connaissent pas leurs propres droits ni les procédures juridiques permettant de les mettre en œuvre, les femmes n'ont aucune confiance dans le système judiciaire et l'assistance juridique gratuite est insuffisante. Pour toutes ces raisons, l'accès des femmes au système judiciaire est limité.

**Les femmes et les filles sont touchées de manière disproportionnée par les décisions des assemblées illégales *jirgas* et *panchayats*, de nombreux membres sont des parlementaires de haut rang et restent impunis.** Selon HRCP (mars 2018), les *jirgas* et les *panchayats* (assemblées traditionnelles avec pouvoir de décision) sont illégaux depuis une décision de la Cour suprême en 2005. Néanmoins, selon cette même source, ils continuent d'être tenus ; de nombreux membres sont des parlementaires de haut rang aux niveaux fédéral, provincial et local et restent impunis. Selon HRCP, les femmes et les filles sont touchées de manière disproportionnée par les décisions injustes, cruelles, barbares et inhumaines de ces institutions et par leur mise en œuvre immédiate, en particulier dans les cas de « *badal-e-sulah* » (don de petites filles et de jeunes femmes comme compensation en cas de vendetta entre hommes), de « *crimes d'honneur* » et de conflits fonciers.

**Situation économique difficile des femmes, discrimination sur le marché du travail et en matière d'accès à l'éducation.** Selon UNCESCR (20 juillet 2017), le taux de chômage des femmes est très élevé. En outre, plus de 73 pourcents de l'ensemble des travailleuses et travailleurs sont employés dans le secteur informel, la majorité d'entre elles et eux étant des femmes. Selon cette même source, elles n'auraient donc pas accès à la sécurité au travail ni à la sécurité sociale. Ces dernières années, l'inégalité salariale entre les hommes et les femmes a augmenté pour atteindre 39 pourcents, ce qui est très élevé. Selon UNCESCR (20 juillet 2017) et la *Bertelsmann Stiftung* (2018), les femmes sont désavantagées en matière d'accès à l'éducation et au marché du travail, entre autres. Selon la *Bertelsmann Stiftung*

(2018), les femmes les plus pauvres des zones rurales ont été scolarisées pendant moins d'un an.

**Les femmes du secteur informel de la ville de Karachi ont des difficultés d'accès au logement et subissent menaces et harcèlement sur le chemin du travail.** Selon ICG (15 février 2017), les femmes travaillant dans le secteur informel dans la ville de Karachi sont particulièrement vulnérables aux problèmes d'accès au logement et sur le chemin du travail. Nombre d'entre elles effectuent quatre heures de trajet par jour entre leur domicile dans des quartiers dangereux et leur lieu de travail et sont exposées à des menaces et à du harcèlement.

**Les femmes sont touchées de façon disproportionnée par la pauvreté.** Selon HRCP (mars 2018), trois personnes sur quatre vivant dans la pauvreté au Pakistan sont des femmes.

**Situation difficile des personnes déplacées, vulnérabilité particulière des femmes et des filles déplacées, risque d'abus sexuel, de harcèlement et de traite.** Selon le Comité des droits économiques, sociaux et culturels de l'ONU (UNESCR) (20 juillet 2017), la situation des personnes déplacées (*internally displaced persons* – IDPs) au Pakistan est très difficile. Les femmes et les filles déplacées à l'intérieur de leur propre pays courent un risque particulier d'être victimes d'abus sexuels, de harcèlement et de traite des êtres humains.

## 5 Accès aux documents d'identité

**Manque d'accès aux documents d'identité pour les femmes au Pakistan, y compris dans les FATA.** Selon un article du *Business Recorder* du 3 février 2018, il apparaît sur les listes électorales publiées par la Commission électorale pakistanaise en octobre 2017 que, à l'échelle nationale, les femmes sont 12,17 millions de moins que les hommes à être inscrites pour les élections prévues à la mi-2018. Et ce, bien que, entre mai 2013 et octobre 2017, 4,86 millions d'électrices aient été ajoutées aux listes électorales. Dans les FATA, les femmes sont 0,52 million de moins que les hommes à être inscrites en vue des élections. Selon la *Asia Foundation* (4 avril 2012), le nombre d'hommes inscrits était de 10 millions supérieur à celui des femmes avant les dernières élections nationales en 2012.

Selon *Business Recorder* (3 février 2018) et *Asia Foundation* (4 avril 2012), la possession d'une carte d'identité nationale (informatisée) (CNIC ou NIC) est une condition indispensable à l'inscription en tant qu'électrice ou électeur. Selon le *Business Recorder* (3 février 2018), la quasi-totalité des femmes qui ne sont pas inscrites sur les listes électorales ne possèdent pas de CNIC. *Asia Foundation* (4 avril 2012) souligne que, en particulier dans les régions des FATA et du Baloutchistan, régions touchées par les conflits, nombre de femmes et d'hommes ne considèrent pas le gouvernement comme légitime, et certain-e-s ont le sentiment que la CNIC menace leur vie car elle facilite pour le gouvernement la surveillance de leurs déplacements et activités. Il se peut que de nombreux hommes empêchent délibérément l'enregistrement des femmes de leur famille par la CNIC et sur les listes électorales afin de les protéger.

Selon *Frontier Post* (17 novembre 2017), environ deux millions de femmes dans la province du KP ne possèdent pas de CNIC. Le *Free and Fair Election Network* (FAFEN) (29 décembre 2016) établit le nombre de femmes sans CNIC dans la province du Sindh à 2,2 millions.

## **Blocage des documents d'identité au PK, dans les FATA et au Baloutchistan en 2016.**

Un article du *Daily Times* du 31 décembre 2016 mentionne un débat à la Chambre haute du Parlement pakistanais le 30 décembre 2016, après que le sénateur Rehman Malik a appelé la *National Database and Registration Authority* (NADRA) chargée de délivrer les CNIC de lever le blocage des CNIC au PK, dans les FATA et au Baloutchistan. Selon une tribune libre parue dans l'*Express Tribune* le 26 décembre 2016, les CNIC de résident-e-s des FATA ont été bloqués par mesure de sécurité en raison de « l'intrusion » de réfugié-e-s afghan-e-s. Cette mesure de sécurité concerne, selon cette même source, surtout les personnes de la *Mohmand Agency* et de la *Bajaur Agency*. Selon l'*Express Tribune* (31 décembre 2016), la NADRA a mené une campagne nationale de vérification des CNIC depuis mi-2016, au cours de laquelle, selon le ministre de l'Intérieur Chaudhry Nisar Ali Khan, plus de 86 000 « intrus » avaient été identifiés à la fin décembre 2016. En décembre 2016, des clarifications étaient en cours pour savoir combien d'entre eux possèdent un faux CNIC ou sont étrangers.

## **6 Sources**

ACCORD, décembre 2016:

**«Trotz des in der Verfassung festgeschriebenen Diskriminierungsverbots werden Frauen in Pakistan oft benachteiligt. Im Global Gender Gap Index 2016 des World Economic Forum, der Lebensbedingungen von Männern und Frauen vergleicht, belegt Pakistan in der Gesamtwertung den 143. Platz von 144 erfassten Staaten.»** Source: Austrian Centre for Country of Origin and Asylum Research and Documentation (ACCORD), Länderkurzübersicht Pakistan, décembre 2016, p. 3: [www.ecoi.net/en/file/local/1106595/90\\_1485186705\\_122016-pakistan.pdf](http://www.ecoi.net/en/file/local/1106595/90_1485186705_122016-pakistan.pdf).

AI, 10 juillet 2017:

**«Previously confined to the Federal Administered Tribal Areas (FATA), Khyber Pakhtunkhwa and Balochistan, in recent years the phenomenon of enforced disappearances has spread to other parts of the country. (...)**

**Allegations of arbitrary arrests and detention have also been made in connection with counter-terrorism operations in Khyber Pakhtunkhwa and FATA. Prolonged pre-trial detention under counter-terrorism legislation remains a serious concern. The Protection of Pakistan Act, 2004 allows for preventive detention for up to 90 days and grants law enforcement officials powers to carry out searches without a warrant and to arrest people without judicial approval for a range of offences. These extensive powers are potentially incompatible with Article 9 of the International Covenant on Civil and Political Rights (ICCPR).**

**Counter-terrorism operations are not subject to parliamentary oversight. This results in a lack of accountability of security agencies regarding violations of the rights to life, to freedom from torture, and to liberty and security of person. (...)**

**Despite some progressive legislative initiatives, access to justice remains difficult for women. Gender norms in parts of the country often lead to women suffering abuse and exploitation in silence. Police officers and lawyers often encourage survivors of violence to reach “out-of-court” settlements instead of pursuing legal remedies. Female officers**

**make up less than 1% of the country's police force, which partly accounts for the reluctance of women to file complaints in the first place.**» Source: Amnesty International (AI), Pakistan: Widespread human rights violations continue: Amnesty International Submission for the UN Universal Periodic Review, 28th Session of the UPR Working Group, November 2017 [ASA 33/6513/2017], 10 juillet 2017, p. 5, 9, 11:  
[www.ecoi.net/en/file/local/1403989/1226\\_1500446246\\_asa3365132017english.pdf](http://www.ecoi.net/en/file/local/1403989/1226_1500446246_asa3365132017english.pdf).

Asia Foundation, 4 avril 2012:

**«The latest draft electoral rolls in Pakistan include 48 million Pakistani men and 38 million Pakistani women. Given the roughly equal gender division among the population, this is a clear discrepancy: approximately 10 million Pakistani women are unaccounted for in these figures, and consequently, are not entitled to vote in the upcoming General Elections. The elections are scheduled for February 2013 but will likely be moved up to October 2012 (...). (...)**

**In Pakistan, in order to be able to vote, one must first be registered with the National Database and Registration Authority (NADRA) to get a Computerized National Identity Card (CNIC) which indicates that a person is a legal citizen of Pakistan.** Recording citizen data is the responsibility of NADRA, however, voter registration is managed by the Election Commission of Pakistan (ECP), a separate organization with a constitutional mandate to manage all aspects of elections in the country.

*ECP and NADRA have been in dialogue to use NADRA data for voter registration to ensure more accurate and authentic electoral rolls. The new electoral rolls prepared by ECP using NADRA data have been posted on public display in order for voters to correct them at more than 50,000 polling sites across Pakistan. This display period is a legal requirement and enables citizens to check and verify if their names appear correctly in electoral rolls or are missing altogether. ECP and NADRA have also collaborated with mobile phone companies to launch the world's largest SMS campaign to date; allowing voters to text message their CNIC number and receive a text message response with their name and electoral area as it appears on the roll. The SMS service has been used by over 1.6 million Pakistanis to verify their voter registration details.*

*Despite these efforts, there are a number of factors that may be contributing to low female voter registration. First, given the continuing low registration numbers even after ECP staff have traveled household to household verifying voter registration details and registering those not yet registered, registrars say male household heads answering the door to the registrar may have either not reported the existence of their wives, daughters, or sisters, or flatly refused to have the female members of their household registered. The reasons for this vary, and range from the conviction that women should not be involved in politics to the desire to keep the women in their family off government records and sheltered from government interference. Being registered to vote is not a legal requirement in Pakistan and though the right to vote for all citizens is protected in the Pakistani constitution, no laws are being violated by not registering.*

**The second issue which may at least in part account for the enormous numbers of women missing from the electoral role, is that women (and all citizens) who have not already registered for the CNIC are not eligible to vote, and registrars from the ECP going door**



*to door have no choice but to refer these citizens back to NADRA and hope that they will take the initiative to register to vote at a later time.*

*A third factor – likely to be particularly significant in the conflict-ridden regions of FATA and Baluchistan – is that many citizens, both men and women, do not wish to be accounted for by a government they do not feel to be legitimate, and some may feel that their lives could actually be endangered by making it easier for the government to monitor their movements and activities. Many men in these areas may in fact be acting to protect the women in their families by purposely keeping them off the NADRA and ECP records. Further, a significant number of internally displaced people may also have been inadvertently excluded from the electoral roll. Lastly, the practice of employing only male registrars for house calls is also likely to contribute to low female registration as in many areas women at home without their male relatives are unlikely to even open the door to an unfamiliar male visitor.» Source: Asia Foundation, Why Are 10 Million Women Missing from Pakistan's Electoral Rolls?, 4 avril 2012: <https://asiafoundation.org/2012/04/04/why-are-10-million-women-missing-from-pakistans-electoral-rolls/>.*

Bertelsmann Stiftung, 2018:

*«Discrimination against women is endemic. The World Bank's World Development Indicator lists Pakistan's literacy rate as 56.4%, but there is a large gender differential: male literacy is 69.6% while female literacy is 42.7. The Gender Parity Index for gross enrollment ratio shows that girls are disadvantaged relative to boys at the primary level (0.9) and secondary level (0.8) but advantaged at the tertiary level (1.1). According to World Bank Development Indicator, females accounted for 22.3% of the labor force in 2014, having increased incrementally from 16.8% in 2004. The Islamic law of inheritance, which gives property rights to women, is not fully observed. In most parts of the country, women are deprived of education and job opportunities. (...)*

*Female exclusion, especially among the rural poor, is dire. The GEM Report places Pakistan among a small group of countries with extreme disparities such that the poorest rural women have obtained less than a year of schooling.» Source: Bertelsmann Stiftung, BTI 2018; Pakistan Country Report, 2018, p. 25, 28: [www.ecoi.net/en/file/local/1427473/488323\\_en.pdf](http://www.ecoi.net/en/file/local/1427473/488323_en.pdf).*

Business Recorder, 3 février 2018:

*«Pakistan's electoral rolls published by the Election Commission of Pakistan (ECP) in October 2017 indicate that there are 12.17 million fewer women registered as voters as compared to men. Of a total of 97.02 million citizens registered as voters, 54.59 million are men (56.27%) and 42.42 million are women (43.72%). Although 4.86 million women have been added to the electoral rolls between May 2013 and October 2017, even then the male-female voter gap has not reduced.*

*The male-female gap in voters as of October 2017 is highest in Punjab, where 6.7 million fewer women are registered as voters as compared to men. This is followed by a gap of 2.2 million women in Sindh, 1.9 million in Khyber Pakhtunkhwa (KP), 0.57 million in Balochistan, 0.52 million in Federally Administered Tribal Areas (FATA) and 52,446 in Islamabad Capital*



**Territory (ICT). Possession of a National Identity Card (NIC) is a pre-requisite for registering as a voter. Almost all women who are not registered as voters do not possess NICs.**

*Trust for Democratic Education and Accountability Islamabad with the technical support provided by Election Commission of Pakistan and funding provided by UNDP has initiated a nationwide move to reduce the male-female voter deficit by reaching out to areas where women do not tend to register their NIC. (...)*

**However, given the limited time at hand it seems that thousands of women & eligible girls may remain disenfranchised during the next general elections to be held in mid-2018.»** Source: Business Recorder, Enlisting women voters: 'operational capacity of Nadra must be enhanced', 3 février 2018: <https://fp.brecorder.com/2018/02/20180203340846/>.

UNCAT, 1<sup>er</sup> juin 2017:

*«Enforced disappearances*

*24. The Committee welcomes the State party's cooperation with the Working Group on Enforced or Involuntary Disappearances, including receiving a visit in 2012. **However, the Committee is concerned that enforced disappearance is not criminalized as a distinct offence in the State party. It is also concerned that hundreds of enforced disappearances have been reported in recent years in the State party and that the State party's authorities have not taken adequate steps to investigate the reports and identify those responsible. The Committee is further concerned by reports that the national Commission of Inquiry on Enforced Disappearances is not sufficiently independent and lacks the resources to carry out its mandate. The Committee regrets that the work of the Commission has not yet resulted in any criminal prosecutions in cases of enforced disappearance (arts. 2, 12, 14 and 16).»***

Source: UN Committee Against Torture (UNCAT), Concluding observations on the initial report of Pakistan [CAT/C/PAK/CO/1], 1<sup>er</sup> juin 2017, p. 6:

[www.ecoi.net/en/file/local/1404092/1930\\_1499938679\\_g1714953.pdf](http://www.ecoi.net/en/file/local/1404092/1930_1499938679_g1714953.pdf).

UNCESCR, 20 juillet 2017:

*«Internally displaced persons*

*27. The Committee is concerned that millions of people have been displaced in the State party and that not enough data have been collected on internally displaced persons, nor has legislation or a comprehensive national policy on such persons been put into place. **It is also concerned about the hardships faced by those living in camps for internally displaced persons, particularly those in situations of protracted displacement; the high risk of women and girls being exposed to sexual abuse, harassment and trafficking; and the slow resettlement process (arts. 2 and 11). (...)***

**The Qanun-e-Shahadat Order (Law of Evidence), 1984, stipulates that the value of women's court testimony is half that of a male witness. It is also concerned that women are facing difficulties in seeking judicial remedies because law enforcement officials and judges lack awareness of women's rights, because women lack awareness of their own**

**rights and of the judicial procedures to claim those rights, because women do not trust the justice system and because there is insufficient free legal assistance (art. 3). (...)**

#### *Unemployment and underemployment*

37. The Committee is concerned at the **high unemployment rates among women and youth. It is also concerned that over 73 per cent of workers are in the informal economy, a majority of whom are women, without labour or social protection.** While noting employment quotas in the public sector for religious minorities, persons with disabilities and women, it is concerned at the very low level of quotas allocated to these groups relative to their share of the population, as well as at the absence of information on the implementation of these quotas (arts. 2-3 and 6). (...)

#### *Gender pay gap*

39. The Committee is concerned at the **increase in the gender pay gap, from 34 per cent in 2008 to 39 per cent in 2015, which is very high. It is also concerned at the large disparity between men and women in terms of labour market participation, employment and education (art. 3).**» Source: UN Committee on Economic, Social and Cultural Rights (UNCESCR), Concluding observations on the initial report of Pakistan [E/C.12/PAK/CO/1], 20 juillet 2017, p. 5-6: [www.ecoi.net/en/file/local/1409517/1930\\_1505914352\\_g1721793.pdf](http://www.ecoi.net/en/file/local/1409517/1930_1505914352_g1721793.pdf).

Daily Times, 31 décembre 2016:

**«Legislative body of the Upper House on Friday expressed concerns over the blocking of National Identity Cards of Pakistani nationals and directed the NADRA officials and Secretary Interior to look into the problems of people from KPK, FATA and Balochistan as they were feeling discrimination in this regard.**

**“No one should be discriminated and there should not be feelings of victimisations and discrimination among one’s own people,” said Senator Rehman Malik while presiding over the Senate Standing Committee on Interior and Narcotics Control here at parliament house. He said he had received so many complaints from Khyber-Pakhtunkhwa and FATA that their CNICs were blocked for unknown reasons, for which they faced problems in their daily lives. “I understand the importance of scrutiny of CNICs in the current situation but it should be systematic and be done carefully. The blocking of CNICs of Pakistani nationals needs to come to an end.”»** Daily Times, Legislative body directs NADRA to resolve blocking of CNIC issue, 31 décembre 2016: <https://dailytimes.com.pk/37543/legislative-body-directs-nadra-to-resolve-blocking-of-cnic-issue/>.

Dawn, 5 avril 2018:

**«THE passage of the Extension of Jurisdiction to Fata Bill, 2017, extending the superior courts’ jurisdiction to Fata, is a measure to free the tribal population from a colonial past, besides being the first practical step to introduce a modern criminal justice system in the area. But without judicial mechanisms and a functional lower judiciary, modern law enforcement may not be enough.**

*After independence, Fata was primarily governed by the Frontier Crimes Regulation. Law enforcement remained a symbolic duty, and hasn’t evolved.*

*For decades, Khasadars, Levies, Scouts, militias, the Frontier Corps and Frontier Constabulary performed law enforcement and border management duties. Fata's criminal justice system revolves around the political agent who was meant to serve the imperialists', instead of the public's, interest. If Fata and Khyber Pakhtunkhwa are merged, KP police will be entrusted with policing functions in Fata.*

*From 1947 to 1979, Fata was subservient to colonial aspirations and customary practices (re-waj). Post 1979, it drew foreign extremists who brought revolutionary justice systems from Afghanistan and the Middle East, eroding the Levies' and Khasadars' writ. (...)*

*For decades, Khasadars and Levies remained under the political agent's loose control, although for some years they were under the sway of militants. A Levies and Khasadar merger in the police may give rise to some issues. Integrating existing forces into KP police or raising a new force are options. Another issue is whether to implement reforms together or in phases. KP may not be able to afford the recruitment of a new police service without federal help. (...)*

*Tribal forces are neither well trained nor administered by a well-defined chain of command. (...)*

*Also, tribal forces are loyal to tribal values while police operate under a chain of command. (...)*

*Although a low crime-incidence area, tribal feuds often create law and order situations; community policing may thus gain acceptance. **But tribesmen will neither report crimes against women nor volunteer to be part of a probe.** Low population density may also delay police responses. Quick mobility and communication will improve public service delivery, making it vital to rationalise the size of Fata police districts.» Source: Dawn, Policing FATA, 5 avril 2018: [www.dawn.com/news/1399692](http://www.dawn.com/news/1399692).*

EASO, août 2017:

**«Tehrik-e-Taliban Pakistan (TTP)**

*The TTP, also known as the Pakistani Taliban, is the largest banned militant group active in Pakistan. It was founded in 2007 as a loose formation of Deo-bandi groupings chiefly operating in the Pakistani border area with Afghanistan. The initial objectives of the organisation were the implementation of sha-ria law and the ousting of coalition forces from Afghanistan. The group is banned by the Pakistan Government. It was published in January 2016 that the TTP consist of 35 000 core volunteer and conscript fighters. These militants are mostly Pashtun originating from the border zone between Pakistan and Afghanistan. The TTP mostly operates from provinces of Kunar, Nuristan, Paktika, Gardaiz, Nangarhar and Paktia in Afghanistan to launch cross-border attacks inside Pakistan.» Source: EASO, Pakistan Security Situation, août 2017, p. 21: [www.ecoi.net/file\\_upload/90\\_1502086047\\_201708-easo-pakistansecuritysituation2017.pdf](http://www.ecoi.net/file_upload/90_1502086047_201708-easo-pakistansecuritysituation2017.pdf).*

Express Tribune, 31 décembre 2016:

**«Interior Minister Chaudhry Nisar Ali Khan has claimed that the National Database Registration Authority (NADRA) has identified 86,380 ‘intruders’ during a six-month-long campaign to re-verify computerised national Identity cards (CNIC) of all citizens.**

**“An SMS had been sent to every CNIC-holder asking him to verify his family tree. They identified these intruders and their identification is almost 100% correct,” Nisar told a news conference on Friday at the NADRA headquarters. “It will take a little more time to identify how many of these intruders are fake CNIC-holders and foreigners.”»** Source: Express Tribune, CNICs re-verification: NADRA has smoked out 86,380 ‘intruders’, 31 décembre 2016: <https://tribune.com.pk/story/1280006/cnics-re-verification-nadra-smoked-86380-intruders/>.

Express Tribune, 26 décembre 2016:

**«MOHMAND AGENCY: Due to the infiltration of Afghan refugees, Nadra blocked the identity cards of Fata’s population as a security measure. The majority of victims are from Fata, especially the people of Mohmand Agency and Bajaur Agency. This unethical action of Nadra to place a blanket block on cards created serious problems for the Fata people. Everyone knows that keeping a CNIC in one’s pocket has become necessary with frequent security checking.»** Source: Express Tribune, Letters: CNIC of Fata residents, 26 décembre 2016: <https://tribune.com.pk/story/1274853/cnic-fata-residents/>.

Express Tribune, 31 décembre 2012:

**«The Levies are part of a security apparatus installed between the Federally Administered Tribal Areas (Fata) and settled areas known as the Frontier Region (FR). As opposed to the khasadars, referred to as “tribal police” and appointed by tribal authorities, the Levies are appointed by the political administration on merit basis and are given arms and ammunition by the government.»** Source: Express Tribune, What is the Levies Force?, 31 décembre 2012: <https://tribune.com.pk/story/486847/what-is-the-levies-force/>.

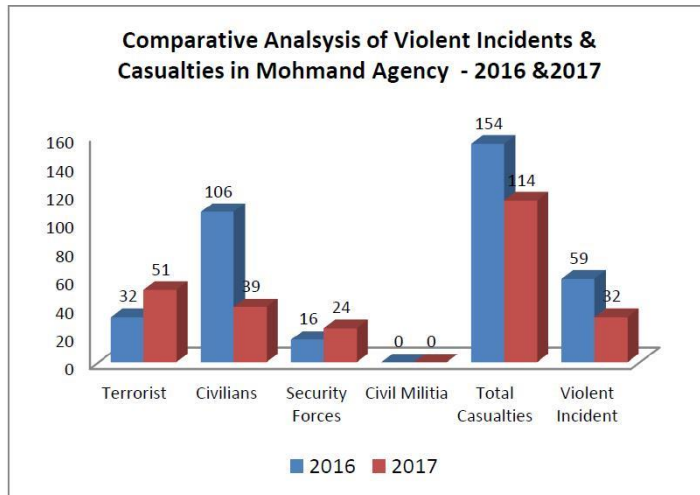
FAFEN, 29 décembre 2016:

**«Out of 11.9 million adult women in Sindh province, 2.2 million are yet to get computerized national identity cards (CNICs) and become eligible voters, a consultation was told here on Thursday. The consultation, Missing Millions, on the issues of the CNIC and voter registration of women was organized at a local hotel jointly by Pakistan Press Foundation (PPF) and Free and Fair Election Network (FAFEN). It was told that more than 12 million women are missing from the voters’ lists nationwide. (...)**

**Interestingly, while the gender gap in voters’ lists is decreasing in Punjab, KpK and FATA, it is increasing in Sindh where the gender ratio was 81 women to 100 men in 2013, which decreased to 80 women to 100 men in 2016.»** Source: Free and Fair Election Network (FAFEN), 2.2 Million Adult Women in Sindh Do Not Possess CNIC, 29 décembre 2016: <http://fafen.org/2-2-million-adult-women-in-sindh-do-not-possess-cnic/>.

FRC, 13 janvier 2018:

«Mohmand Agency



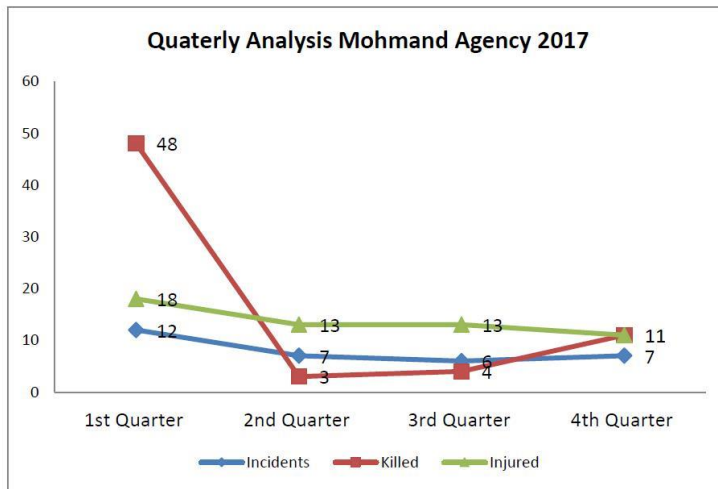
**Although Mohmand Agency [remained] disturbed during the year 2017, an incremental decline in violent incidents and resultant casualties was observed during the reporting year. Compared to 59 violent incidents in 2016, 32 such incidents were reported in Bajaur (sic) Agency, marking an increase (sic) of 45 percent. A similarly trend was also observed in the number of casualties index. Compared to 121 casualties (113 Killed and 87 Injured) in 2016, 200 casualties (66 killed and 55 injured) were occurred in Mohamand agency during the year 2017, accounting for an incremental decrease of 40 percent in overall casualties. (...)**

*Mohmand Agency*

**During the year 2017, the security situation in Mohmand Agency remained disturbed. The graph given below provides a detail of violent incidents and resultant casualties against each quarter of 2017 in Bajaur (sic) Agency. In total, 12 incidents of terrorism and CT were recorded across the agency during the first quarter of 2017 which resulted in 66 casualties (48 killings and 18 injuries).**

**Olai, Michni, Pandialay, Daudzai, Safi and Ghallanai are remained the most disturb area of the agency during the first quarter. Terrorists launched four ambushes on security check post in Olai, Safi, Maxhni and Ghallanai areas of the agency. An IED attack against security forces was carried out in Daudzai area which left three security personnel and eight civilian wounded.**

**On the other hand, the security forces foiled a suicide bid in Ghallanai, the headquarters of Mohmand Agency. Two suicide bombers who tried to forcefully enter the political administration office were intercepted and killed by the security personnel on 15 February 2017. However, three security personnel were killed while suicide vest of an assailant exploded following the retaliatory firing by security forces. **TTP-JuAclaimed responsibility for the suicide attack.****



**However, with exception to number of people killed in third and fourth quarter, a steady downward trend in violent incidents and resultant casualties was observed from January to December of the year 2017. During the second quarter of 2017, Mohmand Agency witnessed a downward trend of 71 percent in violent incidents in comparison to the last quarter, i.e., April to June 2017. Similarly, with reference to casualties, an incremental decline of 312 percent was witnessed during the second quarter of 2017 as compared to the preceding quarter of 2017. The Shani Khel area of Haleemzai tehsil and Ghalanai, the headquarters of Mohmand Agency, remained the most disturbed area of the agency during the second quarter (April-June 2017). As part of security measures the political administration also imposed curfew in all parts of the district Mohmand except Prang Ghar tehsil after two mortarshells and a missile fired from unknown location by some miscreants landed at Government College of Management Sciences Ghalanai near the agency headquarters Ghalanai during the second quarter.**

Similarly, in total, six incidents of terrorism and CT were recorded across the agency, marking 14 percent decline in violent incidents as compared to the preceding quarter of 2017. **Ajdari area of Anbar tehsil and Baizai tehsil remained the most disturbed area of the agency during this quarter.** On July 09, 2017, one soldier was killed and another sustained injuries, when terrorist targeted security forces via IED (Improvised Explosive Device) in Soran Dara village adjacent to Baizai tehsil of the agency. In another such incident, five members of security forces were injured when a convey of security forces came in contact with an IED planted by terrorist along the roadside in Koda Khel area of Baizai tehsil of the Agency. On August 25, 2017, five people were injured when terrorist fired rockets at the house of a pro-government Amn Lashkar (Peace Committee) member in Ajdari area of Anbar tehsil in Mohmand Agency.

**Conversely, a slight upward trend in violent incidents and resultant casualties was observed during the fourth quarter of 2017. In total six violent incidents were recorded during the last three months of 2017 in which three members of security forces were killed while six others were injured. (...)**

TTP-Jamat-ul-Ahrar

**TTP-Jamat-ul-Ahrar (TTP-JuA), remained the most virulent and dominant group during 2017. The group remained active in Kurram, Khyber, Mohmand and Bajaur Agencies of**



**FATA region. The TTP-Jamaat-ul-Ahrar in 2017 announced “Operation Ghazi.” As part of the Operation Ghazi and with close coordination with Islamic State of Khorasan (IS-K), the group conducted high profile, coordinated and complex attacks, in Kurram, Khyber and Mohmand agencies, particularly during the first nine months (January-October) of 2017.**

On 31 March 2017, Jamat-ul-Ahrar claimed responsibility for a high profile terrorist attack on “Imambargah” (Shitte Mosque) in Shendak bazar in Parachinar of Kurram Agency in which 22 people were killed while 100 others were injured<sup>7</sup>. Earlier, TTP-JuA also claimed responsibility for a terrorist attack on 15 February 2017, in which two suicide bombers who tried to forcefully enter the office of political administration, were intercepted and killed by the security personnel. However, three security personnel were killed while suicide vest of an assailant exploded following the retaliatory firing by security forces.

**The group also employed improvised explosive device (IED), cross border attacks and ambushes as tactic to target civilians, security forces and member of civil militias, particularly in areas bordering Afghanistan.** On 17 March 2017, in a cross border attack, two Pakistani soldiers lost their lives while the six terrorist were killed when terrorist belong to TTP-JuA attacked on the Pakistan military border post in Khyber Agency. An IED attack against security forces was carried out in Daudzai area which left three security personnel and eight civilian wounded.

*Growing Rifts and Divisions in TTP-JuA: Impact on Security Situation in FATA*

**Although TTP-JuA remained the most dominant terrorist outfit during the year first half of 2017, however, the influence of the group degraded significantly towards the end of the outgoing year.** According to FRC field researcher divisions and rifts are on the rise in the TTP-JuA over the future policies of the group since early 2017. **On 17 April 2017, Ehasanullah Ehasan, former spokesperson and a prominent leader of TTP-JuA surrendered to Pakistan Army. Earlier on April 05, 2017, eight hard-core terrorist the same group laid down their arms and surrendered to Pakistan Army in Boideh areas of Mohmand Agency.**

*The divisions and rifts among ranks of TTP-JuA further widened after Omar Khalid Khorasani, head of TTP-Jamat-ul-Ahrar was critically injured in a US drone strike in Afghanistan. Although Khalid Khorasani survived the US drone attack, he is believed to be ill and incapacitated. Therefore, Dost Mohammad Afridi alias Asad Afridi, was named as the new Amir (leader) of the group. Afridi belongs to Zakakhel tribe of Khyber agency and was earlier the deputy of TTP-JuA. Since majority of TTP-JuA fighters come from Mohmand Agency, it is very unlikely that majority of the group’s senior commanders and foot soldiers would accept Afridi as their new Amer (leader). Resultantly, it will further intensify the existing rifts among the ranks of TTP-JuA.*

On 12th November 2017, Mukharam Khan, senior commander of TTP-JuA, along with the several key commanders of the group’s Shura formed their own group. Similarly, on 14th November 2017, Abdur Rauf, an important commander and cousin of Khorasani was killed after he decided to surrendered to Pakistani security forces<sup>14</sup>. Earlier, in a video, Mukaram claimed that he had been attacked and injured, confirming the growing rifts within the group<sup>15</sup>. (...)

### *Militants Tactics in 2017*

*During the year 2017, IEDs remained the most preferred tool of terrorists for carrying out attacks against civilians and security forces. On 87 occasions, terrorists employed IEDs to target civilians, member of security forces and civil militias, which accounts for 58 % of total terror attacks during this year. On 25 occasions, terrorists ambushed security forces which account for 17 % of the total terror attacks. On 20 occasions, terrorists opted for target killing which accounts for 13 % of the total terrorist attacks. The terrorists also staged cross border attacks to target security check posts on three occasions. In total 13 cross border attacks were recorded in which terrorist belonging to Tehreek-e-Taliban Pakistan (TTP), IS-K, TTP-Jamt-ul-Ahrar etc targeted security forces and civilians Kurram, Khyber, Mohmand and Bajaur agencies of FATA.» Source: FATA Research Centre, FATA Annual Security Report 2017, 13 janvier 2018, p. 5, 11-12, 23-25, 29: <http://frc.org.pk/wp-content/uploads/2018/01/Final-Security-Report-2017-Uploooo.pdf>.*

FRC, 24 janvier 2017:

*«Profile of Federally Administered Tribal Areas (FATA)*

***FATA is strategically located at the Pakistan-Afghanistan border, between the Khyber Pakhtunkhwa Province (KP) and Afghanistan. FATA, both historically and traditionally, has enjoyed a unique administrative and political status since British control over the area in 1894. The British Indian government devised a unique set of laws, known as the Frontier Crimes Regulation (FCR), to administer FATA. The administrative system offered an effective combination of Political Agents (PAs) and tribal elders, while allowing maximum autonomy to the respective tribes to run their tribal affairs as per their local riwaj (tradition) and Sharia (Islamic law). The office of the Political Agent, administrative head of each tribal agency, wields extensive executive, judicial and revenue authorities. Each agency, depending on its size, is administered by a Political Agent, who is assisted in his work by two to three assistant political agents (APAs), three to four Tehsildars, four to nine Naib Tehsildars and requisite supporting staff. Since Pakistan's establishment in 1947, it has administered FATA under the FCR it inherited, though with minor changes over the course of time.***

***FATA is comprised of seven agencies – Bajaur, Mohmand, Khyber, Orakzai, Kurram, North Waziristan and South Waziristan. The society is predominantly Pashtun and exhibits a strong tribal structure with rich ethnic and cultural heritage. There are more than two dozen tribes inhabiting the area. According to 1998 census, the population of FATA is estimated at 4.45 million, with an average [annual] growth rate of 3.76 percent, and an average house-hold size of 12.2.***

***Under Article 247 of the Constitution of Pakistan, FATA falls under the exclusive domain of the President, who has devolved his powers to the Governor of the Khyber Pakhtunkhwa Province (KP) to look after its day-to-day affairs. There are three administrative set-ups, namely, the Ministry of States and Frontier Regions (SAFRON), FATA Secretariat, and the FATA Development Authority (FDA) which oversee FATA under the directives of Governor of KP. FATA continues to be governed through the Frontier Crimes Regulation Act (FCR) of 1901, which was amended in 2011. (...)***

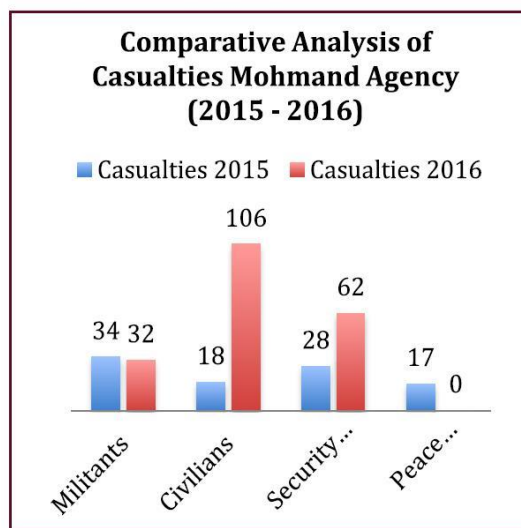
Mohmand Agency

**The Mohmand Agency (MA) shares a border with the Bajaur Agency in North, Khyber Agency in South, Malakand and Charsadda districts in East and Peshawar District in the Southeast. According to the 1998 population census, the Agency population was estimated 334,453, with a density of 171 persons sq/km. Ghalanai is the Agency's headquarters. Indigenous Taliban emerged as a major social force in the agency in July 2007 in the aftermath of Lal Masjid Operation, when they seized a revered holy shrine, Haji Sahib Turangzai Shrine, and declared it Lal Masjid. (...)**

**In the agency-wise classification of casualties, North Waziristan and Mohmand Agencies remained the most turbulent agencies of FATA with around 200 casualties in both regions. The graph of agency-wise killings and injuries given above illustrates that the highest number of casualties were reported in North Waziristan Agency, since 202, (175 killings and 27 injuries), i.e., 23 % of the total casualties, were recorded during 2016 in the agency, while Mohmand agency remained second with 200 casualties (113 killings & 87 injuries), around 22 % of the total casualties. (...)**

**In Mohmand Agency, there was a significant rise in the casualty graph of 2016 as compared to 2015. According to the graph below a rise of 488% was observed in the civilians' casualties during 2016 as compared to 2015.**

### Mohmand Agency



X-axis give indicates the type of casualties while y-axis indicates the number of casualties.

**There was also a rise in the casualties of security forces, as it increased to 121% in 2016 compared to 2015. The casualties of militants, however, have decreased by 5.8% during 2016. Likewise, an incremental decrease of around 100% has been recorded in the overall casualties incurred to Peace Forces during the outgoing year. (...)**

**There was a total of 18 (12 militancy & 6 counter militancy) incidents recorded in Mohmand Agency during the forth quarter of 2016. Eight of the militancy incidents were**

**IED attacks which targeted civilians, law enforcement personnel, and government schools. Two were ambushes while one was a suicide attack on military check post near the border. The counter militancy incidents were all search operations conducted by security forces. These incidents resulted in a total of 39 casualties (15 killings & 24 injuries). Out of these casualties, seven were militants, four were civilians and 28 were security personnel. (...)**

**Likewise, Mohmand agency has suffered more casualties in 2016, compared to the rest of FATA agencies. These casualties mostly resulted due to the intensive IED attacks in the agency, including a high profile suicide attack in Anbar tehsil on 16 September 2016, which was claimed by Jamat-ul-Ahrar, a splinter group of TTP. Mohmand Agency borders Kunar and Nangarhar provinces of Afghanistan which are the new safe havens for Tehreek-e-Taliban Pakistan (TTP), Jamat-ul-Ahrar (JuA), and other small splinter groups of TTP. These groups infiltrate into the agency through porous border between Pakistan and Afghanistan and carry out attacks on civilians as well as law enforcement agencies. Most of the attacks were carried out in Safi, Bezai, Khwezai and Ekkaghund tehsils of the agency.»** Source: FATA Research Centre, FATA Annual Security Report 2016, 24 janvier 2017, p. 1, 2, 7, 8, 14, 23: <http://frc.org.pk/wp-content/uploads/2017/01/security-report-2-2.pdf>.

Frontier Post, 17 novembre 2017:

**«Female members of different political parties in Khyber Pakhtunkhwa Assembly has said that around 2.0 million women [in KP Province] have no Computerized National Identity Card (CNIC). This was said in a meeting attended by women parliamentarians with FAFEN [Free and Fair Election Network] on Thursday. While talking to Media Qaumi Watan Party MPA Miraj Hamayun Khan said that around two million women were without CNIC in Khyber Pakhtunkhwa due to which they were unable to cast their vote as were not registered with the Election Commission of Pakistan.»** Source: Frontier Post, Around 2 million women without CNIC in KP, 17 novembre 2017: <https://thefrontierpost.com/around-2-million-women-without-cnrc-kp/>.

HRCP et ICJ, mars 2017:

**«Actions (in aid of Civil Power) Regulations, 2011**

**44. In 2011, the President of Pakistan promulgated regulations for the Federally Administered Tribal Areas (FATA) and the Provincially Administered Tribal Areas (PATA). These regulations give the army excessively broad powers to detain a wide range of people without charge and judicial supervision. The armed forces may detain any person in the notified area on grounds as vague as obstructing actions in aid of civil power “in any manner whatsoever”; strengthening the “miscreants” ability to resist the armed forces or “any law enforcement agency”; undertaking “any action or attempt” that “may cause a threat to the solidarity, integrity or security of Pakistan”; and committing or being “likely to commit any offence under the regulation”. They also provide the federal and provincial governments or “any person” authorized by them with sweeping powers of indefinite detention. Section 19 of the Regulations allow any information collected by the internment authority, including “confessions” made by the detainees, to be “admissible in evidence” and be “deemed sufficient to prove the facts in issue or the relevant facts”. Retroactively applicable to 1 February 2008, they provide legal cover to the military’s gross human**

**rights and other abuses, including illegal detention of hundreds of suspects.** The ICJ and HRCP have received information that a large number of people tried by military courts for terrorism-related offences pursuant to the 21st amendment had been **“disappeared” and secretly detained in the internment centers established under the Regulations.**» Source: - Human Rights Commission of Pakistan (HRCP)/International Commission of Jurists (ICJ), Submission of the International Commission of Jurists and the Human Rights Commission of Pakistan in View of the Examination by the Committee against Torture of the First Periodic Report of Pakistan under Article 19 of the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, mars 2017, p. 13:  
[www.ecoi.net/en/file/local/1400738/1930\\_1496303800\\_int-cat-css-pak-26977-e.pdf](http://www.ecoi.net/en/file/local/1400738/1930_1496303800_int-cat-css-pak-26977-e.pdf).

HRCP, mars 2018:

«Yet again in 2017, Pakistan did not fare well in its rankings in international indices measuring gender equality and women and girls' empowerment, particularly in the **Global Gender Gap Report (GGGR 2017) of the World Economic Forum. Out of 144 countries ranked, Pakistan came second last at 143**, sandwiched between two war-ravaged countries: Syria (142) and Yemen (144), and below all other middle and low-income economies, including all African countries. (...)

**The federal government followed up on its Report of the Committee on FATA Reforms (2016) by tabling two draft laws on FATA reforms. One of them was titled 'Tribal Areas Rewaj Bill 2017'. Tribal women themselves, along with their supporters among rights activists and progressive political workers from all over Pakistan, joined together to vehemently oppose the Bill, calling it 'FCR/1901 by a new name' and 'sanctification of unjust jirgas and anti-women traditions in the name of reform.' The government quietly shelved the Bill without any fanfare. (...)**

*Jirgas and panchayats*

**Jirgas and panchayats continued to be convened with impunity, and continued to pronounce 'verdicts' with instant implementation, despite having been declared illegal since 2004, initially by the Sindh High Court, and since 2005 by the Supreme Court of Pakistan.**

*No national level accurate data is available on the exact number, locale, subject and nature of such gatherings in the past year, but micro-level case studies and the few which do get reported in the print or electronic media only scrape the surface, similar to the incidence of 'honour' killings.*

**Women and girls are seen to disproportionately bear the brunt of the unjust, cruel, barbaric, and very often inhuman verdicts of jirgas and panchayats and their instant implementation. This is especially true in cases of 'badal-e-sulah' (giving away of little girls and young women in compensation for blood feuds among men), 'honour' killings, and land disputes, among others.**

**Such illegal gatherings cannot be held and their illegal orders cannot be carried out without the complicity and collusion of the local police and LEAs. A large proportion of the men who are members and even heads of jirgas and panchayats, turn out to be**



**electe**d or nominated to serve in the legislatures (federal Parliament, provincial assemblies or local governments). This practice is found across the board, in all political parties in the legislatures, and across all provinces and areas of Pakistan. It is also reported that jirgas and panchayats do not operate pro bono – allegedly, large sums of money change hands too.

**During 2017, no steps were taken against these illegal councils to eliminate or even curb their excesses by either federal or provincial governments. Where a few jirgas and panchayats were reportedly held, lacklustre efforts were made to 'search for' and arrest their members, but there were no reports of any prominent politician or legislator being arrested or convicted for participating in such illegal gatherings.**

**The petition of the National Commission on the Status of Women (NCSW) against jirgas and panchayats once again remained pending in the Supreme Court of Pakistan during 2017. (...)**

Some years ago, a federal cabinet minister informed the Pakistan Development Forum that **three out of every four Pakistanis living in poverty are women, i.e. a female/male poverty ratio of 3:1 or 75% women, which is significantly higher than the global norm.** No one has contested this startling revelation to date.

Women's food insecurity, hunger, malnutrition and anaemia have a direct impact on their own and their children's survival, health, growth, educational attainments and productivity through paid labour vs. Their unpaid domestic, livestock, and agricultural labour and their uncounted and unvalued work in the care economy. » Source: Human Rights Commission of Pakistan (HRCP), State of Human Rights in 2017, mars 2018, p. 162, 164, 169-170, 172: <http://hrcp-web.org/publication/wp-content/uploads/2018/04/State-of-Human-Rights-in-2017.pdf>.

ICG, 15 février 2017:

**«Housing and transport problems are especially acute for women, whose numbers are increasing in the informal labour force, particularly as house help, and in the manufacturing sector. Working women reportedly spend four hours daily commuting in unsafe conditions. "Women's Only" sections in buses are seldom enforced, and police typically ignore complaints about sexual harassment. Leaving home early, travelling long distances and returning at night to unsafe neighbourhoods, they face threats and harassment. Even non-Muslims have started wearing the burqa (veil) as protection against harassment. Many home-based women workers complain about social isolation in the absence of safe, convenient transport.»** Source: International Crisis Group (ICG), Pakistan: Stoking the Fire in Karachi, 15 février 2017, p. 6: [www.ecoi.net/en/file/local/1396660/1226\\_1490624453\\_284-pakistan-stoking-the-fire-in-karachi.pdf](http://www.ecoi.net/en/file/local/1396660/1226_1490624453_284-pakistan-stoking-the-fire-in-karachi.pdf).

Jamestown Foundation, 26 janvier 2018:

**«ISK-P came into existence in early 2015, and it has since expanded its influence beyond its operational headquarters in Afghanistan's Nangarhar province, which borders Pakistan's tribal regions. The group, which is mostly comprised of fighters who defected from the Pakistani Taliban in Orakzai and Mohmand agencies, has perpetrated indiscriminate mass-fatality attacks in cities from Jalalabad and Kabul in Afghanistan, to Quetta**



and Lahore in Pakistan. Alarming, in September last year, an IS flag bearing the message “The khilafat (caliphate) is coming” was even seen hoisted on a pedestrian bridge near Iqbal town in Islamabad, the Pakistani capital (Express Tribune, September 24, 2017).

*ISK-P has extended its influence through alliances with, or simply by co-opting, local militant groups and their leaders. In Pakistan, it has gained the support of sectarian factions such as Lashkar-e-Jhangvi al-Alami, Jundullah and Jamaat-ul-Ahrar, the most powerful faction of the Tehrik-e Taliban (TTP) movement. It also has ties to Lashkar-e Islam (LeI), led by Mangal Bagh Afridi, and Lashkar-e-Khorasan.»* Source: Jamestown Foundation, Islamic State Gains Ground in Afghanistan as Its Caliphate Crumbles Elsewhere; Terrorism Monitor Volume: 16 Issue: 2, 26 janvier 2018: [www.ecoi.net/en/document/1423037.html](http://www.ecoi.net/en/document/1423037.html).

Pakistan Bureau of Statistics, 3 janvier 2018:

«ADMIN UNIT	POPULATION	NO OF HH
<b>MOHMAND AGENCY</b>	<b>466,984</b>	<b>48,118</b>
<b>UPPER MOHMAND TEHSIL</b>	<b>51,068</b>	<b>5,649</b>
<b>KHAWAZAI TRIBE</b>	<b>51,068</b>	<b>5649</b>
BABOZAI SECTION	8,284	894
BAE ZAI (BED MANE/BABA ZAI)	8,284	894
082020141	28	6
(...)		
ESA KHEL SECTION	467	73
ESA KHEL	467	73
082020201	25	2
(...)		
KHUGA KHEL SECTION	2,810	440
KHUGA KHEL	2,810	440
082020209	0	0
(...)		
KODA KHEL/ATMAR KHEL SECTION	8,190	890
KODA/ATMAR/MULA/NAZAR KHEL	8,190	890
082020124	458	53
(...)		
<b>MUSA KHEL SECTION</b>	<b>8,834</b>	<b>1029</b>
<b>MUSA KHEL (METI DARA/SARAKHWA/</b>	<b>8,834</b>	<b>1029</b>
082020222	737	84
(...)		
TUTA/KHADI KHEL SECTION	22,483	2323
TUTA/KHADI KHEL	22,483	2323
082020101	1,265	189
(...))»		

Source : Pakistan Bureau of Statistics, Block Wise Provisional Summary Results of 6th Population & Housing Census-2017: Population and Household Detail from Block to District Level: FATA (Mohmand Agency), 3 janvier 2018, p. 1, 8-10:

[www.pbscensus.gov.pk/sites/default/files/bwpsr/fata/MOHMAD%20AGENCY\\_BLOCK-WISE.pdf](http://www.pbscensus.gov.pk/sites/default/files/bwpsr/fata/MOHMAD%20AGENCY_BLOCK-WISE.pdf).

Pakistan Today, 23 mai 2016:

**«Despite performing their duties in the most challenging environment and rendering matchless sacrifices in the war against terrorism, the Frontier Constabulary (FC), levies and Khasadar are among the lowest-paid security personnel in the country. Per details, the FC, levies and Khasadar force have neither been properly equipped nor paid at par with other security forces.»** Source: Pakistan Today, FATA MNA seeks salary raise for levies, khasadar, FC troopers, 23 mai 2016: [www.pakistantoday.com.pk/2016/05/23/fata-mna-seeks-salary-raise-for-levies-khasadar-fc-troopers/](http://www.pakistantoday.com.pk/2016/05/23/fata-mna-seeks-salary-raise-for-levies-khasadar-fc-troopers/).

PIPS, 7 janvier 2018:

**«Mainly Jamaatul Ahrar as well as some other unknown militants perpetrated 13 attacks in Mohmand Agency, killing 15 tribesmen and wounding 20 others. (...)**

Security personnel faced highest number of attacks in Peshawar and adjacent Khyber Agency of FATA (a combined 24 attacks), followed by Mohmand Agency (7), South Waziristan (6), Kurram Agency (5), DI Khan (7), North Waziristan (5 attacks) and Bajaur (4 attacks). (...)

### **2.1.2 Attacks on pro-government tribesmen and tribal elders**

Compared to 26 such attacks in the year before, as many as 12 terrorist attacks in KP and FATA in 2017 targeted **members of peace committees and anti-militant lashkars – also known as pro-government tribesmen or elders**. These attacks claimed 23 lives and injured 16 others.

Most of these attacks (10) happened in FATA – 4 in Khyber, **3 in Mohmand**, 2 in Bajaur and one in South Waziristan Agency – and two in KP; one each in Hangu and Peshawar. While Jamaatul Ahrar launched the recorded attacks on tribal pro-government tribesmen in Mohmand and Bajaur agencies, Lashkar-e-Islam and TTP were involved in targeting them in Khyber Agency. (...)

Three people were killed in Mohmand Agency in the attacks on pro-government tribal elders. On September 1, a local peace committee head Rehman along with four others was on his way home after offering Eid prayers (in Mohmand, Eid was celebrated one day earlier than in rest of Pakistan) in the Shati Meena area of Ambar when an IED went off. Faqeer Hussain, his father Shad Ali and son Maaz died on the spot. Rehman and Kaach Haji were wounded. Jamaatul Ahrar claimed the attack. In another related attack reported from the agency, on December 2, the vehicle of a pro-government tribal elder Malik Amir Rehman was damaged in an IED blast in the Olai Shah area of Amber tehsil. Mr Rehman was not in the car at the time of the incident that did not cause any casualty. (...)

At least 6 attacks in Khyber Pakhtunkhwa and FATA hit government functionaries and offices/institutions during 2017, killing 18 and wounding 45 people. Most of these casualties

resulted from 2 attacks, one at the Mohmand Agency headquarters, and second on the hostel of Peshawar's Agricultural Training Institute in Peshawar. The latter was also the most lethal among all these 6 attacks. (...)

In Mohmand Agency, on February 15, five people including three Khassadar personnel were killed and three others were injured in a suicide attack at the agency headquarters. According to the ISPR, two suicide bombers riding a motor bike attacked the office of Political Agent, one of them blew himself at the entrance while the other was shot dead by the guards posted there. (...)

Jamaatul Ahrar conducted three suicide bombings in Mohmand and Khyber agencies of FATA, killing 10 and wounding 5 people, in all. Two of these attacks targeted security personnel and one hit the office of Political Agent in Mohmand Agency. (...)

#### 2.14.1 Pak-Afghan

Out of the total 28 reported cross-border attacks from Afghanistan, as many as 27 took place in FATA – 12 in Khyber, 6 in Mohmand, 5 in Kurram, 2 in Bajaur and 2 in South Waziristan Agency – while one such attack happened in Balochistan, in Chaman. (...)

February: Four cross-border attacks were reported in the month and successfully repulsed by Pakistani security forces, killing 29 militants; 5 army soldiers were injured in these attacks. Militants from across the Afghan border made incursions in small groups in Mohmand, Kurram, South Waziristan and Bajaur agencies to target security forces and their check-posts.

March: Three cross-border attacks/clashes in Khyber and Mohmand agencies killed 31 people – 24 militants, 5 army soldiers and 2 FC officials – and injured 20 militants and 4 FC men. In one of these attacks, on March 6, over 40 militants crossed the Pak-Afghan border from Kunar province and attacked 3 posts at the Gora Pari top in Mohmand Agency with light and heavy weapons. The attack claimed the lives of five soldiers. Security forces retaliated and killed 15 militants. Jamaatul Ahrar claimed responsibility for the attack. (...)

During the month of March, Pakistan also began fencing of its borders with Afghanistan, starting from bordering areas of Mohmand and Bajaur agencies; these areas were recently frequently used by Pakistani militants sheltered in Nangarhar and Kunar provinces of Afghanistan to cross into FATA and launch attacks. (...)

According to a media report, 237km of a high infiltration-prone zone in Khyber, Bajaur and Mohmand tribal regions was being fenced in fist phase. (...)

Khyber, Mohmand and Orakzai agencies remained relatively peaceful in 2007 (sic) with few small attacks. In Mohmand On Feb. 15, 2017, a suicide bombing had killed 6 security men and civilians in Ghalanai, in Mohmand. Jamaat-ul-Ahrar group, which is consisted of Taliban from Mohmand region, had claimed the attack in a statement.» Source: Pak Institute for Peace Studies (PIPS), Security Report 2017, 7 janvier 2018, p. 37, 40-42, 44, 59-60, 72, 74, 182: [www.pakpips.com/web/wp-content/uploads/2018/05/sr2017.pdf](http://www.pakpips.com/web/wp-content/uploads/2018/05/sr2017.pdf).

PIPS, 10 janvier 2017:

«Some of the major attacks recorded in FATA during the year included: a suicide attack on Khassadar force in Jamrud; **targeted killing of 7 Khassadar officials in Mohmand Agency; and a suicide blast in a mosque in Mohmand Agency.** (...)

**Jamaatul Ahrar carried out most of the 36 attacks reported from Mohmand Agency.** The group was also found involved in terrorist attacks in other FATA agencies mainly Bajaur Agency, where 15 attacks took place during the year 2016. (...)

The highest number of attacks against security/law enforcement agencies in any one regions of FATA and KP was reported from Peshawar (29 attacks), followed by Mohmand Agency (18), Swat (11), Khyber Agency (8), South Waziristan (6), Swabi (5) and 4 attacks each in Bajaur Agency, Charsadda, and Lakki Marwat. (...)

February 18: Seven Khassadar personnel were killed when reportedly Jamaatul Ahrar militants opened fire at a security check-post in Karapa area of Pindiali tehsil in Mohmand Agency.18 (...)

#### 2.1.2 Attacks on pro-government tribesmen and tribal elders

A total of 26 terrorist attacks in KP and FATA targeted members of peace committees and anti-militant lashkars – usually known as pro-government tribesmen or elders – in 2016, killing 68 and wounding 49 people; 34 such attacks had happened in 2015. Peace committees were formed in parts of FATA to keep an eye on the activities of suspected elements and inform the security forces accordingly.

Around 18 of these attacks concentrated in three tribal agencies of Mohmand (7 attacks), Bajaur (5) and Khyber (6 attacks). While Jamaatul Ahrar launched most of the recorded attacks on tribal progovernment tribesmen in Mohmand and Bajaur agencies, Lashkar-e-Islam was involved in targeting them in Khyber Agency. (...)

Jamaatul Ahrar hit hard pro-government tribesmen in Mohmand Agency killing a total of 40 tribesmen and wounding 36 others in a total of 7 attacks. Worst of these attacks happened on September 6, when a suicide bomber attacked a mosque in Payee Khan village during Friday

prayers, leaving at least 36 worshipers dead and over 30 injured. Jamaatul Ahrar spokesman said while claiming responsibility for the bombing that members of pro-government tribal lashkars were the target.24 (...)

#### 2.1.3 Attacks on civilians

As many as 45 terrorist attacks in KP and FATA in 2016 apparently targeted civilians claiming 40 lives and inflicting injuries on another 133 people; 23 of these attacks took place in KP and 22 others in FATA. Civilians faced 9 attacks in Peshawar, 8 in Mohmand Agency, 6 in Bannu, 4 in North Waziristan and 3 attacks each in Khyber, Kurram and South Waziristan agencies. Two reported attacks against civilians in Mardan claimed 14 lives. (...)

*Other 5 attacks on educational institutions were reported from Mohmand, North Waziristan, and South Waziristan agencies in FATA and Tank in KP province. In all, a minor girl was killed and 5 others, including a policeman, were injured in these attacks on schools. (...)*

*Most of the fatalities in suicide attacks in 2016 resulted from the attacks: on Christian community members in a park in Lahore (74 dead; 231 injured); in Civil Hospital Quetta (74 dead; 108 injured); on pro-government tribesmen in Mohmand Agency (36 dead; 30 injured); on police cadets in police academy near Quetta (64 dead; 165 injured); and on a shrine in Khuzdar (54 dead; 100 injured). (...)*

*In Mohmand Agency, on November 25, militants planted an improvised explosive device in the school building owned by Malik Bashir Khan in Chamarkand area, some 75km northwest of agency headquarters Ghalanai, which went off with a bang, damaging the structure. Jamaatul Ahrar militant group claimed responsibility for the blast and said such attacks would continue in future until enforcement of Islamic system in Pakistan.<sup>128</sup> In another similar attack reported from Mohmand, on December 22, militants blew up the building of community model primary school for boys of Malik Nasir Khan in Mosal Kor area.<sup>129</sup> (...)*

*September 23: Pakistani Taliban militants sheltered in Kunar province of Afghanistan attacked a security post in Nawa Pass area of Chamarkund, in Bajaur Agency, and later attacked the Sheikh Baba check-post in Safi tehsil of Mohmand tribal region. Security forces repulsed both attacks,<sup>139</sup> which were claimed Jamaatul Ahrar. (...)*

*Jamaatul Ahrar*

***The TTP's weakening operational capabilities resulted in the strength of its splinter group, Jamaatul Ahrar, which is gradually expanding its outreach in different parts of the country.*** *In 2016, it accepted the responsibility for or was found involved in 66 terrorist attacks comparing 28 in 2015. The group was found responsible for the most deadly attacks of the years, including attacks on Charsadda University, Christian community in Gulshan-e-Iqbal Park, Lahore, Civil Hospital, Hospital, Mardan sessions courts, and FC camp in Mohmand Agency. That is why attacks by Jamaatul Ahrar caused more casualties (292 deaths; 541 injuries) than caused by attacks by the TTP. (...)*

### **Local Taliban**

*The small militant groups in KP and FATA, described as the local Taliban,<sup>171</sup> carried out 61 terrorist attacks in 2016, five more than 2015. Attacks by these groups caused 37 deaths and injuries to 80 others. The increase in the attacks by local Taliban mainly in KP province indicates growing level of radicalism and thus recruitment as such groups manage these attacks on their own. (...)*

*Similarly, 3 operational strikes were reported from Mohmand Agency and one from Orakzai Agency.»* Source: Pak Institute for Peace Studies (PIPS), Security Report 2016, 10 janvier 2017, p. 16, 28, 29-31, 43, 55, 57, 68, 80: [www.pakpips.com/article/book/pakistan-security-report-2016](http://www.pakpips.com/article/book/pakistan-security-report-2016).

RFE/RL, 31 mai 2018:

**« Pakistani President Mamnoon Hussain has signed legislation that merges the country's tribal regions with the Khyber Pakhtunkhwa Province and therefore grants some 5 million people in the regions the same rights as other Pakistanis. Hussain signed the law in Islamabad on May 31.**

*The bill had previously been passed by the lower and upper houses of parliament as well as the assembly in Khyber Pakhtunkhwa with the necessary two-thirds majority.*

**The legislation rids the northwestern tribal areas of what were seen as discriminatory laws under which those regions have been governed since the colonial rule of Britain.**  
(...)

**The Federally Administered Tribal Areas (FATA) include seven territorial agencies: Bajaur, Mohmand, Khyber, Orakzai, Kurram, North Waziristan, and South Waziristan. They are mainly rugged, mountainous areas along the border with Afghanistan.»** RFE/RL – Radio Free Europe/Radio Liberty: Pakistani President Signs Law Merging Tribal Areas With Khyber Pakhtunkhwa, 31 mai 2018: [www.ecoi.net/en/document/1434119.html](http://www.ecoi.net/en/document/1434119.html).

RFE/RL, 9 avril 2018:

**« Thousands of protesters clapped frantically and others wept as Basro Bibi, draped in a brown burqa and flanked by her young children, made an emotional plea to authorities to release her missing husband. "My husband was picked up by the military four years ago," cried Bibi from the stage, addressing the tens of thousands of Pakistan's Pashtun minority who gathered in the northwestern city of Peshawar on April 8 to demand an end to alleged forced disappearances and harassment by authorities.**

**"We don't know why he was taken or where he is," added Bibi, a mother of five who lives in the Khyber tribal agency, part of the Pashtun-dominated Federally Administered Tribal Areas (FATA) in northwest Pakistan. "I urge the authorities to stop this cruelty."**

**Many Pashtuns claim they have been the targets of the all-powerful Pakistani Army and its notorious intelligence services, which have an oversized role in the South Asian country.**

*The impoverished, long-neglected, and largely lawless tribal areas became a front line in the battle against extremist groups after the U.S.-led invasion of Afghanistan in 2001, when Al-Qaeda took refuge in the region. The area has been the scene of deadly Pakistani army operations, U.S. drone attacks, and militant attacks that have uprooted millions of people and left thousands dead.*

*Pashtuns make up the majority of recruits and members of Pakistani-based militant groups such as the Afghan Taliban, the Haqqani network, and the Pakistani Taliban. The former extremist outfits have carried out deadly attacks against Afghan and international forces in neighboring Afghanistan, while the latter has carried out sectarian attacks against religious minorities and waged an insurgency against Pakistani government troops.*



**Civilians in Pashtun-dominated areas of Pakistan have borne the brunt of the violence and protesters have alleged extrajudicial killings, forced disappearances, racial profiling, and harassment by law enforcement.**

**"My brothers were picked up by the security forces more than two years ago," said Samia, a middle-aged woman holding a placard emblazoned with images of her two missing siblings.**

**"We have received the body of one of the brothers from authorities without any explanation," added Samia, whose brothers disappeared in the Swat Valley, a picturesque region in northwest Pakistan that was the scene of deadly army operations and a former stronghold of the Pakistani Taliban. "My other brother is still missing. They have young wives and children at home. We have nobody to support the family."**

**Samia was among thousands of women, children, and men holding up photos of their missing family members. Some held placards, while others grasped the national ID cards of the missing.**

*Pakistan has an estimated 40 million Pashtuns who make up roughly 20 percent of the country's population of 200 million. Pashtuns are concentrated in an arc along Pakistan's western border with Afghanistan in FATA and the provinces of Khyber Pakhtunkhwa and Balochistan.*

*Pashtuns in FATA live under colonial-era laws that punish an entire tribe for the crime of an individual, jail residents for up to three years without cause, and forcibly relocate people and have their property searched and seized.*

*"Other children are going to schools," said a 10-year-old girl from Bajaur, part of FATA, who did not give her name. "But I lost my education because my family couldn't afford to send me to school after my father disappeared." Wiping the tears from her face with her black head scarf, she said she had to leave school when she was in the fifth grade.*

*The protest in Peshawar was organized by the Pashtun Protection Movement, a new protest movement advocating for the rights of the Pashtun community. Helmed by Manzoor Pashteen, a 27-year-old activist, the movement made national headlines when he led thousands of people from the tribal areas and northwest Pakistan to the capital, Islamabad, in February. The rally, ignited by the killing of a young Pashtun shopkeeper in an allegedly staged gun battle with police in the port city of Karachi, exposed long-held grievances among Pashtuns.*

*Since then, rallies have been held across the tribal areas, in Khyber Pakhtunkhwa Province and neighboring Balochistan Province, attracting tens of thousands of people. The movement has given the relatives of missing persons hope that they can be found and released.*

**Back on the stage in Peshawar, Bibi was ending her teary address. "I'm compelled to speak out even though I know it's not usual for a woman to do so," said Bibi, referring to the conservative Pashtun community in which women play a limited role in public life. "The authorities must realize that every man they forcibly disappear has a family," said Bibi, who told the audience that she has had to beg on the streets to eke out a meager living.**

"Who will provide for my family? Who will send his children to school?" she said as she consoled her children on the stage.» Source: RFE/RL, 'Stop This Cruelty': Pakistan's Pashtuns Want Answers About Missing Loved Ones, 9 avril 2018: [www.ecoi.net/en/document/1428945.html](http://www.ecoi.net/en/document/1428945.html).

RFE/RL, 2 mai 2017:

**«It's a place where a toddler can be thrown in jail for crimes committed by a tribe member; where people can spend years behind bars without ever being charged; and where the authorities can oust entire communities from their homes without explanation.**

*Justice in Pakistan's Federally Administered Tribal Areas (FATA) is a throwback to another era -- a colonial one. For more than a century, human and legal rights have taken a back seat under a set of laws introduced by the British Raj in 1901 in an effort to bring resistant Pashtun tribes on a contested frontier to heel.*

*But now plans are in motion to bring residents of the restive region along Pakistan's western border with Afghanistan under the umbrella of the central government by ending the old legal system, offering voting rights and greater government representation, and raising living standards. The inclusive approach, in theory, will end FATA's isolation and help lure locals away from joining the various militant groups that thrive there. (...)*

**Residents of the seven tribal areas that make up FATA have suffered immensely under the system, and have seen few of the benefits of being part of a state. They were granted only minimal political representation; were not allowed to vote in national elections; infrastructure modernization such as electrification largely passed them by; unemployment rates jumped to as high as 80 percent; and millions have been displaced by fighting and natural disasters. (...)**

**In one notorious case, a 2-year-old was jailed in 2004 along with her mother and two siblings for a crime committed by the girl's father.**

**In another, the entire Mehsud tribe was subjected to collective punishment in 2009 after the government moved against the Pakistani Taliban, which was led by 35-year-old tribesman Baitullah Mehsud. The political agent in FATA's South Waziristan tribal agency ordered the detention of tribe members and the seizure of their property. (...)**

**He refers to the "jirga" legal system in which unelected tribal councils dominated by elders mete out justice. Qadri says this system is "dominated by political interests" and fails to meet "even elementary aspects of international fair-trial standards."»** Source: RFE/RL, Reform Of Colonial-Era Laws Aims To Bring Pakistan's 'Black Hole' Into The Light, 2 mai 2017: [www.ecoi.net/en/document/1400423.html](http://www.ecoi.net/en/document/1400423.html).