

INTER-INSTITUTIONAL RELATIONS IN PAKISTAN

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Peace deal signed between US officials and Taliban representatives at Doha

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Prime Minister Imran Khan on US-Taliban Doha Accord

Prime Minister Imran Khan welcomed the signing of Doha Accord between the United States and Taliban on February 29 as "the start of a peace and reconciliation process to end decades of war and suffering of the Afghan people." He said that "I have always maintained that a political situation, no matter how complex, is the only meaningful path to peace."¹

The agreement, under which the US has committed to withdraw up to 5,000 troops in about four and a half months and all remaining forces within 14 months, if the deal holds, is expected to lead to initiation of intra-Afghan dialogue in March.²

Pakistan, not a signatory to the agreement, was represented at the

signing ceremony at Doha by the Foreign Minister, Mr. Shah Mahmood Qureshi.

Reporting on a briefing to journalists in Washington by US administration's two un-named senior administration officials, Dawn reported that the United States will need Pakistan's "continued support and effort" to implement the Afghan peace deal. Pakistan has been an important partner in the effort to reach an agreement with the Taliban and "given Pakistan's history in this conflict, which is well known to everybody. They're an important player," the officials were quoted as saying. The US official also acknowledged that having a "productive working relationship with the government of Pakistan" during the Afghan peace process "has been useful."³

This monitor is meant to identify key developments during the month on Inter-Institutional Relations in Pakistan with selected high-profile international developments included occasionally. For the purpose of this monitor, the institutions are meant to be the Legislature, Judiciary and Executive (Both Civil and the Military).



Prime Minister Mr. Imran Khan addressing a ceremony to commemorate Pakistan's Responsible and Resolute Response to Indian Aggression

In his maiden press conference on February 27, the newly-appointed DG ISPR, Maj. Gen. Babar Iftikhar, when asked about the US-Taliban peace deal, responded that while this was the domain of the Foreign Office, there were no reports of delay in signing of the deal. (*Waisay tau yeh foreign office ki domain hai; but mein jitna aap ko bata sakta hun taatul ki koi khabar nahin hai.*)⁴ "Nobody wants peace in Afghanistan more than Pakistan. We are hoping for the best," he said.

In response to another question, he also said that "There is nothing wrong with our relationship with Afghanistan. We have a very cordial and good relationship. As far as this peace accord is concerned, Pakistan has done its best to facilitate this [deal], and that has been acknowledged unanimously, by everyone. I don't see any reasons for our relationship going sour with Afghanistan," he added.⁵

There are no military solutions: Prime Minister

Addressing a ceremony termed to commemorate Pakistan's Responsible and Resolute Response to Indian Aggression of February 26, 2019, Prime Minister Imran Khan said that Pakistan's

Pakistan has been an important partner in the effort to reach an agreement with the Taliban and "given Pakistan's history in this conflict, which is well known to everybody, [Pakistan is] an important player," .. and having a "productive working relationship with ...Pakistan" during the Afghan peace process "has been useful.

"A mature nation realises that there are no military solutions. Military only defends a country which is what our military did. However, no problem can be solved through a military solution because the world history shows that when someone tries to resolve any issue through military means, 5 more issues get created in the process." Prime Minister Imran Khan

response to the Indian aggression in February 2019 was indicative of our peaceful and matured nation.⁶

He said that instead of appreciating and acknowledging the maturity of Pakistan's response, Indian government and media carried out a campaign as if Pakistan returned the captured pilot of the downed Indian Air Force plane out of fear. He said that a mature nation realises that there are no military solutions. Military only defends a country which is what our military did. However, no problem can be solved through a military solution because the world history shows that when someone tries to resolve any issue through military means, 5 more issues get created in the process. (*Aik mature qaum yeh realise karti hai ke military solutions hotay hi nahin hain; yeh tau sirf military apni qaum ko defend karti hai jo hamari military ne kiya. Lekin app koi bhi military se masalay hal karnay jaatay hain; dunya kee tareekh yeh batata hai ke military se aap aik masala hal kartay hain tau paanch aur masayal khul jaatay hain.*)⁷

Mr. Imran Khan also said that the "way Pakistan had responded to Indian attacks is indicative of the nation's maturity. The whole nation, armed forces, media and political parties exhibited maturity and did not panic when India attacked at 3 am late night." Participants at the ceremony included leadership of armed forces, federal cabinet members, diplomats and MPs.⁸



Former spokesperson of banned TTP, Ehsanullah Ehsan

4. Youtube.com, [Website], 2020, <https://www.youtube.com/watch?v=IsDLIMclTUU> (accessed March 10, 2020)

5. Ibid, 2020

6. Dawn.com, [Website], 2020, <https://www.dawn.com/news/1536922/pm-praises-nation-response-to-february-aggression> (accessed March 10, 2020)

7. Youtube.com, [Website], 2020, <https://www.youtube.com/watch?v=2umSpqKCNbE> (accessed March 10, 2020)

8. The News International, [Website], 2020, <https://www.thenews.com.pk/print/620259-proud-of-pakistan-armed-forces-pm-imran-khan> (accessed March 10, 2020)



Chief Justice Islamabad High Court, Justice Athar Minallah

Escape of Ehsanullah Ehsan

On February 6, in an online audio message, former spokesperson of the banned Tehreek-e-Taliban Pakistan (TTP), and Jamaat-ur-Ahrar (JuA), Ehsanullah Ehsan, claimed that he had surrendered to authorities under an agreement, but escaped after “Pakistan’s treacherous institutions imprisoned me, along with my children.”⁹

Ehsanullah Ehsan was in the custody of the Government of Pakistan since February 2017 and had been held by the military and made a televised confession in April 2017. According to Al-Jazeera, Ehsanullah Ehsan confirmed the authenticity of the audio message in a phone interview with Al Jazeera where he also said that he had escaped in mid-January, and that he would be releasing further details “at a later time.” He also shared an image of a document he claimed was part of his surrender agreement. He claimed that that he was guaranteed immunity from prosecution and promised that he would be held in a “secure location” and provided a monthly stipend.¹⁰

On February 09, the Senate Standing Committee on Interior sought a detailed report about the escape of Ehsanullah Ehsan. However, it was only on February 16 when Federal Interior Minister, Mr. Ijaz Shah, in conversation with a reporter outside the Parliament House, admitted that former spokesperson of the banned TTP Ehsanullah Ehsan had indeed escaped custody.¹¹

No comment has been offered by the ISPR on the subject.

On February 27, hearing a petition, a bench consisting Justice Ikramullah Khan and Justice Ijaz Anwar of the Peshawar High Court directed several state functionaries, including the Chief of the Army Staff, DG ISI, Chief Secretary KP and Secretaries of the Interior, Defence, Law and Parliamentary Affairs, to respond to a petition seeking contempt proceedings against them for not implementing

its orders to try former spokesperson for the banned Tehreek-i-Taliban Pakistan Ehsanullah Ehsan.

The order was issued after preliminary hearing into the petition of lawyer Fazal Khan, whose son was martyred in the 2014 Army Public School carnage. The petitioner has maintained that the respondents had blatantly violated the court’s orders given to them over his earlier petition filed against the alleged plan of the former government to give clemency to Ehsanullah Ehsan, who had surrendered to an intelligence agency in April 2017. The government had then claimed that Ehsanullah was under investigation and would be tried subsequently by a military court. He claimed that instead of trying Ehsanullah, he was provided a luxurious house from where he escaped later.¹²

IHC on Invoking 'Sedition' Charges

Granting bail to 23 workers of the Pashtun Tahaffuz Movement (PTM) and Awami Workers Party (AWP) on February 3, Chief Justice of the Islamabad High Court, Justice Athar Minallah, questioned the administration on invoking sedition charges against protesting citizens and termed sedition charges as the legacy of the colonial era.¹³

Continuing the hearing on February 11, the IHC sought an explanation from a magistrate for invoking sedition charges against those who were taken into custody during the protest. Chief Justice of the Islamabad High Court, Justice Athar Minallah was quoted as saying that “it is noted that every detention amounts to a tort unless the officials directing the arrest can show to the satisfaction of the court that intrusion of the constitutionally guaranteed rights such as liberty, inviolability of dignity and freedom of movement is justified under the law. In the facts and circumstances of the case in hand, the officials have not been able to give a satisfactory explanation for invoking the most serious offences i.e. ‘sedition’ and ‘terrorism’,” he observed. The state counsel informed the court that Section 7 of the ATA had been deleted. “The narration of facts in the FIR did not support the said addition besides being in violation of the law laid down by the august Supreme Court,” he pointed out.¹⁴

On February 17, the IHC was informed by the Islamabad Deputy Commissioner that criminal cases registered against 23 protesters had been withdrawn.

“..Every detention amounts to a tort unless the officials directing the arrest can show to the satisfaction of the court that intrusion of the constitutionally guaranteed rights such as liberty, inviolability of dignity and freedom of movement is justified under the law...officials have not been able to give a satisfactory explanation for invoking the most serious offences i.e. ‘sedition’ and ‘terrorism’.”

9. Al-Jazeera.com, [Website], 2020, <https://www.aljazeera.com/news/2020/02/pakistan-confirms-escape-pakistan-taliban-spokesman-200218105124113.html>

10. Ibid, 2020

11. Geo.tv, [Website], 2020, <https://www.geo.tv/latest/272827-interior-minister-says-news-ex-tp-spokesperson-ehsanullah-ehsan-escape-were-true> (accessed March 10, 2020)

12. Dawn.com, [Website], 2020, <https://www.dawn.com/news/1537051/state-functionaries-asked-to-explain-failure-to-try-ex-tp-spokesman> (accessed March 10, 2020)

13. Dawn.com, [Website], 2020, <https://www.dawn.com/news/1532376/ihc-grants-bail-to-23-ptm-awp-workers> (accessed March 10, 2020)

14. Dawn.com, [Website], 2020, <https://www.dawn.com/news/1533948/ihc-seeks-explanation-from-magistrate-for-invoking-sedition-charges-against-rights-activists> (accessed March 09, 2020)



Former AG, Anwar Mansoor Khan (2nd from left)

Petitions against Convictions by Military Courts

In a developing story, the Peshawar High Court, while hearing around 250 petitions challenging the conviction of suspected militants by military courts, received relevant records of these cases from Ministry of Defence and adjourned hearing of these cases to March 10. Proceedings in all these cases are conducted in-camera.¹⁵ Earlier, the Supreme Court had turned down a request of the Government to stop the proceedings of the Peshawar High Court on the issue.

It must be noted that a bench headed by the present chief justice, in October 2018, had accepted 75 writ petitions of military court convicts, mostly facing capital punishment, and had set aside their convictions and sentences. The Court, in its judgment had stated that “proceedings, before the Military Courts ..were a complete prosecution show and accused/convicts were denied their fundamental right of engaging a private counsel of their choice at their own expense.”

The Supreme Court of Pakistan had suspended the said judgment of the high court over appeals filed by the government. The Supreme Court had earlier stayed the PHC order with a directive to the jail superintendents concerned to halt the release of the accused awarded different sentences, including death.

The main appeals of the government against the PHC judgment have still been pending before the Supreme Court where a three-member Supreme Court bench, headed by Justice Mushir Alam and comprising Justice Muneeb Akhtar and Justice Aminuddin Khan, has been hearing the federal government's appeal.

Resignation of the Attorney General

On February 20, Attorney General, Mr. Anwar Mansoor Khan resigned from his post on account of his remarks made before a Supreme Court bench hearing petitions challenging the filing of presidential reference against Justice Qazi Faez Isa.¹⁶

Mr. Anwar Mansoor Khan was asked by the Court to apologise or produce evidence on the basis of which he had levelled allegations against the members of the bench. While the Court had restrained media from reporting on what was the exact allegation, in a tweet, Journalist Mr. Hamid Mir claimed that the Attorney General had said to the bench hearing the case that some honourable judges of the Supreme Court had helped Justice Qazi Faez Isa in preparing his response to the reference against him. When the bench asked Mr. Anwar Mansoor Khan to produce evidence in support of the allegation, he could not do so and therefore had to resign. “Attorney General Anwar Mansoor Khan ne ilzaam lagaya tha keh Justice Faez Isa ka jawab tayar kernay mein supreme court ke kuch judgon ne un ki madad ki; inn se ilzam ka sabot maanga paish na ker sakay.”¹⁷

While Mr. Anwar Mansoor Khan maintained that he resigned in response to the demand of his resignation by the Pakistan Bar Council (PBC), the Law Ministry maintained that he was asked to step down.

In distancing itself from the allegations made by Mr. Anwar Mansoor Khan, the Federal Government, submitted a reply to the Supreme Court through Law Ministry stating that the “oral statement” made by Mr. Anwar Mansoor Khan on February 18 was “unauthorised, without instructions and knowledge of the Federal Government and the answering respondents, and totally uncalled for.” However, in media statements and interviews, Mr. Anwar Mansoor Khan has continued to claim that his statement had been discussed at the government level and that he had the support of the Law Minister and Advisor to the Prime Minister on Accountability.

On February 22, the Pakistan Bar Council, in a statement, demanded from the Prime Minister to immediately remove Federal Law Minister, Mr. Farogh Naseem from his post. “The prime minister of Pakistan is urged upon to immediately expel him from the federal cabinet in the larger national interest and continuity of the democratically elected government, lest it is too late,” said the statement by the PBC.¹⁸

COAS meets Foreign Dignitaries

1. On February 4, a four-member Rotary International team (US Organization on Polio Eradication) led by Mr. Holger Knaack, President Rotary International, called on the COAS at the

15. Dawn.com, [Website], 2020, <https://www.dawn.com/news/1536280/view-from-the-courtroom-petitions-against-military-courts-convictions-enter-decisive-stage> (accessed March 12, 2020)

16. Dawn.com, [Website], 2020, <https://www.dawn.com/news/1535710/ags-remarks-against-sc-judges-cost-him-his-job>, (accessed March 13, 2020)

17. Twitter.com, [Website], 2020, <https://twitter.com/HamidMirPAK/status/1230429366112473088> (accessed March 13, 2020)

18. Dawn.com, [Website], 2020, <https://www.dawn.com/news/1536149/pbc-wants-minister-fired-for-conspiring-against-judiciary> (accessed March 13, 2020)



Mr. Holger Knaack, President Rotary International, calling on the COAS



Mr. Zalmay Khalilzad, US Special Representative for Afghan Reconciliation, with the COAS

GHQ. The ISPR reported that during the meeting, matters related to healthcare, particularly Pakistan's commitment for comprehensive Polio Eradication were discussed.¹⁹

2. On February 14, General Hulusi Akar (Retired), Minister of National Defence of the Republic of Turkey, called on COAS. According to the ISPR, matters of mutual interest, regional security and measures to further enhance bilateral defence collaboration were discussed between the two.²⁰
3. On February 17, Mr. Zalmay Khalilzad, US Special Representative for Afghan Reconciliation, called on the COAS at the GHQ, to discuss matters of mutual interest including overall regional security situation and ongoing Afghan Reconciliation Process, according to the ISPR.²¹
4. On February 17, Mr. Antonio Guterres, United Nations (UN) Secretary General, called on the COAS at the GHQ. The ISPR reported that matters of mutual interest, overall regional security situation including Afghan Refugees issue, Afghan Reconciliation Process and Kashmir dispute were discussed.²²

5. On February 20, General Qamar Javed Bajwa, Chief of Army Staff, visited Kuwait on a day-long official visit where he held separate meetings with His Excellency, Sheikh Ahmad Mansour Al-Ahmad Al-Jaber Al-Sabah, Deputy Prime Minister, and Minister of Defence, Lieutenant General Mohammed Khaled Al-Khadher, Chief of General Staff Kuwait Armed Forces, and Lieutenant General Staff Engineer, Hashim Abdurazaq Al-Refaea, Under Secretary National Guard. During the meetings, matters of mutual interest, bilateral defence & security cooperation and regional peace and stability were discussed. The political and military leadership of Kuwait highly appreciated the professionalism of Pakistan Army and determination of the Pakistani nation in combating terrorism. Both sides agreed to increase bilateral cooperation in multiple fields of defence and security including export of defence products, training, provision of trained manpower / human resource and cooperation in counter-terrorism domain. Earlier, on arrival at the Army Headquarters, the COAS was received by His Excellency Lieutenant General Mohammed Khaled Al-Khadher, Chief of General Staff Kuwait Armed Forces. A smartly turned our contingent of Kuwait Army



General Hulusi Akar (Retired), Minister of National Defence of the Republic of Turkey, with the COAS



Mr. Antonio Guterres, UN Secretary General, with the COAS

19. Inter-Services Public Relations, [Website], 2020, <https://www.ispr.gov.pk/press-release-detail.php?id=5605> (accessed March 09, 2020)
 20. Inter-Services Public Relations, [Website], 2020, <https://www.ispr.gov.pk/press-release-detail.php?id=5621> (accessed March 09, 2020)
 21. Inter-Services Public Relations, [Website], 2020, <https://www.ispr.gov.pk/press-release-detail.php?id=5624> (accessed March 09, 2020)
 22. Inter-Services Public Relations, [Website], 2020, <https://www.ispr.gov.pk/press-release-detail.php?id=5623> (accessed March 09, 2020)



COAS General Qamar Javed Bajwa at Kuwait

presented Guard of Honour to COAS.²³

6. On February 22, COAS was chief guest at the concluding ceremony of a week-long Heliski expedition, a joint venture of Afiniti & ISPR at Shogran. At the expedition, more than sixty (6) foreign skiers including high level foreign dignitaries from different countries took part including men and women from Argentina, Australia, Brazil, Canada, Greece, France, Germany, Italy, Spain, Switzerland, UK and USA. The expedition was organised to promote tourism and explore immense potential of Pakistan's snow-clad mountains for adventure sports. The group interacted with General Qamar Javed Bajwa and expedition members also visited Inter Services Public Relations (ISPR) Directorate where DG ISPR briefed them about improved security environment in Pakistan for sports and tourism as a result of successful counter terrorism efforts.
7. On February 23, COAS visited Morocco on an official visit for four days where he called on His Excellency Mr Abdellatif Loudiyi, Minister Delegate to the Head of Government in Charge of the Administration of National Defence, and General Abdelfattah Lourak, Inspector General of Royal Armed Forces. During the meetings, matters of mutual interest, bilateral defence, security cooperation & regional peace & stability were discussed. According to the ISPR, the COAS said during the meetings that Pakistan has and will always stand



COAS General Qamar Javed Bajwa at Heliski expedition at Shogran



COAS General Qamar Javed Bajwa visiting Morocco

with Morocco even in most difficult times.

While in Morocco, the COAS also visited Royal College of Higher Military Education and shared his views on “*Emerging Security Environment and its Challenges, Security situation in the region and Pakistan's contributions in war against terrorism*”. The COAS said that Pakistan being the front line country against terrorism, gave sacrifices and contributions against the global menace for a peaceful region and world.²⁴

8. On February 25, a European Union delegation, led by Her Excellency Androulla Kaminara, Ambassador of European Union, met with General Qamar Javed Bajwa, Chief of Army Staff. According to the ISPR, matters of mutual interest, regional security including Afghan Reconciliation Process, situation at LOC and Indian Occupied Kashmir were discussed. Ambassadors of different countries including Belgium, Czech Republic, Germany, Italy, Netherlands, Poland, Romania, Spain, Sweden, Deputy Head of Missions of France and Hungary, Charge d' Affaires of Greece, Attaché (Political Affairs) of Austria and Senior Technical Advisor, Ministry of Foreign Affairs of Denmark were also part of delegation. Visiting dignitaries appreciated Pakistan's role for peace and stability in the region.²⁵
9. On February 26, H.E Mr Kuninori Matsuda, Ambassador of Japan to Pakistan, called on the COAS. According to the ISPR,



COAS General Qamar Javed Bajwa with a European Union Delegation

23. Inter-Services Public Relations, [Website], 2020, <https://www.ispr.gov.pk/press-release-detail.php?id=5629> (accessed March 09, 2020)

24. Inter-Services Public Relations, [Website], 2020, <https://www.ispr.gov.pk/press-release-detail.php?id=5634> (accessed March 09, 2020)

25. Inter-Services Public Relations, [Website], 2020, <https://www.ispr.gov.pk/press-release-detail.php?id=5636> (accessed March 09, 2020)

matters of mutual interests, regional security and measures to enhance bilateral & defence cooperation were discussed at the meeting.²⁶

10. On February 26, an Egyptian delegation, headed by His Excellency General Mohamed Ahmed Zaki Mohamed, Commander-in-Chief, Minister of Defence and Military Production of Egypt, met with Chief of Army Staff at the GHQ. As per the ISPR, during the meeting, matters of mutual interest, military to military ties, defence and security cooperation were discussed. Both sides agreed to increase bilateral cooperation in multiple fields including joint ventures, defence production, training and intelligence. The visiting dignitary appreciated professionalism of Pakistan Army and achievements in combating terrorism.²⁷

Thailand Court Orders Dissolution of Opposition Party Critical of Military rule

On February 20, Thailand's constitutional court ordered the dissolution of the opposition Future Forward party whose anti-establishment stance got it popularity, especially among young Thai voters. The party had won the third-highest number of seats in previous year's general election. The court banned its leader from politics for 10 years over a loan he gave to the party.²⁸

The court ruled that the party broke the election law by accepting a large loan from its leader. The international media reports that it is widely believed that the party was targeted for its popularity and for being critical of the government and the military and Thailand's traditional ruling class, which is dominated by royalists and the military. The court ruled that the party broke the law by taking a 191 million baht (US \$6 million) loan from Thanathorn. The court said the loan to the party amounted to a donation because it did not follow commercial practices in lending. The election law limits



Mr. Thanathorn Juangroongruangkit, leader of the Thai Future Forward party



Thai students protesting against the dissolution of the opposition Future Forward party

donations from an individual to 10 million baht (US \$318,167).

Future Forward is led by Thai billionaire heir, Mr. Thanathorn Juangroongruangkit, 41, who has been critical of military dominance of politics. Future Forward had come third in the 2019 election winning support from many young Thai citizens and receiving 81 of the 500 seats contested in parliament. It must be noted that the 2019 election was held to end direct military rule though it elected a coalition led by Prime Minister Prayuth Chan-ocha, the former junta leader who first took power in a 2014 coup.²⁹

While the Court's ruling drew criticism from outside Thailand, including from the European Union and a group of parliamentarians from members the Association of Southeast Asian Nations (ASEAN), inside Thailand, the party's dissolution has rallied young Thai students to hold protests across the country to express their discontent with the established political order.³⁰

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26. Inter-Services Public Relations, [Website], 2020, <https://www.ispr.gov.pk/press-release-detail.php?id=5642> (accessed March 09, 2020)

27. Inter-Services Public Relations, [Website], 2020, <https://www.ispr.gov.pk/press-release-detail.php?id=5641> (accessed March 09, 2020)

28. Al-Jazeera.com, [Website], 2020, <https://www.reuters.com/article/us-thailand-politics/thai-court-dissolves-opposition-party-critical-of-military-rule-idUSKBN20F0LP>

29. Ibid, 2020

30. Dawn.com, [Website], 2020, <https://www.dawn.com/news/1536911/thai-rallies-protest-partys-dissolution> (accessed March 10, 2020)