

Advocacy for Sustainable Policy and Implementation Reforms – Khyber Pakhtunkhwa (ASPIRE-KP)

Symposium Report on Merged Districts

Date: 29 September 2024

Venue: Peshawar

Organized by: ASPIRE-KP

Theme: "Merger of Tribal Districts, Challenges, and Proposed Solutions"

1. Introduction

The Symposium on the crucial subject of "Merger of Tribal Districts, Challenges and Proposed Solutions," was held at Peshawar on 29th September 2024. It aimed at highlighting the complex issues arising out of the merger of Ex-FATA region with the province of Khyber Pakhtunkhwa. The Symposium was arranged by ASPIRE-KP (Advocacy for Sustainable Policy and Implementation Reforms, Khyber Pakhtunkhwa) and aimed at bringing together all the stakeholders that included the tribal elders across the region, former civil servants, members of civil society, parliamentarians and representatives of various media outlets.

The objective of the Symposium was to:

- Take stock of the progress made during the past six years since merger in 2018.
- Ascertain the causes of administrative gaps and the delays in development.
- Suggest actionable recommendations to the stakeholders and the Federal Government and Government of Khyber Pakhtunkhwa.

Consequent upon completion of legal formalities ASPIRE-KP was launched formally on 10th August 2024, wherein the forum had made a categorical pledge to assign top priority to the problems and concerns associated and arising out of merger. In consonance with our commitment and recognizing the remarkable importance of this transition, ASPIRE-KP pursued to set a stage where important voices could get together to discuss the accomplishments, challenges and the way forward towards resolving their issues.

2. Overview of the Situation in Merged Districts

The merged districts, formerly known as the Federally Administered Tribal Areas (FATA), have historically been a region on the periphery of Pakistan's governance framework. Governed under the colonial-era Frontier Crimes Regulation (FCR) for over a century, the people of FATA were denied basic civil rights, judicial access, and development opportunities. These areas became synonymous with conflict, underdevelopment, and marginalization, especially during the years of militancy and the war on terror, which left deep scars on the social and economic fabric of the region.

With the merger into Khyber Pakhtunkhwa in 2018, there was a wave of optimism and hope. The people of ex-FATA anticipated an era of political mainstreaming, economic uplift, and

social inclusion. The merger was seen as a historic step towards integrating the region into the national fold, promising them access to the same rights, services, and opportunities enjoyed by citizens elsewhere in Pakistan. However, the reality on the ground has been slower to change.

While political representation in the KP Assembly was achieved, key promises such as the allocation of 3% of the Federal Divisible Pool and a robust administrative and judicial system remain largely unfulfilled. Infrastructure remains poor, with education and healthcare systems underdeveloped, and residents still grapple with insecurity, compounded by a resurgence of militancy and inadequate local policing. The delay in financial disbursements and the failure of some provinces to contribute their shares have stalled much-needed development projects, leaving the region frustrated and underserved.

Although the merger was a monumental step in the right direction, the expectations for rapid improvements in governance and living standards have not been fully realized. The region continues to navigate the complexities of transitioning from its historical isolation to becoming an integrated part of the federation, with significant gaps still needing to be addressed.

3. Program Outline

The symposium agenda encompassed a wide range of discussions, covering both the historical context and the current challenges following the merger. The program included:

- Recitation from the Holy Quran
- Welcome Address by Chairman ASPIRE-KP
- Presentation: "Tribal Areas Merger: Commitments, Fulfillment Status, and Ground Realities"
- Open Forum: Nine speakers from civil society shared their perspectives on the aftermath of the merger.
- Declaration: Consensus on the way forward
- Address by Chief Guest Shahid Khaqan Abbasi
- Vote of Thanks

Each session was structured to encourage and set a context for a dialogue and offer practical solutions to the numerous challenges faced by the residents of the merged districts.

4. Opening Remarks by Chairman ASPIRE-KP

In his opening address, the Chairman of ASPIRE-KP warmly welcomed the participants and highlighted the critical importance of the symposium in shaping the future of the merged tribal districts. He emphasized that the merger of the tribal districts with Khyber Pakhtunkhwa (KP) was a transformative and monumental event in Pakistan's recent history. This merger represents one of the most significant reforms since the country's inception, with long-lasting social, political, and economic implications. The Chairman remarked that this transition carries the potential to reshape the fabric of the nation, impacting millions of lives and influencing Pakistan's trajectory for decades to come.

The Chairman underscored that the merger was not simply an administrative shift, but rather, a profound change that involved the integration of historically autonomous regions into the

mainstream, aiming to address long-standing issues of neglect, marginalization, and underdevelopment. He noted that the challenges arising from this transition were complex and multifaceted, requiring continuous dialogue and concerted efforts from all stakeholders to achieve the desired outcomes.

Key points of his address included:

- **Commitment to FATA's Future:** The Chairman highlighted the deep-rooted connections between ASPIRE-KP and the former Federally Administered Tribal Areas (FATA), acknowledging that many members of ASPIRE-KP had worked in various capacities within the region, establishing strong relationships with its people. He emphasized that the people of FATA had historically played a vital role in defending Pakistan during times of crisis, often acting as the country's first line of defense. The Chairman called attention to the importance of recognizing FATA's unique cultural heritage and strategic significance, noting that any efforts to bring about change in the region must be deeply sensitive to the local context. He reiterated that tailored solutions, which take into account the cultural and historical specificities of the area, are essential for ensuring sustainable progress. The Chairman passionately affirmed that the future of FATA lies in inclusivity, integration, and development, but that this must be done while honoring the traditions and values of the tribal people.
- **Challenges of the Transition:** The Chairman candidly acknowledged the considerable difficulties in transitioning from a semi-autonomous tribal system to the more structured governance framework of KP. He recognized the complexity of integrating the tribal regions into the formal governance structures of the province, pointing out that the process has been fraught with challenges, including deteriorating security conditions and the resurgence of militancy. The Chairman warned that these obstacles have hampered the region's progress and underlined the urgent need for continued focus on addressing security concerns. He emphasized that several factors contributed to the suboptimal outcomes of the merger, including deficient funding and lack of preparedness. The provincial government's failure to make proactive, strategic decisions, such as posting capable personnel and fostering community engagement, was highlighted as a missed opportunity to ensure smoother governance and development in the tribal areas.
- **Call for Dialogue and Solutions:** The Chairman emphasized the importance of fostering an open, honest dialogue to identify the successes and failures of the merger thus far. He encouraged all participants to contribute candidly to the discussions, sharing their experiences and insights in order to collaboratively propose solutions to the ongoing challenges facing the region. He underlined that the symposium was not just a platform for debate, but also for actionable solutions. The Chairman stressed that the path forward must involve collective action, drawing on the expertise of all stakeholders to find innovative ways to address the root causes of the region's problems, such as extremism, economic underdevelopment, and governance failures. He expressed optimism that, through collaborative efforts, the people of the tribal areas could achieve the prosperity, peace, and stability they had long been denied.

In closing, the Chairman expressed deep gratitude to the former Prime Minister Shahid Khaqan Abbasi, whose leadership was pivotal in initiating the merger process. He remarked on the former Prime Minister's foresight and determination, which were instrumental in

bringing about this landmark reform, and thanked him for his continued advocacy for reconciliation and dialogue within Pakistan's political landscape. The Chairman noted that this symposium was an essential step in continuing the legacy of progress initiated by the merger, with the hope of furthering the development and integration of the tribal districts for the benefit of the entire nation.

5. Presentation on Tribal Areas Merger: Commitments and Ground Realities

Overview of Governance & Development in the Merged Area

This presentation offered a detailed review of the promises made during the merger and the current state of their fulfillment, focusing on several key areas:

Scheme of Presentation:

Merged Area & Khyber Pakhtunkhwa - Profile

- The merged area is a region with deep historical significance and a complex governance structure. With its integration into Khyber Pakhtunkhwa (KP), the goal was to bring it into the political and economic mainstream. However, the journey from promises made during the merger to their implementation has been challenging. The region has seen progress, particularly in political representation, but there remain significant areas where promises have yet to materialize.

Governance of Merged Area - Yesterday & Today

- **Political Mainstreaming:**

While the political merger of the Federally Administered Tribal Areas (FATA) with KP has allowed the region's residents to have representation in the KP Assembly, the broader administrative integration remains incomplete. Local governance, judicial reforms, and policing structures have been slow to develop, leaving gaps in governance and justice.

- **Historical Overview:**

The region was historically governed under a unique legal framework, the Frontier Crimes Regulation (FCR), which posed challenges to human rights and development. Post-merger, the extension of regular laws to the area was meant to rectify these issues, though the progress remains uneven.

Governance of Merged Area - Issues & Challenges

- **Administrative Challenges:**

The region still faces delays in setting up a fully functional judicial system. Likewise, the capacity of local governance institutions is still weak, and the coordination between federal and provincial governments has been inconsistent. The bureaucracy faces challenges in effectively delivering services, largely due to security concerns and a lack of financial resources.

- **Security Concerns:**

Despite the merger's aim to bring stability, the resurgence of militancy, especially with the re-emergence of Tehrik-e-Taliban Pakistan (TTP), has introduced volatility in the region. The lack of a comprehensive security plan and inadequate resources for policing have aggravated the situation.

Development of Merged Area - Issues & Challenges

- **Unfulfilled Financial Commitments:**

The federal government pledged 3% of the Federal Divisible Pool (FDP), amounting to 100 billion PKR annually over a period of 10 years for the development of the merged areas. Unfortunately, this commitment has not been met. The failure of provinces like Punjab, Sindh, and Balochistan to contribute their share has severely hindered development efforts.

- **Infrastructure & Services Gaps:**

Although the merger brought hopes of improved infrastructure and services, the delay in financial allocations has led to stalled development projects. Essential services like healthcare, education, and roads remain insufficient, impeding the overall development and quality of life in the merged districts.

Way Forward - Few Suggestions!

- **Strengthen Administrative Integration:**

There is an urgent need to focus on the full integration of administrative services. Strengthening the judicial system, local governance structures, and law enforcement agencies should be prioritized. Additionally, resources for local policing need to be allocated to restore security and public confidence.

- **Fulfillment of Financial Commitments:**

To unlock the potential of the region, it is crucial that the federal government fulfills its financial commitments. Provinces must be urged to contribute their share to the 3% FDP allocation. Without these funds, the region cannot make the necessary strides in infrastructure and social development.

- **Security Strategy:**

A holistic security strategy, combining local policing with broader counter-insurgency efforts, must be formulated to address the persistent threat of militancy. Collaborative efforts between federal, provincial, and local security agencies will be critical in stabilizing the area.

- **Development Planning:**

Focused development plans that address key issues like healthcare, education, infrastructure, and employment generation should be created. These plans should be closely monitored to ensure timely implementation, and local stakeholders should be involved in the planning and decision-making processes to ensure that solutions are tailored to the region's unique needs.

6. Open Forum: Civil Society's Perspective on the Merger Aftermath

During this session, various representatives from civil society, media, tribal elders, and local government officials shared their views.

Speakers from the merged districts contributed valuable insights. Among the speakers were Mr. Noor ul Haq Qadri, former Federal Minister from Khyber, Mr. Sajid Hussain Turi former MNA from Kurram, Mr. Shaukat Ullah Khan former Governor KP, from Bajaur, Mr. Gazi Gulab Jamal former Federal Minister from Orakzai, Mr. Maulana Salih Shah former Senator from South Waziristan, Mr. Asif Khan Mabsud MPA from South Waziristan, Ms. Sumayya Afridi, civil society activist from Khyber, Mr. Ahmed Saeed, Chairman Tehsil Local Government Mir Ali from North Waziristan and Mr. Shams Mohmand, a journalist from Mohmand. These individuals highlighted the core issues facing the merged areas and presented a wide range of suggestions to address the existing challenges. Some of the critical points raised included:

- **Weak Governance Infrastructure and Neglect by the KP Government:** Participants highlighted the lack of a functioning governance framework, with administrative structures remaining ineffective. The promised devolution of powers to local governments had not occurred, depriving residents of essential services such as healthcare and education. There was particular emphasis on the neglect by the Khyber Pakhtunkhwa government in ensuring robust governance mechanisms, which had allowed critical issues, such as the resurgence of terrorism, to resurface in the merged districts (MDs). The government's inability to maintain security and control has worsened the overall environment, contributing to instability.
- **Non-fulfillment of Financial Commitments:** The forum strongly criticized the failure of the federal government and other provinces to honor their financial commitments to the merged districts. The promise of allocating 3% of the Federal Divisible Pool (FDP) funds, critical for development and rebuilding efforts, remained largely unfulfilled. This shortfall in financial resources has severely limited the scope of developmental projects in the region, leading to delays in infrastructure development, healthcare, education, and job creation initiatives. The lack of support from other provinces, including Punjab, Sindh, and Balochistan, was seen as a significant barrier to progress.
- **Socio-Economic Deprivation:** High unemployment rates, particularly among the youth, and limited economic opportunities were cited as major challenges. The region's rich potential in sectors like mining and agriculture remains untapped, with little investment or initiative from the government to create jobs or stimulate the economy. This has further exacerbated poverty and underdevelopment in the MDs.
- **Security Concerns and Resurgence of Terrorism:** Participants expressed deep concern about the deteriorating security situation, with militant groups regaining a foothold in the region. The government's failure to address these concerns has led to widespread fear and insecurity among local populations. The resurgence of terrorism was seen as a direct consequence of the lack of effective governance and a comprehensive security strategy. The region remains vulnerable, and participants called for immediate action to reinforce law enforcement and security measures.

The forum concluded with a strong appeal to both the federal and provincial governments to prioritize governance and security reforms. The non-fulfillment of financial promises and the resurgence of terrorism were highlighted as the most critical issues requiring urgent attention to ensure the long-term stability and development of the merged districts.

7. Address by Chief Guest Shahid Khaqan Abbasi

Mr. Shahid Khaqan Abbasi, former Prime Minister of Pakistan, delivered a thought-provoking keynote address, reflecting on the monumental decision to merge the Federally Administered Tribal Areas (FATA) with Khyber Pakhtunkhwa (KP). His speech was both retrospective and forward-looking, touching on the complex dynamics of implementing such a historic reform, addressing not only the motivations behind the merger but also the significant hurdles that have emerged in its wake.

Key highlights of his speech included:

- **Decision-Making Process:**

Mr. Shahid Khaqan Abbasi offered an inside look into the rigorous deliberations of the FATA Reforms Committee. He emphasized that the driving principles behind the merger were to ensure equal rights for the long-marginalized residents of FATA, close the development gap between FATA and the rest of Pakistan, and restore lasting peace in the region. The reforms were shaped by a vision of equitable progress, but the road to their approval was not without obstacles. He stated with utmost emphasis that although the commitments and promises made to the people of erstwhile FATA were not explicitly codified in written law, these were certainly embodied in the spirit and intent of the 25th Constitutional Amendment. This therefore makes them binding on the Federation and all provinces. Furthermore, it is essential to note that the entire plan was approved by both houses of the country, lending it political and legal legitimacy.

- **Challenges in Implementation:**

Mr. Abbasi candidly discussed the merger's numerous challenges since its approval and implementation. Specifically, he highlighted resistance from certain factions who strongly voiced concerns over the merger, citing various reasons. He also expressed frustration regarding unmet financial commitments initially promised to support FATA's integration and development. The lack of these vital funds has resulted in delayed infrastructure and development projects, hindering the region's progress and fueling public discontent.

- **Security Concerns:**

Security remains a pivotal issue for the region. Mr. Abbasi highlighted the ongoing threats posed by militancy, acknowledging that the merger alone cannot resolve the deeply entrenched security challenges. He stressed the importance of renewed and multifaceted efforts to combat militancy, suggesting that dialogue, peace-building initiatives, and proactive security measures are essential to ensure a stable and prosperous future for the region. In his view, sustainable peace can only be achieved through a balanced approach that encompasses various strategies.

8. Declaration and Recommendations

At the conclusion of the symposium, ASPIRE-KP issued a formal declaration, summarizing the major challenges faced by the merged districts and proposing actionable recommendations. The declaration emphasizes a multi-faceted approach, recognizing the need for coordinated efforts between federal and provincial governments to ensure peace, development, and the well-being of the people of the merged districts.

Challenges Identified:

- **Resurgence of Terrorism:**
The region has experienced a worrying resurgence of terrorism, which has created instability and fear among local communities. This threat, compounded by inadequate governance and gaps in law enforcement, has allowed militants to exploit the fragile security environment.
- **Unfulfilled Financial Promises:**
Despite promises to allocate 3% of the Federal Divisible Pool (FDP) funds for the development and rehabilitation of the merged districts, these commitments have not been fully honored. The resulting financial shortfalls have delayed critical infrastructure projects and the delivery of essential services, including healthcare, education, and employment initiatives.
- **Weak Governance Structures:**
Governance in the merged districts remains weak, with underdeveloped local administrative bodies and delayed devolution of powers. Local governments are struggling to manage day-to-day affairs, leading to a lack of oversight and accountability. This has further exacerbated the region's challenges.
- **Deficient Judicial System:**
The judicial infrastructure in the merged districts is either insufficient or poorly integrated with Khyber Pakhtunkhwa (KP). Informal justice systems persist, often undermining the rule of law and failing to provide fair and transparent judicial processes.

Proposed Solutions:

The symposium's declaration outlines a series of comprehensive recommendations to address these challenges and ensure long-term stability and development:

- **Addressing Peace and Security:**
To address the resurgence of terrorism, there is a need for both improved law enforcement and community engagement. Strengthening institutional capacities in the merged districts; through better coordination between local police, judiciary, and administration; is essential. The declaration also encourages continued efforts towards dialogue and reconciliation where feasible, noting that peace talks may be a lengthy process but should remain a priority.
- **Fulfilling Financial Commitments:**
The Federal Government, along with the provinces of Punjab, Sindh, and Balochistan, must fulfill their commitments to allocate 3% of the FDP for the development of the merged districts. The establishment of transparent financial management mechanisms, such as an Escrow Account, will ensure that these funds are effectively used for regional development and are not diverted elsewhere. Additionally, international partners can be engaged to provide supplementary financial resources for critical development projects.
- **Strengthening Governance and Justice:**
Immediate steps must be taken to improve the governance framework in the merged districts. This includes accelerating the devolution of powers to local governments, ensuring they have the resources and authority to manage local affairs. A focus on appointing competent Deputy Commissioners, District Police Officers, and Sessions Judges for extended tenures is necessary to enhance accountability and effective

administration. The judicial system must also be integrated fully, with the construction of new courthouses and the training of local judges to ensure that citizens have access to formal legal services.

- **Expanding Economic Opportunities and Employment:**

Creating economic opportunities for residents of the merged districts is vital for addressing poverty and reducing the appeal of extremist groups. The region's vast natural resources, particularly in sectors like mining, agriculture, and trade, must be developed through public-private partnerships and targeted investments. The Provincial Government should introduce microfinance schemes, small and medium enterprises (SMEs) initiatives, and financial inclusion programs to stimulate economic growth. Vocational training programs should be prioritized to equip the youth with marketable skills.

- **Facilitating Cross-Border Trade:**

Cross-border trade with Afghanistan, which has been restricted due to the establishment of border control regimes, should be revitalized. Traditional trade routes should be reopened to allow for formalized cross-border commerce, helping to restore livelihoods and stimulate economic growth in the merged districts.

- **Addressing Temporarily Displaced Persons (TDP) Issues:**

The Federal Government must address the unresolved issues concerning Temporarily Displaced Persons (TDPs), ensuring their safe return and rehabilitation. Reconstruction of damaged properties should be accelerated to help affected families restore their lives.

- **Improving Service Delivery in Health and Education:**

The gaps in service delivery in healthcare and education must be addressed urgently. The government should focus on improving infrastructure, enhancing teacher quality, and expanding access to education, particularly for marginalized and disadvantaged communities. The healthcare sector also needs strengthening through improved facilities, access to services, and incentives to attract qualified professionals to serve in the region.

- **Empowering Local Governments and Women-Led Initiatives:**

Local governments should be given the necessary resources and institutional capacity to deliver services effectively. Special attention should be given to empowering women through financial inclusion and supporting Women-Led Businesses (WLBs). Providing access to capital, markets, and networks will not only drive economic growth but also promote social equity.

- **Tapping the Mineral Resources and Resolving Land Issues:**

The Provincial Government should leverage the significant mineral resources in the region to generate revenue and create employment opportunities. Expediting the land settlement process is also critical, with a focus on ensuring women's property rights.

- **Resolving Electricity and Gas Issues:**

The Federal and Provincial Governments must prioritize resolving the longstanding electricity and gas shortages in the merged districts, ensuring the availability of these essential services to foster development.

9. Feedback and Media Coverage

- The symposium garnered widespread attention from both regional and national media outlets, reflecting the significance of the issues discussed and the timeliness of the event. Media coverage came from mainstream television channels, newspapers, and online platforms, each highlighting the importance of addressing the pressing

challenges faced by the merged districts. News segments are expected to provide in-depth reports on the discussions, capturing key moments of the event and interviewing participants to offer a broad perspective on the outcomes. The event was praised for its comprehensive approach in bringing to light the multifaceted issues of governance, security, and development in the merged districts. Opinion commentaries across various outlets are expected to emphasize the need for the government to take swift and decisive action based on the symposium's recommendations. Several media commentators highlighted the urgency of fulfilling financial commitments, strengthening governance, and addressing the resurgence of terrorism, warning that any further delays could lead to prolonged instability.

- **Participants' Reactions:**

Feedback from the participants at the symposium was overwhelmingly positive. Many participants, including political leaders, civil society representatives, civil servants retired from key positions and tribal elders, appreciated the open platform provided for frank discussions on the challenges and potential solutions for the region. There was a collective sense of optimism that the dialogue initiated at the symposium would be a catalyst for meaningful policy shifts. Participants also expressed satisfaction with the symposium's balanced approach, which encompassed security, governance, financial management, and economic development.

However, despite the optimism, some attendees voiced concerns over the slow pace of policy implementation. Several speakers emphasized that while the symposium succeeded in bringing critical issues to the forefront, the real test would be the government's ability to act swiftly and effectively on the recommendations. There was particular frustration with the delayed disbursement of funds and the lack of visible progress on governance reforms, both of which were seen as impediments to development in the merged districts.

- **Media Influence and Public Discourse:**

ASIRE-KP believes that in the days to come, the media will play a crucial role in expanding public awareness of the challenges in the merged districts. We hope that in the days following the symposium, several news outlets will feature interviews with experts and analysts, further unpacking the symposium's findings and delving into the broader implications for national security and development. Furthermore, as a consequence of the symposium, its deliberations and findings are expected to lead to talk shows and panel discussions, where political figures and commentators could debate the steps that the government must take to ensure the promises made to the people of the merged districts are honoured.

Social media also saw a surge in discussions where citizens from the merged districts took to platforms like Facebook to express their hopes and frustrations, calling on policymakers to prioritize the needs of their communities. The symposium successfully sparked a national conversation on the future of the region, adding momentum to advocacy efforts aimed at bringing long-overdue reforms to the area.

- **Key Takeaways and Tasks:**

As a result of adequate media coverage, we believe there will be mounting pressure on both the federal and provincial governments to respond to the symposium's recommendations. News reports are expected to highlight the urgent need for collaboration between the government and civil society to ensure that the challenges identified during the event are addressed promptly. Media outlets rightly underscored the importance of translating the discussions from the symposium into concrete actions, pushing for swift implementation of governance reforms, financial accountability, and the improvement of security conditions in the merged districts.

ASPIRE-KP has already initiated the process of following up on the symposium's recommendations by engaging stakeholders through formal correspondence, accompanied by detailed recommendations for implementation. Additionally a follow-up roundtable with a select group of lawyers is planned for late November, 2024, to seek their support in gaining further momentum on the issue of the merger. Following the Aspire-KP Symposium and in response to its follow up campaign, the Energy and Power Department promptly engaged Aspire-KP to discuss collaborative efforts. A meeting was held on October 28, 2024, where key challenges and strategic requirements for the sector were identified. The Department highlighted its roadmap for energy development, emphasizing the need for political support, legal backstopping, and public advocacy to address federal-level roadblocks. Aspire-KP is committed to providing assistance and exploring further support, including setting up a dedicated working committee and considering legal expertise to aid the Department's initiatives.

10. Conclusion

The ASPIRE-KP Symposium on Merged Districts was a landmark event, creating a platform for meaningful discussions about the challenges and opportunities following the merger of the tribal districts with KP. The recommendations put forth in the Declaration represent a clear roadmap for addressing the most pressing issues in the region. Moving forward, ASPIRE-KP will vigorously pursue the aforementioned recommendations with the stakeholders and continue to advocate for the rights and development of the people in these districts, ensuring that the promises made during the merger are fully realized.