

FAULTLINES

The K.P.S. Gill Journal of Conflict & Resolution

Volume 32

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Volume 32

edited by
AJAI SAHNI



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THE INSTITUTE FOR CONFLICT MANAGEMENT



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FAULTLINES: THE K.P.S. GILL JOURNAL OF CONFLICT & RESOLUTION

Edited by Ajai Sahni

FAULTLINES - THE SERIES

FAULTLINES focuses on various sources and aspects of existing and emerging conflict in the Indian subcontinent. Terrorism and low-intensity wars, communal, caste and other sectarian strife, political violence, organised crime, policing, the criminal justice system and human rights constitute the central focus of the Journal.

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PUBLISHER & EDITOR

Dr. Ajai Sahni

ASSISTANT EDITOR

Dr. Sanchita Bhattacharya

EDITORIAL CONSULTANT

Prof. George Jacob

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Foreword

Pakistan's trajectory remains a cautionary tale for nations that seek to build unity on communal identity and 'muscular' governance, tending towards authoritarianism. Military-managed 'democracy' has produced another implausible electoral outcome, at a time when the country is already reeling under a multiplicity of political and economic crises. From jail, Imran Khan has managed to undermine the credibility of the entire election process, while his supporters have thrown down a clear challenge to the authority and integrity of the Army, which has never before faced a comparable challenge. Meanwhile, the unlikely coalition of long-time adversaries, the Pakistan Muslim League – Nawaz (PML-N), in addition to its inherent contradictions, is confronted with an economy in acute crisis, a restive population, and a rising threat of terrorism and militancy within the country, even as Pakistan sees its relations deteriorate with each of its neighbours – Afghanistan, India and Iran – with the exception of China. Moreover, with a long history of suspicion and animosity with the PML-N, Prime Minister Shehbaz Sharif will find the military leadership sitting heavy on his shoulders as he struggles to deal with double digit inflation, spiralling prices of essential commodities, particularly including food and fuel, and nearly PKR 63 trillion in debt, 74.3 per cent of GDP.

Adding to a long history of supporting terrorism across the South Asian neighbourhood and facilitating massive organised criminal operations for the processing and distribution of narcotics, Pakistan has now harnessed drone operations to escalate these

activities, particularly against India. The increasing exploitation of drones for drug and weapons smuggling coincides with the consolidation of a gangster-terrorist network that has manifested with particular virulence in Indian Punjab.

Across Pakistan's northwestern border, the Taliban in Afghanistan remains a pariah regime; however, with some domestic stabilization, it is proving a thorn in Pakistan's flesh, even it has intensified persecution of ethnic minorities domestically. By and large, the Taliban continues to realize the misgivings the international community had, oppressing minorities, women and critics, with little care for any censure it may attract abroad. Meanwhile, China has deepened relations with the regime, catalysing an abrupt softening of the western – particularly US – stance, as Kabul is seen at risk of being enveloped in the Chinese embrace.

Unsurprisingly, neither Islamabad nor Kabul, nor, indeed, any of the other 'Islamic' nations, have seen fit to utter even the mildest words of interrogation regarding Beijing's mounting barbarities against the Muslim minority Uighur population in China. The sheer weight of Beijing's global economic clout has secured the silence of countries that are increasingly entering into relations of dependency with China, as well as, substantially, of increasingly fragile Western states, which have failed to adequately 'disentangle' their own economies from China's manufacturing and financial powerhouse.

Meanwhile, the wars in Ukraine and Gaza, as well as multiple conflict hotspots across the Middle East and Africa, demand creative interventions to secure or maintain peace. Traditional mechanisms of peace-making are, however, rapidly failing as the old world order crumbles, and the new continues to struggle to emerge in an increasingly chaotic environment. Economic uncertainty, political destabilization and the proliferation of violent actors, including proxies of powerful states, have made the task of mediation or intervention fraught, complicated and uncertain.

Within the context of global instability and ambitious jockeying by a multiplicity of players – including fairly marginal actors who nevertheless possess disruptive capabilities – and the weakening and progressive weaponization of international institutions by the Western powers, the challenges of peacebuilding have vastly augmented.

Each of these crises are compounded by the visible lack of political sagacity, virtually across the world. The manifest collapse of stature and vision in political leadership, and the trends towards authoritarianism and extremist political ideologies in the face of rising challenges to human and national security are causes for the most acute and urgent concern in a world of deepening and multiple crises. While many, if not most, contemporary crises are amenable to resolution, the lack of political wisdom puts most of these outside the scope of foreseeable redressal. The trends of the recent past foretell an even more troubled future.

Ajai Sahni
Delhi,
March 7, 2024

Pakistan

Elections 2024: Loss of Authority

Ajit Kumar Singh*

There is an old saying in Pakistan, that the military has never won a war and never lost an election, but that seems to have been given the lie in the General Elections of February 8, 2024. Despite pre-election manipulations, massive rigging and the perversion of results, the certain loser in these elections is the Military Establishment.

These elections, ‘sponsored’ by the ‘all powerful’ Army, have pushed an already chaos-wracked Pakistan closer to the edge. The results of the widely and blatantly rigged elections have thrown up a hung National Assembly. Of the four Provincial Assemblies – Balochistan, Khyber Pakhtunkhwa, Punjab and Sindh – which went to polls along with the General Elections, Balochistan and Sindh have thrown up hung Assemblies. This outcome is despite the fact that the Imran Khan-led Pakistan Tehreek-e-Insaaf (PTI), demonstrably the most popular party in the country, was forced out of the elections by a range of legal and judicial manipulations.

* Ajit Kumar Singh is Senior Fellow at the Institute for Conflict Management.

At the time of writing, a Military Establishment-backed coalition government of the Nawaz Sharif-led Pakistan Muslim League-Nawaz (PML-N) and Bilawal Bhutto Zardari-led Pakistan Peoples Party (PPP) was set to form the Government at the National Level as well as in Punjab and Sindh. However, PTI, which had been denied right to contest the election, but had put forward several party-backed independent candidates who have emerged winners, as well as other smaller opposition parties, have claimed massive rigging and manipulation of results, and are claiming right to form governments at the Centre, and in Khyber Pakhtunkhwa and Punjab. They have launched nationwide protests which have remained non-violent till date, but may eventually take a violent, creating much wider unrest in the country, which was already going through a phase of rising chaos. The Military Establishment and the PML-N – PPP combine may celebrate their present and counterfeit victory, but this has only taken them another step forward, towards Pakistan's long and inexorable degeneration.

GENERAL ELECTION RESULTS

The results, bitterly contested and challenged, declared on February 11, 2024, recorded that Independent Candidates won the maximum number of seats, 101, of which 93 were won by PTI-backed candidates alone. This was followed by the PML-N, 75; PPP, 54; Muttahida Qomi Movement – Pakistan (MQM-P), 17; Jamiat Ulama-e-Islam-Fazl (JUI-F), five; Pakistan Muslim League (PML) and Istehkam-e-Pakistan Party (IPP), three each; Balochistan National Party (BNP), two; Majlis Wahdat-e-Muslimeen (MWM), Pakistan Muslim League-Z, Balochistan Awami Party, National Party and Pashtoonkhwa Milli Awami Party, one each.

Pakistan Elections 2024

Political Party	National Assembly (NA) Seats Won
Independents (PTI backed)	93
PML-N	75
PPP	54
MQM-P	17
Independents	8
JUI-F	5
PML	3
IPP	3
BNP	2
PML-Z	1
MWM	1
BAP	1
NP	1
PKMAP	1
Total*	265

*Total 266 seats. Election on one seat (NA-8) cancelled.

The General Elections for 265 out of 266 National Assembly seats were held on February 8, 2024. Polling on one seat was postponed after the death of a candidate. The National Assembly now comprises 336 seats, with 266 determined through direct voting, and 70 reserved seats (60 for women and 10 for minorities) allocated on the basis of each party's strength in the house.¹

1 Earlier the National Assembly had 272 seats. However, based on the results of the national census conducted in 2023, the constituencies went through a delimitation process. The boundaries of many constituencies were altered and the number of seats was reduced from 272 to 266. Al Jazeera, "Pakistan election 2024: Live results", February 9, 2024, <https://www.aljazeera.com/news/2024/2/9/pakistan-election-2024-live-results#:~:text=Breakdown%20of%20national%20seats,reduced%20from%20272%20to%20266.>

PROVINCE WISE RESULTS

The 266 General Assembly seats were spread across four provinces – Balochistan (16), Khyber Pakhtunkhwa (45), Punjab (141), Sindh (61) – and Islamabad Capital Territory (ICT, three seats). PTI-backed independents won 38 National Assembly seats in Khyber Pakhtunkhwa, 54 in Punjab and one in Balochistan. The other two major parties PML-N and PPP won four and two seats respectively in Balochistan, two and one in Khyber Pakhtunkhwa, 67 and seven in Punjab, none and 44 in Sindh, and two and none in Islamabad Capital Territory.

Name of Party	Punjab	Sindh	Balochistan	KP	ICT	Total
Independents (PTI backed)	54	0	1	38	0	93
PML-N	67	0	4	2	2	75
PPP	7	44	2	1	0	54
Independents	5	0	1	1	1	8
JUI-F	0	0	3	2	0	5
MWM	0	0	0	1	0	1
PML	3	0	0	0	0	3
IPP	3	0	0	0	0	3
PML-Z	1	0	0	0	0	1
MQM-P	0	17	0	0	0	17
BAP	0	0	1	0	0	1
BNP	0	0	2	0	0	2
NP	0	0	1	0	0	1
PKMAP	0	0	1	0	0	1
Total	140	61	16	45	3	265

The significant and unprecedented success of PTI-backed candidates in Punjab clearly undermined the authority of the deep state which boasts of having massive, indeed unchallenged, support in the Punjab Province.

PROVINCIAL ELECTION RESULTS

In the simultaneous elections held for Provincial Assemblies of Balochistan, Khyber Pakhtunkhwa Punjab and Sindh, PTI supported independents emerged winners with 80 seats out of a total of 115 direct voting seats in Khyber Pakhtunkhwa. In Punjab, though PPP won a maximum of 138 seats out of 297, it was closely followed by PTI supported independents at 116 seats. PPP won a maximum of 83 out of 130 in Sindh, and 11 out of 51 in Balochistan.

Name of Party	Punjab	Sindh	Balochistan	KP	Total
IND.	116	11	0	80	207
PML-N	138	0	9	5	152
PPP	10	83	11	4	108
IND	22	3	5	7	37
MQM-P	0	27	0	0	27
JUI-F	0	1	8	7	16
PML	7	0	0	0	7
BAP	0	0	4	0	4
NP	0	0	3	0	3
TLP	1	0	0	0	1
IPP	1	0	0	0	1
PML-Z	1	0	0	0	1
GDA	0	3	0	0	3
JUI	0	2	0	0	2
JUI-P	0	0	1	3	4
PTI	0	0	0	2	2
PTI-P	0	0	0	2	2
ANP	0	0	2	1	3
BNP	0	0	1	0	1
BNP-A	0	0	1	0	1
Total	296	130	45	111	582

ALLEGATIONS OF RIGGING

On the day of elections, there was nationwide suspension of mobile phone and internet services. Justifying the action, the Federal Ministry of Interior stated that it had decided to “temporarily suspend mobile services across the country” in light of the “deteriorating security situation”.²

However, all major political parties, including the PPP, opposed this action, fearing that it was intended to help rigging.³ The PML-N – the Establishment’s apparent ‘selection’ – however, maintained silence.

In a letter to the Chief Justice of Pakistan (CJP) Qazi Faez Isa PPP’s Central Election Cell in-charge Senator Taj Haider argued that the government’s move to suspend mobile phone services on grounds of security concerns was ‘illegal’, as it violated a 2018 court order. The letter further claimed that “all political parties, except PML-N, have objected” to the internet disruption and rued that “in spite of our request to ECP [Election Commission of Pakistan] to restore services, these services have not been restored.”⁴

Shortly after the services went down, PTI declared on X, “Pakistanis, the illegitimate, fascist regime has blocked cell phone services across Pakistan on polling day,”⁵ and

2 Dawn, “Mobile services suspended ‘temporarily’ across country: interior ministry”, February 8, 2024, <https://www.dawn.com/news/1812142>.

3 Maryam Nawaz, “Supreme Court throws out petition seeking re-election”, *The News International*, February 21, 2024, <https://www.thenews.com.pk/latest/1159974-supreme-court-throws-out-petition-seeking-re-election>.

4 “Pakistan: Internet Outage Mars General Election, Draws Criticism From Political Parties, Except PML(N)”, *The Wire*, February 8, 2024, <https://thewire.in/south-asia/pakistan-general-election-internet-outage-pmln>.

5 Ayaz Gul and Sarah Zaman, “Pakistan Tallies Election Results After Controversial Polls”, *Voice of America*, February 8, 2024, <https://www.voanews.com/a/pakistan-disrupts-mobile-and-internet-services-on-election-day/7479113.html>.

claimed that the suspension of mobile and internet services was “an organised conspiracy to deprive the people of their constitutional right to cast their vote... The purpose of shutting down mobile phone services is to prevent evidence of rigging at polling stations from coming to the fore. The nation will not accept such systematic rigging attempts on the day of the polls.”⁶

Nawaz Khokhar, an independent candidate for the National Assembly in Islamabad, argued,

Shutting down mobile networks on polling day is the beginning of election day rigging. Cutting candidates off from their agents and staff on election day is unacceptable. How’s one supposed to keep a check and highlight any irregularity? By the time news comes out, [the] election would have been stolen.⁷

Further, the Human Rights Commission of Pakistan (HRCP), in a report titled *A Tainted Election Pakistan at the Polls*⁸, released on February 17, noted,⁹

Reports from HRCP’s election observers, who carried out spot-checks across 51 constituencies, indicate that the countrywide internet and cellular services shutdown on polling day and arbitrary changes in polling information compromised voters’ access to polling stations. This was particularly true for women with restricted mobility, persons living with disabilities, the elderly, and low-income voters. Of particular concern

6 The Wire, op. cit.

7 Ayaz Gul and Sarah Zaman, op. cit.

8 HRCP, “A Tainted Election”, 2024, <https://hrcp-web.org/hrcpweb/wp-content/uploads/2020/09/2024-A-Tainted-Election.pdf>.

9 HRCP, “HRCP releases 2024 election report, demands independent audit”, February 17, 2024, <https://hrcp-web.org/hrcpweb/hrcp-releases-2024-election-report-demands-independent-audit/>.

is the protracted delay in announcement of election results by the returning officers.

It further observed,

...the post-polling process was clearly unsatisfactory. In a fifth of all polling stations observed by HRCP, the presiding officer did not affix the statement of the count in a conspicuous place for public display or was not seen transmitting a photograph of the result to the returning officer and ECP. It was alleged in many instances that the returning officer's announcement did not tally with the presiding officer's count. Worryingly, reports of candidates, polling agents and observers being denied permission to witness the provisional consolidation of results, also surfaced.

Justifying the fears of the opposition parties and independents, many journalists also criticised this move. Arifa Noor, a prime-time political talk show host on the *Dawn* news channel, stated on a live broadcast, "There are no two opinions about it: This measure was designed to manipulate election results and restrict news coverage. That's what it is."¹⁰

Indeed, on February 16, PTI Central Information Secretary Raof Hasan, at a press conference, declared, the February 8 General Elections would be remembered as the "biggest vote fraud" in Pakistan's history against his party and its candidates. He claimed, "According to our estimates, only 92 [National Assembly seats] have been given to us out of 177 seats which were supposed to be ours. And 85 seats have been taken away from us fraudulently," adding that the party was taking constitutional and legal steps in this regard. "We have verified data about 46 seats and it is being compiled for 39 seats." The PTI spokesperson stated, further, that the party had

10 Ayaz Gul and Sarah Zaman, op. cit.

three ways to ascertain alleged rigging in the polls, including discrepancies between Form 45 and Form 47.¹¹

During the same press conference, PTI's Seemabia Tahir played a video of alleged rigging in the polls and stated,

We got 1.25m [million] votes in Karachi [but] we did not get a single seat. Jamaat-i-Islami received 700,000 votes and not a single National Assembly seat in Karachi. In Punjab, we got 13.6m votes and we were given 55 seats. This is a joke with the people of Pakistan. Showing graphics on a large screen, she said] at 3am [PST] on Feb 9, the PTI had won 154 seats in the National Assembly while the PML-N and PPP had won 47 each.¹²

She added that the party was winning 42 seats in Khyber Pakhtunkhwa, of which some were stolen and the party was handed 37. From Islamabad, the party was winning three and all three were stolen. In Punjab, PTI-backed Independents were winning 115, but eventually only 55 were given to them. In Balochistan they were getting four, but were given one.¹³

‘PROOF’ OF RIGGING

In a damning development, Rawalpindi Commissioner Liaquat Ali Chattha, who was subsequently transferred to the Services and General Administration Department (SGAD) in Lahore, and later resigned, on February 17, 2024, admitted rigging the polls and alleged that the candidates who were losing the elections “were made to win” and that the process to justify the manipulated results was on still going in “an

11 Pakistan Today, “PTI decries ‘historic vote fraud’; says 85 NA seats ‘snatched’”, February 16, 2024, <https://www.pakistantoday.com.pk/2024/02/16/pti-decries-historic-vote-fraud-says-85-na-seats-snatched/>.

12 Ibid.

13 Ibid.

organised manner at some offices”. He accused the Chief Election Commissioner of Pakistan, Sikandar Sultan Raja, and Chief Justice of Pakistan (CJP) Qazi Faez Isa, of being a part of the “rigging plan.” Chattha claimed the candidates ahead by up to 70,000 votes were declared runner-up as a result of rigging. Taking responsibility for supervising the theft of the public mandate by changing the results of 13 National Assembly constituencies in six districts of Rawalpindi Division, he stated,

I am taking responsibility for all this wrongdoing and telling you that the chief election commissioner and the chief justice are also completely involved in this. We made independent candidates... lose by putting on fake stamps. I should be punished for the injustice... should be hanged to death at Kutchery Chowk and others who were involved in this injustice should also be punished.¹⁴

He further disclosed that he decided to resign as he was unable to sleep at night after “stabbing the country in its back” and advised the bureaucracy to stop accepting “illegal orders”.¹⁵

Rejecting the allegations¹⁶ the ECP formed¹⁷ a ‘high-level committee’ to investigate Chattha’s the claims. CJP Qazi Faez Isa also rejected the accusations.¹⁸

Earlier, on February 12, Jamaat-i-Islami-Fazl Karachi chief Hafiz Naemur forfeited his seat in the Sindh Assembly, which

14 Aamir Yasin, “Official shunted after rigging bombshell”, *Dawn*, February 18, 2024, <https://www.dawn.com/news/1815126>.

15 Ibid.

16 “ECP refutes Rawalpindi commissioner’s allegations, initiates inquiry”, *The Express Tribune*, February 17, 2024, <https://tribune.com.pk/story/2456748/ecp-refutes-rawalpindi-commissioners-allegations-initiates-inquiry>.

17 Aamir Yasin, op. cit.

18 Saima Shabbir, “In rare media interaction, Pakistan’s top judge refutes rigging allegations raised against him by senior bureaucrat”, *Arab News*, February 17, 2024, <https://www.arabnews.com/node/2461631/pakistan>.

he won in February 8 elections. He stated that “a PTI-backed independent candidate has won” and therefore “I will not avail this seat.” He disclosed that PTI-backed independent candidate Saif Bari had won according to his team’s calculations, stating that the winning candidate’s votes were “reduced to 11,000 from 31,000.” According to the results released by the ECP, Naeem won from the Provincial Seat (PS)-129 constituency (Karachi Central VIII) with 26,296 votes. MQM-P’s Muaz Muqaddam was the runner-up, with 20,296 votes.¹⁹

THE COURT’S INTERVENTIONS

On February 19, the Islamabad High Court (IHC) suspended the notifications which declared results of three National Assembly (NA) seats – NA-46, NA-47 and NA-48 – falling under the Islamabad Capital Territory. Subsequent to the ECP announcement declaring Anjum Aqeel Khan (PML-N), Tariq Fazal Chaudhry (PML-N) and Raja Khurram Nawaz Khan (Independent) as winners to the three seats, respectively, the respective PTI-backed candidates from these constituencies had challenged the ECP’s notification.²⁰ Amir Mughal, Mohammad Shoaib Shaheen and Mohammad Ali Bukhari had contested from these constituencies as independent candidates with the support of PTI.

Meanwhile, on February 21, the Supreme Court (SC) dismissed a plea seeking re-election and annulment of the February 8 polls over the issue of alleged rigging. A three-member SC bench led by CJP Qazi Faez Isa, comprising Justice Musarrat Hilali and Justice Muhammad Ali Mazhar, conducted the hearing on Brig. (Retd) Ali Khan’s petition.

19 Dawn, “Irate Hafiz Naeem, GDA forfeit Sindh Assembly seats over alleged rigging”, February 12, 2024, <https://www.dawn.com/news/1813575>.

20 Malik Asad and Munawer Azeem, “Court suspends ‘victories’ on all three capital seats”, *Dawn*, February 20, 2024, <https://www.dawn.com/news/1815648>.

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Interestingly, the petition was dismissed as the petitioner fled the country after moving the apex court and did not appear during the hearing. “Look at this petitioner [who] left the country after filing the application in the court,” CJP Qazi Faez Isa noted, while commenting on the officer’s email sent to the court regarding his being out of the country.²¹

PRELUDE TO ELECTIONS

These results are a clear and dramatic setback for the ‘all powerful’ Military Establishment in Pakistan, which had done everything possible to bring back its protégé-turned-foe-turned-protégé Nawaz Sharif to power again. To this end, the Establishment first helped the then-combined opposition under the banner of the Pakistan Democratic Movement (PDM) sustain an orchestrated street mobilisation and protests against the then Prime Minister Imran Khan – another protégé turned foe – leading to the build-up of a political situation which helped the Establishment topple Imran’s government in April 2022. Subsequently, a PDM Government was installed under Prime Minister Shehbaz Sharif, Nawaz’s brother, which later handed over power to an Interim Government, led by caretaker Prime Minister Anwar-ul-Haq Kakar, in the run-up to the elections.

In the interim, Imran Khan was sent to jail, convicted on multiple ‘corruption’ charges, his party was banned from participating in the elections, and its election symbol was withdrawn by a pliant Election Commission of Pakistan.

PTI’S RETALIATION AND ARMY’S RESPONSE

The chronic political disorders in Pakistan turned into a full-blown crisis with the arrest of Imran Khan on May 9, 2023, from inside the courtroom “for the crime of corruption” in the

21 Maryam Nawaz, *op. cit.*

Al-Qadir Trust headed by him and his wife Bushra Bibi.²² Imran had appeared before a court in Islamabad, the national capital. It was one of the 143 ongoing cases against him. After being released from jail on May 12, subsequent to the Islamabad High Court (IHC) granting bail earlier in the day, while hailing the judiciary, a buoyant Khan continued with his tirade against the Army, declaring, “it’s not the security institution, it is just one man, the Army Chief” who was responsible for his arrest, adding, “there is no democracy in the Army.”²³ Imran, however, has been languishing in jail since his arrest from his residence in Lahore on August 5, 2023, after he was handed a three-year prison sentence in one of the Toshakhana cases.²⁴ Though his party called for peaceful protests against the decision, there was only a limited public response²⁵ as the military crackdown after the May 9 violence was still fresh in peoples’ minds. Imran was also arrested in Cypher Case on August 15, 2023.²⁶ He is currently serving a 14 year sentence in another Toshakhana case and 10 years in the Cypher Case.²⁷

22 Abid Hussain, “Former Pakistani PM Imran Khan arrested at Islamabad court”, *Al Jazeera*, May 9, 2023, <https://www.aljazeera.com/news/2023/5/9/former-pakistan-pm-imran-khan-arrested-outside-islamabad-court>.

23 “Pakistan ex-PM Imran Khan leaves court after being granted”, *Al Jazeera*, May 12, 2023, bail <https://www.aljazeera.com/news/2023/5/12/pakistan-ex-pm-imran-khan-granted-bail-after-unlawful-arrest>.

24 “Why was Pakistan’s former Prime Minister Imran Khan arrested?”, *Al Jazeera*, August 5, 2023, <https://www.aljazeera.com/news/2023/8/5/why-was-pakistans-former-prime-minister-imran-khan-arrested>.

25 Mubasher Bukhari, Gibran Naiyyar Peshimam and Charlotte Greenfield, “Imran Khan arrested after Pakistan court sentences ex-prime minister to three years in jail”, *Reuters*, August 5, 2023, <https://www.reuters.com/world/asia-pacific/police-arrest-former-pm-imran-khan-after-court-gives-three-year-prison-sentence-2023-08-05/>.

26 Terence J Sigamony, “Cypher, Toshakhana cases: IK, Bushra challenge their sentences”, *Business Recorder*, February 17, 2024, <https://www.brecorder.com/news/40289267>.

27 Omer Farooq Khan, “Imran, wife jailed for 14 years in Toshakhana case”, *The Times of India*, February 1, 2024,

Meanwhile, immediately after the arrest on May 9, which his party termed an abduction by the State Forces from the courtroom, PTI cadres and supporters unleashed large-scale violence. Though Pakistan has a long history of political leaders being jailed or killed or ousted from power by the Army, never before had the retaliation been so strong. Soon after Khan's arrest in Islamabad, protests erupted in Islamabad and spread rapidly to other parts of the country, including major cities such as Rawalpindi, Lahore, Karachi, Gujranwala, Faisalabad, Multan, Peshawar and Mardan. Crowds of protesters, mostly PTI supporters, chanting *Allahu Akbar* and *Nara-e-Takbeer* lined up on the streets of Pakistan, going on a rampage against security establishments and personnel. In the most daring and unprecedented attack, which may have a long-lasting impact on the Army's position in Pakistan, protestors stormed the General Headquarters of the Pakistan Army in the garrison city of Rawalpindi²⁸ – the absolute seat of the Army's power. The Inter-Services Intelligence (ISI) Headquarters in Islamabad also came under attack. The Corps Commander's residence in Lahore was ransacked and vandalized.²⁹ Several videos on social media depicting pictures of mayhem across Pakistan flooded the Internet, as violent protests spread.

Perturbed by the unprecedented violence targeting the Army, the government, on the same day, May 9, restricted mobile internet services across the country and prohibited the use of social media platforms such as *YouTube*, *Twitter*,

<https://timesofindia.indiatimes.com/india/imran-wife-jailed-for-14-years-in-toshakhana-case/articleshow/107302812.cms>.

28 Lingamgunta Nirmitha Rao, "Imran Khan's supporters storm Pakistan Army headquarters hours after his arrest, *Hindustan Times*, May 9, 2023, <https://www.hindustantimes.com/world-news/imran-khans-arrest-sparks-riots-arson-across-pakistan-supporters-protest-101683642268525.html#:~:text=In%20unprecedented%20scenes%2C%20supporters%20of,arrest%20in%20a%20corruption%20case.>

29 Ibid.

Instagram and *Facebook*.³⁰ The services were restored across the country on May 13.³¹ Meanwhile, according to reports at least 10 people were killed and several hundred wounded, including Army and Police officers, during the violence. Khan, however, alleged that that ‘live fire’ by SFs had killed at least 40 protesters.³²

Subsequent to the violence, on May 12, Army Chief General Syed Asim Munir declared,

Armed Forces will not tolerate any further attempt of violating the sanctity and security of its installations or vandalism and resolved to bring to justice all the planners, abettors, instigators and executors of vandalism on the Black Day of 9th May.

Indeed, SFs unleashed a crackdown against the PTI. Top PTI leaders, including Shah Mahmood Qureshi, Fawad Chaudhry, Asad Umar and Omer Cheema, were taken into custody within 24 hours of the beginning of the protest and transferred to Adiala Jail under detention for 15 days. Within days, over 1,800 PTI leaders and supporters were rounded up.³³ The number later increased to over 5,000.³⁴ Moreover, the

30 Irfan Sadozai, “Mobile broadband suspended across country on interior ministry’s instructions: PTA”, *Dawn*, May 9, 2023, <https://www.dawn.com/news/1751826>.

31 Kalbe Ali, “Mobile data services restored”, *Dawn*, May 13, 2023, <https://www.dawn.com/news/1752787>.

32 Ayaz Gul, “Pakistan: Pro-Khan Violent Protesters to Face Terror Trials”, *Voice of America*, May 13, 2023, <https://www.voanews.com/a/pakistan-pro-khan-violent-protesters-to-face-terror-trials/7092139.html>.

33 “PTI top brass sent to Adiala Jail for 15 days”, *The Express Tribune*, May 11, 2023, <https://tribune.com.pk/story/2416145/pti-top-brass-sent-to-adiala-jail-for-15-days>.

34 Asif Shahzad, “Insight: Repeated arrests, filthy cells: Inside Pakistan’s crackdown”, *Reuters*, June 6, 2023, <https://www.reuters.com/world/asia-pacific/repeated-arrests-filthy-cells-inside-pakistans-crackdown-2023-06-06/>.

army tried to systematically break up Khan's party, eventually leading to an exodus of several top PTI leaders from the party.³⁵

The Establishment through its 'proxies', like the ECP, later ensured that PTI could not participate in the elections. Accordingly, a five-member panel of the ECP on December 22, 2023, declared the party ineligible to obtain an election symbol to contest the General Elections. It 'argued',

It is held that PTI has not complied with our directions rendered therein order dated November 23 and failed to hold intra-party election following PTI prevailing Constitution, 2019 and Election Act, 2017, and Election Rules, 2017.³⁶

Later, on January 13, 2024, the Supreme Court, in a live telecast, endorsed the ECP's decision prohibiting PTI from retaining the bat symbol, citing alleged irregularities in internal party elections.³⁷

During this entire phase of military crackdown, the nature and sheer endurance of Imran Khan's defiance was unprecedented, as were his direct attacks on the Army Chief, General Asif Munir, as well as his predecessor, General Qamar Javed Bajwa. Khan also openly accused the Army of plotting the ouster of his government, as well as the failed assassination attempt on him in November 2022.

35 Hannah Ellis-Petersen and Shah Meer Baloch, "Imran Khan's political games leave him isolated as Pakistan army destroys party", *The Guardian*, June 3, 2023, <https://www.theguardian.com/world/2023/jun/03/pakistan-imran-khan-pti-military-crackdown>.

36 "Imran Khan's party to challenge 'flawed' ECP verdict on intra-party polls, electoral symbol in high court", *The Indian Express*, December 25, 2023, <https://indianexpress.com/article/pakistan/imran-khan-pti-election-commission-polls-peshawar-9082320/>.

37 Ayaz Gul, "Pakistan's PTI Barred From Using Cricket Bat Electoral Symbol", *Voice of America*, January 14, 2024, <https://www.voanews.com/a/pakistan-s-pti-barred-from-using-cricket-bat-electoral-symbol-/7439552.html>.

Through Pakistan's history, the Army leadership stood as an unshakeable phalanx against all other forces in the country – in particular against political parties. Reports from Pakistan, however, indicated that this time around there was significant division within the Army leadership, fractures that have extended deep into Army families. Crucially, the Army's legitimacy – though not its capacity for coercive action – appears to have ebbed. Imran Khan's popularity remained undiminished.³⁸

Not surprisingly, despite all odds, the PTI did remarkably well in elections.

It is significant that Nawaz Sharif had been forced into exile in 2019 by a slew of corruption case, and had been banned from participating in elections 'for life'. The ban was abruptly lifted by the Supreme Court on January 8, 2024, paving the way for an engineered return to power.

GOVERNMENT FORMATION

Within days of declaration of provisional results and amidst complete chaos, with just 75 seats in the National Assembly, Nawaz Sharif announced himself the victor and staked his party's claim to form the Government. Bilawal Bhutto Zardari of the PPP, with 54 seats, proclaimed that his party would join a PML-N led government, to "bring political stability" to Pakistan.³⁹ Significantly, the combined total of the two parties, at 129, was still below the minimum of 133 required to secure

38 Ajai Sahni, "Pakistan More Fragile than Ever, Army's Image Diminished", *Wars Within Borders Occasional writings on Sub conventional conflicts*, June 1, 2023, <https://www.satp.org/publication/ajaisahni/WarWithinBorderDetails.aspx?Id=347>.

39 "New govt pivots around PPP: Bilawal", *The Express Tribune*, February 11, 2024, <https://tribune.com.pk/story/2456097/new-govt-pivots-around-ppp-bilawal>.

a majority, and reports indicated that a process of poaching on the Independents had commenced immediately.⁴⁰

On February 20, the PML-N and PPP reached an agreement on forming a government in the Centre as both sides agreed on a “power-sharing formula” following days of negotiations. “PPP and PML-N have achieved the required number and now we are in a position to form the government in Centre,” PPP chairman Bilawal Bhutto-Zardari announced at a joint presser. Bilawal pointed out that PTI-backed candidates and the Sunni Ittehad Council (SIC) had failed to achieve a simple majority to form the government at the Centre.⁴¹

Reacting to the announcement, PTI Barrister Gohar Ali Khan stated, on February 21, that the party should be given its “constitutional right” to form governments at the Centre, and in Punjab and Khyber Pakhtunkhwa, given the public mandate conferred by the General Elections. In a message on X, Gohar asserted, “The country’s future was linked with complete supremacy of the constitution. The country always engulfed in crisis whenever it derailed from Constitution... Daylight robbery of public mandate is a desecration of votes.”⁴²

However, the PML-N has now emerged as the largest parliamentary party with 108 members. While nine independents joined it, it also secured 20 reserved seats for

40 “Former Pak PM Sharif’s PML-N party secures support of five more independent candidates”, *The Times of India*, February 12, 2024, <https://timesofindia.indiatimes.com/world/pakistan/former-pak-pm-sharifs-pml-n-party-secures-support-of-five-more-independent-candidates/articleshow/107629047.cms>.

41 Zulfiqar Ahmad, “PTI steps up efforts to form govts at centre, in Punjab, KP”, *Business Recorder*, February 22, 2024, <https://www.brecorder.com/news/40290090/pti-steps-up-efforts-to-form-govts-at-centre-in-punjab-kp#:~:text=ISLAMABAD%3A%20The%20chairman%20Pakistan%20Tehreek,in%20Feb%2008%20general%20elections.>

42 Ibid.

women and four for minorities. The PPP final tally increased to 68, after the addition of 12 reserved seats for women and two for minorities. The combined total of the alliance (176 seats) crosses the magic number 169, needed for government formation.⁴³ Meanwhile, the PML-N and the PPP agreed to join hands with other political parties including MQM-P, IPP, PML and BAP, for a coalition government, in pursuit of a 2/3rd majority.⁴⁴

With the Establishment backing them, there was little doubt that a PML-N – PPP combine, with support from some other parties as well a few independents, would form a ‘unity government’, as had happened after the ouster of Imran Khan in April 2022. The possibility of the new government securing a 2/3rd majority with Establishment’s support is also strong.

At the Provincial level, PML-N formed the government in Punjab, where Maryam Nawaz Sharif, the daughter of Nawaz Sharif, was elected as the first woman Chief Minister of a Pakistani province on February 26. PPP’S Murad Ali Shah became the Chief Minister of Sindh on February 27.⁴⁵ The process of government formation was still on in Balochistan and Khyber Pakhtunkhwa at the time of writing.

While Balochistan and Sindh had been under caretaker governments since August 2023, after the completion of the terms of the Provincial Assembly, in Punjab and Khyber

43 Asim Yasin, “Six-party alliance falling short of two-thirds majority in NA”, *Geo News*, February 25, 2024, <https://www.geo.tv/latest/532509-six-party-alliance-falling-short-of-two-thirds-majority-in-na>.

44 Ibid.

45 Ali Raza, et. al. “Murad becomes Sindh CM for record consecutive 3rd time: Maryam elected as first-ever woman CM of Punjab”, *The News International*, February 27, 2024, <https://www.thenews.com.pk/print/1161937-murad-becomes-sindh-cm-for-record-consecutive-3rd-time-maryam-elected-as-first-ever-woman-cm-of-punjab>.

Pakhtunkhwa the caretake government had been in office since January 2023. The Khyber Pakhtunkhwa Assembly was dissolved on January 18, 2023, after the Governor, Haji Ghulam Ali, accepted the request for dissolution of the Assembly by the then PTI Chief Minister Mahmood Khan.⁴⁶ Four days earlier, on January 14, 2023, the Punjab Assembly was dissolved following a request by the ruling PTI. Through these actions, Imran Khan wanted to put pressure on the Federal Government for an early General Election,⁴⁷ which was otherwise scheduled for October 2023, though it was finally held in February 2024.

OPPOSITION PROTEST

Following near unsuccessful attempts to form the government, PTI earlier opted to sit in the Opposition in Parliament. PTI leader Barrister Muhammad Ali Saif announced on February 16 that, following Imran Khan's instructions, the party had decided to sit in the Opposition, both at the Centre and in the key province of Punjab. The decision came a day after the party had named Umar Ayub Khan as its candidate for Prime Minister and Aslam Iqbal as chief minister for Punjab. The party also launched nationwide protests against alleged electoral irregularities.⁴⁸

46 Alind Chauhan, "Provincial assemblies of Pakistan's Punjab and Khyber Pakhtunkhwa dissolved: What will happen now?", *The Indian Express*, January 20, 2023, <https://indianexpress.com/article/explained/explained-global/pakistan-punjab-khyber-pakhtunkhwa-provincial-assemblies-dissolved-explained-8394617/>.

47 Abid Hussain, "Another Khan party-led provincial assembly dissolved in Pakistan", *Al Jazeera*, January 18, 2023, <https://www.aljazeera.com/news/2023/1/18/another-khan-party-led-provincial-assembly-dissolved-in-pakistan#:~:text=On%20Saturday%2C%20the%20assembly%20in,scheduled%20in%20October%20this%20year.>

48 "Imran Khan's party vows nationwide protest against alleged election rigging, to join opposition in Pak's parliament", *Firstpost*, February 17, 2024, <https://www.firstpost.com/world/imran-khans-party-to-launch-natio>

A HISTORY OF STOLEN ELECTIONS

Though Pakistan was formed in 1947, the first General Elections were held much later, in 1970. Since then, the Military Establishment has ensured that the results⁴⁹ lead to the formation of a ‘civilian’ government which would work as its puppet.⁵⁰

Held on December 7, 1970, the first General Elections resulted,⁵¹ many believe, in the division of the country a year later, in 1971. Raza Naeem explains,

Voting took place in 300 constituencies, of which 162 were in East Pakistan and 138 in West Pakistan. The Awami League was the only major party in the east wing, while in the west wing, the PPP faced competition from the conservative factions of the Muslim League – the largest of which was Muslim League (Qayyum), as well as Islamist parties like the Jamaat-e-Islami (JI), Jamiat Ulema-e-Islam (JUI) and Jamiat Ulema-e-Pakistan (JUP). The result was a victory for the Awami League, which won an absolute majority of 160 seats, all of which were in East Pakistan. The PPP won only 81 seats, all in West Pakistan. In the provincial elections held ten days later, the Awami League again dominated in East Pakistan, while the PPP won

nwide-protest-against-alleged-election-rigging-joins-opposition-in-paks-parliament-13737372.html.

49 Gallup Pakistan, “Election Studies- Digital Library (1970-2013)”, https://gallup.com.pk/bb_old_site/election_DigitalLib.php#p213.

50 Rishika Singh, “Why Pakistan’s military is the biggest player in the country’s politics”, *The Indian Express*, February 9, 2024, <https://indianexpress.com/article/explained/explained-global/pakistan-elections-military-army-dominance-influence-9151188/>.

51 Gilani’s Index of Electoral Record, “Volume 1 Pakistan National Election 1970”, April 30, 2023, https://gallup.com.pk/bb_old_site/election/IGIER1970.pdf.

Punjab and Sindh. The Marxist National Awami Party emerged victorious in the Northwest Frontier Province and Balochistan. The National Assembly was initially not inaugurated as the military dictator Yahya Khan and the PPP chairman Zulfikar Ali Bhutto did not want a party from East Pakistan heading the federal government. Instead, Yahya appointed the veteran Bengali politician Nurul Amin as prime minister, asking him to reach a compromise between the PPP and Awami League. However, this move failed as the delay in inauguration had already caused significant unrest in East Pakistan. The situation escalated into a civil war that led to the breakup of Pakistan and the formation of the independent state of Bangladesh. The assembly was eventually inaugurated in 1972 after Yahya resigned and handed power to Bhutto. Bhutto became prime minister in 1973 after the post was recreated by a new constitution.⁵²

Similar, military intervention in subsequent elections created an environment conducive to the military establishment's indirect rule. Significantly, after 1970, five successive governments, were voted into power, but none of them was voted out of power — all five were removed by the Army, before they completed their terms, through explicit or implicit presidential orders.⁵³ This pattern continued till the formation of the military-backed Pakistan Muslim League-Qaid-e-Azam (PML-QA) government in November 2002.

52 Raza Naeem, "The Watershed Moment in 1970 Elections That Broke Pakistan", *The Wire*, December 7, 2020, <https://thewire.in/south-asia/elections-that-broke-pakistan-1970-history>.

53 Congressional Research Service, "Pakistan's 2008 Elections: Results and Implications for U.S. Policy", April 9, 2008, <https://www.everycrsreport.com/reports/RL34449.html>.

The last elections under a ‘military’ ruler were conducted in 2002. The PML-QA won 76 seats and emerged as the single largest party.

Under the circumstances – within a reasonable margin of error – it is safe to suggest that the electoral outcome is substantially an approximation of what the General [General Pervez Musharraf] intended. He has a hung Parliament, with the Pakistan Muslim League-Qaid-e-Azam (PML-QA), widely referred to as the ‘King’s Party’ because of the explicit support it enjoys from (and unqualified support it offers to) President Musharraf, emerging as the single largest faction in the National Assembly. Interestingly, the EU’s observers stated that the PML-QA had been one of the main beneficiaries of official attempts to interfere in the election. There is also some evidence to suggest that the results in the NWFP and Baluchistan were not quite as surprising as they are being made out to be, and one of the constituent members of the MMA (Muttahida Majlis-e-Amal), the Markazi Jamiat Ahle Hadith, has declared the alliance mandate to be ‘bogus’, claiming that it had been ‘given’ seats to create political instability in the country through a hung Parliament. This goes some way to confirm former Prime Minister Benazir Bhutto’s claim that the frontier provinces were ‘handed over’ to the MMA and that, “Strategically, the military wants to hold a red rag up to the West and say ‘Look West, you need a military dictatorship, because if there’s not, then pro-Taliban parties are going to come to power.’” The alacrity with which the PML-QA President, Chaudhry Pervaiz Elahi declared that the MMA was “the natural ally” of his party also suggests a measure of understanding between the

two formations... As the processes of government formation are engineered, however, it is clear that the ‘King’s Party’ will have a controlling function in the new administration at the Centre, and would also form a government in the crucial State of Punjab – which accounts for 60 per cent of the country’s population and a dominant proportion of the Pakistan Army, and that constitutes the core of the power of the state in Pakistan.⁵⁴

The PML-QA later combined with the Muttahida Majlis-e-Amal (MMA), the six party Islamist fundamentalist alliance, and formed the government. The alacrity with which the PML-QA President, Chaudhry Pervaiz Elahi declared that the MMA was “the natural ally” of his party also suggests a measure of understanding between the two formations. It further enhanced the military-*mullah* nexus in the country.

As the overall situation started to deteriorate, General Musharraf started facing strong opposition within the country and even feared impeachment. He eventually resigned in August 2008.⁵⁵ Prior to that, in the General Elections held in February 2008, he tried to ensure that the military remain ‘out of direct power’ to save it from public backlash. Accordingly, in the 2008 elections the PPP emerged as the single largest party with 87 National Assembly seats, while PML-N won 67 seats and became ‘runner-up’. PML-QA won 41 seats.⁵⁶ The PPP leader Yousaf Raza Gilani became the Prime Minister.

54 Ajai Sahni, “Dictator’s Democracy”, *South Asia Intelligence Review*, Vol. 1, No. 13, October 14, 2002, <https://www.satp.org/south-asia-intelligence-review-Volume-1-No-13>.

55 Saeed Shah, “Pervez Musharraf resigns as president of Pakistan”, *The Guardian*, August 18, 2008, <https://www.theguardian.com/world/2008/aug/18/pakistan>.

56 South Asia Terrorism Portal, “Elections 2008 – Results”, <https://old.satp.org/satporctp/countries/pakistan/database/election2008.htm>.

The Pakistani academic Aqil Shah wrote in his book ‘The Army and the Democracy’,⁵⁷

In 2007-2008, the military extricated itself from power in the face of anti-regime protests... Since 2008, the generals have tolerated political democracy because direct military rule has been seen as antithetical to the military’s image and interests. In almost pendulum-like fashion, it appears the military has gone from governorship back to guardianship.

After the 2013 General Elections, there was an air of triumph and hope in Pakistan. A near-decisive victory for a single party and the astonishing spectacle of an ordered transition of power from one civilian Government to another – unprecedented in Pakistan’s twisted history, produced euphoria and an expectation that all that is to come can only be better than the benighted past.⁵⁸ Former Prime Minister Nawaz Sharif – who had been deposed in a coup by then Army Chief General Pervez Musharraf in 1999 – became Prime Minister for the third term. PML-N won 125 seats, PTI 34, and the incumbent PPP had virtually been wiped out, with just 32 seats to show. Other smaller parties and independent candidates had won or established leads in the remaining seats.⁵⁹

Many analysts then thought of the 2013 elections as a game changer for Pakistan as a nation, since the 13th Parliament completed its tenure uninterrupted and the elections for the new Parliament were conducted under the aegis of a civilian caretaker Government. They claimed that it was the first civilian transition of Government – though some would claim

57 Rishika Singh, op. cit.

58 Ajit Kumar Singh, “Misplaced Optimism”, *South Asia Intelligence Review*, May 13, 2013, <https://www.satp.org/south-asia-intelligence-review-Volum e -11-No-45>.

59 Ibid.

that this is technically inaccurate. The 12th Parliament also completed its full tenure, though under the shadow of the military dictator, Pervez Musharraf, though military rule had, legally, ended.⁶⁰

The euphoria, however, was very short. Prior to the 2018 elections, attempts were made by the deep state to target particular political formations among the front-line parties, most prominently PML-N, which had been in power since 2013, using courts and the ECP. For instance, on July 14, 2018, the Lahore Police registered at least 12 FIRs [First Information Reports] against top PML-N leaders, including the then party chief Shehbaz Sharif, on charges of terrorism, attempt to murder, interference in government matters, and violation of Section 144 of the Pakistan Penal Code, which prohibits joining an unlawful assembly armed with deadly weapons. Shehbaz Sharif, the Chief Minister of Punjab Province till May 2018 is the brother of former Prime Minister Nawaz Sharif. The FIRs were lodged a day after violent clashes erupted between PML-N supporters and law enforcement agencies on Nawaz Sharif's arrival in Lahore. Nawaz Sharif and his daughter Maryam were convicted by an Accountability Court on July 6, 2018, in absentia, while they were visiting Sharif's ailing wife in London. The sentence, 10 years in prison in Nawaz Sharif's case, came almost a year after Pakistan's Supreme Court removed him from office and less than five months after the court barred him from holding office for life. The case stemmed from the so-called Panama Papers leak that disclosed expensive and undeclared property owned by the Sharif family in London. Nawaz Sharif and Mryam were both arrested on their arrival and were lodged in Rawalpindi's Adiala Jail. The then Leader of Opposition

60 Ibid.

in the Senate, PPP Senator Sherry Rehman on July 12, 2018, also alleged that some parties were being rewarded while others being targeted, the latter including the PPP. Talking to journalists after she and Senator Maula Bakhsh Chandio met with the then Chief Election Commissioner Justice Sardar Muhammad Raza Khan, she disclosed that they apprised Raza Khan of their concerns and how their candidates were being disqualified and pressured to change loyalties. She complained that they had been talking to the ECP for over a month, but the ECP was not paying any attention to their concerns. “‘Proscribed organisations’ candidates are being brought to the forefront, while our candidates are being disqualified,” she asserted, “Our party is being stopped from running its election campaign. Magisterial powers are being given to people other than the presiding officers.” The efforts of the military to steer the elections against PML-N and PPP, the two most popular political formations in Pakistan at that time, and in favour of a possible coalition led by Imran Khan’s PTI and including a range of radical Islamist formations, enormously destabilized both the political and extremist landscape across the country.⁶¹

As expected, Pakistan’s deep state once again succeeded in getting its person of choice ‘elected’ as the Prime Minister of the country. Though the July 25, 2018, General Election results threw up a fractured mandate, PTI chief Imran Khan became the new Prime Minister. In the night of July 28, 2018, PTI leader Naemul Haq asserted that consultations were on to complete the numbers game, adding, “We have done our homework and he [Imran Khan] will take oath as Prime Minister before August 14.” Earlier, on July 28, the ECP had released the final election results according to which PTI emerged as

61 Ajit Kumar Singh, “Murdering Democracy”, *South Asia Intelligence Review*, July 16, 2028, <https://www.satp.org/south-asia-intelligence-review-Volume-17-No-3> .

the largest political party in the National Assembly, with 116 seats, followed by PML-N, with 64 seats; the PPP, 43 seats; the Muttahida Majlis-e-Amal (MMA), 12 seats; MQM-P, six seats; Pakistan Muslim League – Quaid (PML-Q) and BAP, four seats each; BNP, three seats; Grand Democratic Alliance (GDA), two seats; Awami National Party (ANP), Awami Muslim League (AML), Jamhoori Wattan Party (JWP), one seat each; and 13 independents.⁶²

Indeed, amid allegations of rigging and manipulations during 2024 polls, PML-N Senator Irfan Siddiqui, speaking in the Senate, the upper house of Parliament, on February 20, 2024, recalled that all the allegations levelled by the PTI today were similar to the ‘injustices’ the PML-N faced in 2018.⁶³ He added that the country’s electoral history was ‘not perfect’ and this situation had persisted for several decades. Describing the 2018 General Elections as a “dark chapter” in Pakistan’s history, he stated,

History of our elections is not exactly the best. But why are we not talking about the 2018 polls? In 2018, Nawaz Sharif was behind bars, he was not allowed to participate in the election. Was it fair back then? and there was no outcry at that time!!⁶⁴

And further,

Whatever happened in the 2018 General Elections is a dark chapter in the history of our country. A lot happened back then and maybe the same happened this

62 Ajit Kumar Singh, “Democracy and the Deep State”, *South Asia Intelligence Review*, July 30, 2018, <https://www.satp.org/south-asia-intelligence-review-Volume-17-No-5>.

63 “Nawaz Sharif’s party says Pakistan’s electoral history not perfect”, *The Print*, February 20, 2024, <https://theprint.in/world/nawaz-sharifs-party-says-pakistans-electoral-history-not-perfect/1972617/>.

64 Ibid.

year as well. And if the same happened again, then it took place across the country and not just in Punjab or Balochistan. It happened in Khyber Pakhtunkhwa as well. If you suffered from it, so did we. It isn't fair to say that no rigging took place where you won and vice versa.⁶⁵

Significantly, Nawaz Sharif, who then led the country's most powerful political family as well as the PML-N, was disqualified by the Supreme Court from holding public office in 2017 was also sentenced to 10 years in prison by an accountability court, and barred from contesting the General Elections due to his conviction.

DANGEROUS TRAJECTORY

With widespread and credible allegations of election rigging, the Establishment is facing unprecedented ignominy and a rising challenge to its authority. It is significant that the PTI-backed Independents have performed well across the country – including Punjab, the Establishment heartland and Nawaz Sharif's home Province. A crisis of legitimacy is inevitable, and will hobble any government that is formed in contravention of the popular mandate. The possibility of a situation arising where the Establishment may 'be forced' to take 'full control' of governance, citing critical disorders, is growing.

The political fragility can only be worsened by the economy, which has been in tatters for long, with little hope of imminent revival. Pakistan's budget deficit reached PKR 2.4 trillion or 2.3 percent of the GDP in the first half of fiscal year 2024, up from PKR 1.7 trillion or 2 percent of GDP in the same period last year. As on February 11, the USD to PKR

65 Ibid.

interbank exchange rate was PKR 278.5 according to Pakistan Interbank. The prices of essential commodities are soaring, with as inflation at 28.3 per cent.

Socio-political and economic turmoil have deepened further, as the Establishment's entrenched policy of using terrorism as a strategic tool boomerangs. After a peak in 2009, at 11,317, terrorism-linked fatalities, violence declined steadily, to bottom out at 365 such fatalities in 2019. A sustained rising trend has since been established, with 1,502 killed in 2023 – including 532 Security Force (SF) personnel. 278 terrorism/insurgency linked fatalities have already been recorded in 2024 (data till February 24), including 75 SF personnel. While positive, the SF:Terrorist kill ratio is not very reassuring, at 1:1.098 in 2023; and 1:1.04 in 2024, indicating severe pressure on the SFs. These trends are unlikely to improve, with the Tehreek-e-Taliban Pakistan (TTP) and Islamic State (IS) operating across the border from Afghanistan, the former with tacit support from the Taliban.

It is useful to recall, here, that Imran Khan had often expressed sympathy with TTP, which has its strongest operational base in Khyber Pakhtunkhwa, Khan's home Province. In the recent past, Khan has repeatedly reminded the Establishment that a refusal to accept an electoral mandate had led to the breaking away of East Pakistan (now Bangladesh), and another such outcome was conceivable if the people's will was again ignored.⁶⁶ The degree to which such sentiments can coalesce with the TTP's agenda and activities, with Pakhtun identity politics, and with the Taliban's ambitions, in the restive Khyber-Pakhtunkhwa region remains to be seen.

⁶⁶ Ajit Kumar Singh, "Establishment losing Authority", *South Asia Intelligence Review*, February 12, 2024, <https://www.satp.org/south-asia-intelligence-review-Volume-22-No-34#assessment1>.

Domestic terrorism continues to thrive in Pakistan within a broader environment that the Establishment has created to facilitate the operations of foreign oriented terrorist formations, both directed against neighbours as well as wider global formations, and sectarian (anti-Shia) terrorist groups, as well as armed proxies – hit squads – that are deployed against dissident and rebel elements, particularly in Balochistan. Significantly, the mobilizing ideology of all these groups is Islamist (Sunni) extremism, and overlaps, crossovers and operational coordination are not uncommon. Indeed, groups that receive strong state support – including, for instance, the Lashkar e Taiba (LeT) and Jaish e Mohammad (JeM) – have had long and close links with the TTP as well as with the Afghan Taliban. A change in the political environment or ground situation in Pakistan can provide a dramatic fillip to domestically oriented terrorist formations, particularly the TTP.

Crucially, the Durand Line has re-emerged as a contentious issue between Islamabad and Kabul. There have been repeated and direct confrontations between the Afghan Taliban and Pakistani border forces. Moreover, despite urgent exhortations and pressure from Islamabad, the Afghan Taliban has taken little meaningful action against the TTP cadres/leaders who have been sheltering on Afghan soil. The increased volatility of the Af-Pak border has helped the TTP infiltrate most of its cadres into Pakistan, and the group has made deep inroads across Pakistan, far beyond its traditional strongholds in Khyber Pakhtunkhwa.

Pakistan's historical malfeasance has, moreover, left it with no friends in the immediate neighbourhood, with the exception of China. The fractious history with India, and Rawalpindi's

enduring proxy war on Indian soil do not bear repetition here.⁶⁷ Friction with Iran also has a long history, and, most recently, on January 16, 2024, Iran's Revolutionary Guards launched "precision missile and drone strikes" on two alleged strongholds of the Jaish al-Adl (Army of Justice, formerly Jundallah) an anti-Iran Baloch separatist formation, located in the Pakistani Balochistan, which borders the Sistan & Baluchistan Province of Iran. According to reports, two children were killed in the Iranian attack,⁶⁸ which was a response to an attack by Jaish al-Adl at a police station in the city of Rask, in the Sistan & Baluchestan, in which 11 policemen were killed on December 13, 2023.⁶⁹ The Jaish al-Adl, re-christened in 2012 from its original Jundallah after a US ban on the latter, and blacklisted by Iran as a terrorist group, claimed responsibility for the Rask attack. Pakistan retaliated to the missile and drone strikes with an air attack in the Sistan & Baluchestan Province on January 18, targeting alleged hideouts of the Balochistan Liberation Front and Balochistan Liberation Army. At least nine persons were killed in the attack.⁷⁰ Though the tension has deescalated, both sides continued to blame each other for harbouring 'terrorist groups'.

67 Ajai Sahni, "With more of the same in Pakistan, same outcome is certain", *The New Indian Express*, February 11, 2024, <https://www.newindianexpress.com/magazine/voices/2024/Feb/09/with-more-of-the-same-in-pakistan-same-outcome-is-certain>.

68 "Pakistan says two children killed in 'completely unacceptable' Iran attack", *Al Jazeera*, January 17, 2024, <https://www.aljazeera.com/news/2024/1/17/pakistan-says-two-children-killed-in-completely-unacceptable-iran-attack>.

69 "11 Iran Police Killed in Jihadist-Claimed Attack: State TV", *The Defense Post*, December 15, 2023, <https://www.thedefensepost.com/2023/12/15/iran-police-killed-jihadist-attack/#:~:text=At%20least%2011%20Iranian%20police,told%20state%20television%20on%20Friday>.

70 Frances Mao, Caroline Davies and Paul Adams, "Pakistan launches retaliatory strikes into Iran, killing nine people", *BBC*, January 18, 2024, <https://www.bbc.com/news/world-asia-68014882>.

Another source of concern for the Establishment in Pakistan is the recent spate of targeted killings of the leaders/cadres of India-directed terrorist proxies – both Islamist and Khalistani – by unidentified assailants inside Pakistan. Between 2020 and January 2024, at least 20 such terrorists have been killed. These killings are most likely the result of increasing differences within these terrorist groups or their rivals operating from Pakistan, though there are unsubstantiated allegations regarding the involvement of ‘Indian agencies’ in some of these. Since Pakistan refuses to acknowledge the presence of most of the deceased terrorists on its soil, transparent investigations and a definitive identification of the victims and the perpetrators remains unlikely. Within the current context of a deteriorating security situation, there is a strong likelihood of a surge in such killings as well, as the Establishment’s control of its proxies weakens.

Pakistan is at a crossroads and the present electoral outcome, the consequent and likely political instability, as well as the loss of credibility and erosion of the long-held faith in the Military Establishment, are likely to combine to spawn new sources of destabilization and violence. The country has, of course, survived deep crises in the past, but it is useful to recall that it has emerged weaker from each. Crucially, the manifest loss of faith in the Military Establishment has unhinged the nation from the anchor on which it has long relied with dogged fidelity, despite the Establishment’s dubious role through Pakistan’s fractious history. Absent a political leadership which has the sagacity and vision to lead the country out of its present morass, the loss of the Establishment’s authority can only deepen the enveloping instability.

In the immediate aftermath of the election results and reports of rigging, there were country-wide protests by PTI supporters.

Ajit Kumar Singh

An AI generated message from the imprisoned Imran Khan claimed an overwhelming victory and exhorted the people of Pakistan to demonstrate the capacity to translate their mandate into reality. The protests were met with widespread and presently successful repression, but this is likely to drive public anger underground, and to amplify the rising trend of domestic terrorism. The opportunistic alliance of the PML-N and PPP is unlikely to provide a particularly inspiring of governance, or to engineer any dramatic recovery out of the social, political and economic chaos that has blighted the country over the past years. The steady and downward trajectory of Pakistan over the decades can only sharpen under the corrosive impact of this latest farce of an election.

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Persecution of the Hazaras of Afghanistan

From Abdur Rahman Khan to the Islamic Emirate of Afghanistan

Agostino Gaetano Bono*

The violent persecution of the Hazaras has been a constant theme in Afghanistan's history, mainly perpetrated by Pashtun rulers, a reality borne out since the history of the rule of Amir Abdur Rahman Khan (1880-1901) to the present day. Abdur Rahman Khan enforced the concept of Pashtunism upon the Afghans and, in particular, on the non-Pashtuns. Pashtunism entailed the superiority of the Pashtuns over other ethnic groups. Prominent scholars of Afghanistan have also described the idea of racial supremacy as a gift from God¹ and as the basis for building a strong nation-state.²

The persecution of the Hazaras has been implemented, first, in accordance with the concept of Pashtunism as imposed

* Agostino Gaetano Bono is a master's student in Terrorism and Political Violence at the University of St. Andrews in Scotland. He has also been researching political, social, and economic issues in Afghanistan and Pakistan since 2004. He authored the book- *Zarb ul Misal wa Muhawarat ka Majmu'a*. Agostino is a member of the International Team for the Study of Security, in Verona. He can be reached at: agb28@st-andrews.ac.uk

1 M. H. Kakar, *Afghanistan: A Study in International Political Development: 1880-1896*, Panjab Educational Press, Lahore, 1971, Appendix XII and XIII; Curzon of Kedleston, *Tales of Travel*, Hodder & Stoughton, London, 1923, pp. 69-72.

2 J. C. Griffiths, *Afghanistan*, Pall Mall Press, London, 1967, pp. 65-68.

by successive rulers, regardless of the regime system in place and its ideology. A second decisive factor has been religion, with the Hazara Shias³ being deemed ‘infidels’ by the Sunni Pashtun majority. While small communities of Sunni Hazaras inhabit the provinces of Badghis, Parwan and Panjshir,⁴ even these subsets are usually associated with the Shia faith by other Sunni groups.

Further, Hazara leaders have done little to secure the implementation of policies in favour of their co-ethnic people. Therefore, discrimination and acts of cruelty against the Hazaras have not been a prerogative of the two Taliban regimes, but rather a continuation or evolution of previous governments’ policies.

Modern Afghanistan (from 1747 to the present day) has been characterised by the dominance of the Pashtun ethnic group, which represents about 42 per cent, and the Sunni religious groups, constituting at least 85 per cent, of the population. This has often escalated into violent persecution of such minorities and their political and social marginalisation, which has had a dramatic impact on national cohesion. The Hazaras, estimated to make up around 15 per cent of the population,⁵ have been the most targeted section of Afghan society mainly because of

3 While a minority of Shia Hazaras are Ismaili Shias, the vast majority are Imami Shias. K.B. Harpviken, “The Hazaras of Afghanistan: The Thorny Path towards Political Unity, 1978-1992,” in T. Atabaki and J. O’ Kane eds., *Post-Soviet Central Asia*, Tauris, London, 1998, pp. 177-203.

4 N. Ibrahim, “The state, identity politics and ethnic boundaries in Afghanistan: The case of Sunni Hazaras,” *Nation and Nationalism*, Volume 29, Number 2, 2023, pp. 669-685.

5 This figure may not be accurate since the last national census was held in 1979. Scholars disagree on the actual figure, since such percentages range from 8% to 20%. The Pashtuns have no interest in holding a new census, which can result in a different ethnic make-up of the country. If the Hazaras were more numerous than current estimates, this would have repercussions for the Pashtun claim to power and the role of Hazaras in Afghanistan.

their adherence to the Shia confession of Islam.⁶ In recent years, the rise to power of the Taliban, coupled with the emergence of the Islamic State in Iraq and Syria's South Asian affiliate, the Islamic State Khorasan (ISK), which has repeatedly targeted the Hazaras, has worsened an already precarious situation.

Finally, according to the Rome Statute of 2003 of the International Criminal Court (ICC) in the Hague⁷, the persecutions of the Hazaras constitute crimes against humanity under Article 7(1) (h), which states that persecution is “the intentional and severe deprivation of fundamental rights... by reason of the identity of the group” stemming from “political, racial, national, ethnic, cultural, religious, gender or other grounds” and must be “committed as part of a widespread or systematic attack directed against any civilian population, with knowledge of the attack.” Moreover, based on the ICC's definition

...the crime of genocide is characterised by the specific intent to destroy in whole or in part a national, ethnic, racial or religious group by killing its members or by other means: causing serious bodily or mental harm to members of the group; deliberately inflicting on the group conditions of life calculated to bring about

6 In addition to the Hazaras, the Shias of Afghanistan include Sayeds, Qizilbash and Farsiwan. The Hazaras are the biggest Shia group. Within the Hazaras, Twelver Shias represent the majority. They believe in twelve divinely appointed Imams after the Prophet Muhammad. Minority Shia groups include the Ismailis, who believe that Ismail, the son of the sixth Imam should have succeeded him as the seventh Imam. A.Y. Adili, “The Politics of Survival in the Face of Exclusion: Hazaras and Shia Actors under the Taliban”, *Afghanistan Analyst Network*, February 2023, <https://www.afghanistan-analysts.org/en/reports/political-landscape/the-politics-of-survival-in-the-face-of-exclusion-hazara-and-shia-actors-under-the-taleban/>.

7 See Rome Statute of the International Criminal Court, July 17, 1998, 2187, U.N.T.S. 90. Afghanistan is a signatory of the Statute.

its physical destruction in whole or in part; imposing measures intended to prevent births within the group; or forcibly transferring children of the group to another group.⁸

These definitions clearly indicate that that genocide and crimes against humanity have been perpetrated against the Hazaras by different rulers in Afghanistan, at least since 1880.

The Hazaras' homeland is the so-called Hazarajat in Central Afghanistan, which includes the provinces of Daikundi and Bamyan, and several districts in the neighbouring provinces of Ghazni, Wardak, Parwan, Sar-e Pul, Samangan and Ghor. Hazaras also inhabit other areas of the country, such as Ghazni, Balkh, and Kunduz provinces, as well as the Dast-e-Barchi neighbourhood in Kabul. Their origin is debated by scholars, who have come up with different theories. A school of thought is represented by those who think that Hazaras have inhabited Afghanistan for thousands of years; while the second traces their origins back to the Mongols and Turkic invasions. Recently, Sayed Askar Mousavi concluded that the Hazaras are among the oldest inhabitants of Afghanistan and the region, and that they are a mixture of race and ethnic groups, and as such their language and tribal structure have been influenced by their various ancestors, such as Turkic and Mongols.⁹

The fact that the Hazaras' origins have been such a feature of academic debate highlights their history of exclusion from Afghan society. However, the debate over their origins should not be the central focus of academic research, but rather, as

8 International Criminal Court, "The Crimes", *How the Court works*, <https://www.icc-cpi.int/about/how-the-court-works#:~:text=First%2C%20the%20crime%20of%20genocide,conditions%20of%20life%20calculated%20to>.

9 S.A. Mousavi, *The Hazaras of Afghanistan: an historical, cultural, economic and political study*, St. Martin's Press, New York, 1997, p. 43.

this paper demonstrates, their historical quest for social and economic justice and equal representation in the political sphere of Afghanistan.

1880 TO 1901: ABDUR RAHMAN KHAN AND HAZARA PERSECUTION AS A STATE POLICY

In 19th century Afghanistan, Hazara society mainly consisted of a feudal aristocracy and below them, farmers, herders, and artisans. The relationship between the former and the latter was based on properties as well as animals and water. Within this community, the nobility, which often identified with the leadership of the tribes, was known by titles such as khan (landlord), mir (chief of a region or tribe) and sultan (King). Hazara chiefs maintained a certain degree of autonomy thanks also to the establishment of personal militias.¹⁰ This dramatically changed with the advent of Abdur Rahman Khan to the power when Afghanistan came into existence as a geographical entity (1880-1901).¹¹ He came to power following the end of the Second Anglo-Afghan War (1878-1880). In 1878, Britain had invaded Afghanistan from India for the second time, not least because they feared the expansion of the Russian Empire into Afghanistan. The British attempt to install a friendly government in Kabul had failed and as such they tried to take control of Afghanistan. Instead, a period of greater instability ensued, and this resulted in the disintegration of the country in areas governed by local

10 N. Emadi, "The Hazaras and their role in the process of political transformation in Afghanistan", *Central Asian Survey*, Volume 16, Issue 3, 1997, pp. 365-366.

11 N. Ibrahimi, *The Hazaras and the Afghan State*, Hurst & Company, London, 2017, pp. 53-86. In 1747, however, Ahmad Shah Durrani had established Afghanistan as a modern country. At his death in 1772, the Durrani Empire included Punjab, Kashmir, Sindh and Balochistan. However, Abdur Rahman, was the first ruler who implemented the persecution of the Hazaras as a state policy. N. Ibrahimi, 2017, op. ct., pp. 25-28.

powerbrokers.¹² In fact, the British's authority was confined to major cities such as Kandahar and Kabul, as admitted by the Viceroy of India, Lord Lytton: "The range of our effective administration went no further, so that the country at large was without a government."¹³ Influential religious leaders used to incite people to conduct *jihad* (holy war) and that brought about rebellions against the British authority.

Abdur Rahman was the first ruler who succeeded in creating a strong central government in Kabul. However, to implement his strategy, he often resorted to violence against the population and particularly the Hazaras, which was coupled with the spreading of an anti-Hazara sentiment and propaganda throughout the country.¹⁴

Abdur Rahman's authoritarian rule led to internal rebellions by different ethnic groups, including Pashtuns, such as the Ghilzai and the Shinwari. In his autobiography, Abdur Rahman describes his own war on the Afghan people as a "just conflict between the civilised and generous state on one side and the uncivilised, primitive, and ignorant tribes on the other."¹⁵ Abdul Rahman justified the war against the Hazaras in these terms: "the Hazaras had raided and plundered the neighbouring

12 B. Omrani, "The Iron Amir", *History Today*, June 2014, pp. 48-53, <https://web-p-ebSCOhost-com.ezproxy.st-andrews.ac.uk/ehost/pdfviewer/pdfviewer?vid=3&sid=4866d1df-63d9-40c7-84b5-ff2d2b17656b%40redis>.

13 Ibid.

14 In fact, his politics were a mere continuation of the previous ruler's and his grandfather, Amir Dost Mohammad Khan, who had started the persecution against the religious minority in 1834. Dost Muhammad declared himself Amir ul Mumeneen (Commander of the Faithful) and waged *jihad* on the Sikhs of Punjab. What happened during Dost Mohammad's periods (1826-39 and 1843-1863) was the shifting character of violence, which started to be directed domestically, to impose his authority over all the provinces and districts of Afghanistan. N. Ibrahim, op. cit., pp. 62-63.

15 Sultan Mohamed Khan, ed. *The Life of Abdur Rahman Khan, The Amir of Afghanistan*, John Murray, London, 1900, p. 249.

subjects (of the Afghan confederacy) for about three hundred years past, and none of the kings had the power to make them absolutely peaceful.”¹⁶ Abdur Rahman waged a Sunni *jihad* against the Hazaras because he considered them to be infidels and also forced ordinary Afghans to brand them as such. The Amir then implemented a regime of terror to pacify the tribes. Families and clans who dared to oppose his authoritarian rule were killed or enslaved, while their properties were seized, and their villages and crops destroyed.¹⁷

Acts of brutality, such as the rape of Hazara women, were a typical *modus operandi* during the reign of Abdur Rahman, which the Taliban and ISK would also carry out in more recent times. Other kinds of cruelty included the creation of piles of bodies and pyramids of skulls to intimidate the population as well as the massive displacement of Hazaras to break down their unity and cohesiveness. Abdur Rahman, like the Taliban more than a century later, emphasised the importance of a centralised legal system, which would administer justice according to the principles of *Sharia*, and not to the tribal *jirga* system which had been the dominant justice system for centuries. This system also institutionalised the Hanafi school of jurisprudence and deepened the gap between Pashtuns and Hazaras. In fact, Sunni Hanafi tribunals were established in Shia dominated areas.¹⁸

The Hanafi System would constitute the legal basis of the two Taliban regimes (1996-2001 and 2021 to present), which

16 Ibid.

17 The confiscation of Hazara properties would become a state-sanctioned policy in the following decades. As a result, there is no province in Afghanistan without Pashtuns. Even historical Hazara strongholds such as Bamyan are inhabited by Pashtun tribes. Ben Acheson, *The Pashtun Tribes in Afghanistan: Wolves Among Men*, Pen and Sword Military, 2023, p. 141.

18 A. Tarzi, “Islam, Shari’a, and State Building under Abd al-Rahamn Khan”, in Nile Green ed., *Afghanistan’s Islam: From Conversion to the Taliban*, University of California Press, Oakland, 2016, pp. 129-144.

in the Hazaras' view is prone to discrimination and persecution of non-Pashtuns in Afghanistan, as the Hazaras adhere to the Ja'fari school of jurisprudence. The impact of Abdur Rahman's personal justice system had a profound effect on the prison population, which increased from 1,500 in 1880 to 20,000 in 1896. Because of these draconian rules, prisons became overcrowded, and inmates were held in inhuman conditions. Food was purposely rationed and about 60 to 80 per cent of the prisoners died during custody, while thousands were executed to free-up space.¹⁹ Hazaras were the most targeted group also in terms of jailed people, and they would continue to be targeted and imprisoned in nefarious facilities such a Pol-e-Charkhi to the present day.²⁰

To fill his growing army, Abdur Rahman started an enforced conscription campaign which allowed him to bring the number of soldiers on active duty from 60,000 in 1880 to 100,000 in 1900.²¹ As written by Abdur Rahman in his 1900's autobiography, the main purpose of raising such a powerful and lethal force was to win the support of non-Hazaras and exacerbate tensions between Pashtuns and Hazaras to his own benefit.²²

The king promoted his personal version of Political Islam (he thought that the king of Afghanistan derived the right to rule from God and as such the Afghans had to recognise his divine authority). When coercion and religious legitimation were not effective, he caused and exploited ethnic tensions for his own benefit.²³

19 B. Omrani, *op.cit.*

20 *Ibid.*

21 M.H. Kakar, *op. cit.*, p. 166.

22 Sultan Mohamed Khan, *op. cit.*, p. 283.

23 The authoritarian rule was implemented with British financial support, which also aimed at softening his stance on the Durand Line, which would be finalised in 1893.

The concept of *jihad* would become more relevant starting from the 1980s and would be used to gather Muslims from around the world to fight against the Soviet and Western infidels in Afghanistan and the wider region. Nevertheless, earlier, between 1880 to 1901, *jihad* and central authoritarian rule were mere instruments to sow discord between tribes, while the extensive use of force and brutality led to rebellion against the state. The relevance of *jihad* is exemplified by the 1889 book, “*Taqvim al-Din*”, written by Afghan religious scholars (ulema) which stated, “The Beneficent God has made *Jihad* so firm and strong as an obligation of all believers that he who denies it becomes an infidel”.²⁴ Such a seminal book has influenced the political and military strategies of successive governments, especially in recent decades.

The Hazaras had lost some of their fertile territories and were now confined to the so-called Hazarajat area.²⁵ Its impervious and mountainous territory as well as its deep and inaccessible valleys have historically contributed to its isolation and the divisions between the different Hazara tribes and families. Moreover, these factors have also contributed to the exclusion of the Hazaras from the most important social, political, and economic developments, which have taken place in the rest of the country.²⁶

Abdur Rahman was able to unify the country, but the price paid by ordinary Afghans, and the Hazaras was too high. He

24 M. Abu Bakr, A. R. Dihlavi and M. Azim Khan, *Taqvim Al-Din*, Printing Press of the Royal House, Kabul, 1889, pp. 6-7.

25 Despite such repressive policies, this region included the vast mountainous territory between Kabul to the east, Qalat and Ghazni to the south and southwest, Herat to the west, and Afghan Turkestan to the north. Moreover, the most important roads to and from Kabul crossed the Hazarajat region. N. Ibrahim, op cit., p. 65.

26 R. L. Canfield, “New Trends among the Hazaras: From The Amity of Wolves to The Practice of Brotherhood”, *Iranian Studies*, Volume 37, Number 2, 2004, pp. 241-262.

boasted about killing 100,000 civilians, and that alone is a proof of genocide committed against the Hazaras. More than 50 per cent of the male Hazara population [reportedly] died as a direct or indirect result of the conflicts. Sexual violence, rape, and forced marriages were committed in a widespread manner, with thousands of women under duress married to Pashtuns in a deliberate effort to destroy social and religious hierarchies of Hazara community.²⁷ However, his impact was not noted in the economic and educational sectors.

The peak of violence against the Hazaras took place during the 1891-1893 war when the forces of Abdur Rahman managed to coalesce most of the Pashtun tribes under his army. This was likely the beginning of the Hazaras' enslavement and persecution, which has continued throughout the 20th and 21st centuries. Moreover, Abdur Rahman's enslavement of the Hazaras, forced thousands of them to flee their homeland and seek refuge mainly in Iran and Pakistan.²⁸ The use of extreme force and cruelty resulted in a collective rebellion against the state, unifying different Hazara tribes, which constituted an unprecedented event since they had been known for their internal feuds and lack of a common strategy. However, internal divisions persisted and were exploited by Abdur Rahman. In particular, the sellout Hazara leaders, who were offered opportunities to play minor roles in the state machinery,

27 "...more than fifty percent of the male Hazara population [reportedly] died as a direct or indirect result of the conflicts." Sexual violence, rape, and forced marriages were committed in a widespread manner, with "[t]housands of women... forcibly married to Pashtuns in a deliberate attempt to destroy Hazara social and religious hierarchies." J. L. Lee, *Afghanistan: A History From 1260 to the Present*, Reaktion Books Ltd, London, 2018, p. 399.

28 Forced migration of Hazaras to neighbouring countries, mainly to Iran, would be a recurrence in the Hazaras' history throughout the 20th and 21st centuries.

contributed to the isolation of the ordinary Hazaras, who lived as slaves²⁹ until the end of the Third Anglo-Afghan War and the subsequent independence of Afghanistan in 1919, declared by King Amanullah (1919-1929).

1901 TO 1973: A CONTINUATION OF DISCRIMINATORY POLICIES

The centralised state Abdur Rahman left behind became the model, successive kings and rulers tried to maintain. Repressive policies against and social-political isolation of the Hazaras continued, albeit these rarely constituted state policy until the emergence of the Taliban in the 1990s.

Amanullah Khan, Abdur Rahman's son, penned a new constitution in 1923, which abolished slavery and introduced a body of laws to modernise the country. The Hazaras strongly supported his government and policies even when Amanullah was ousted by a pro-British ruler, Habibullah, in 1929. The latter's rule was short-lived (just 9 months) since General Mohammad Nadir Shah ousted and executed him, declaring himself to be the new king.³⁰ The enlightened rule of Amanullah abruptly came to an end, since the new king reintroduced anti-Hazara policies and embarked on a 'Pashtunisation' campaign meant to cancel the Hazaras' identity by introducing Pashtu culture, tradition, and language in the Hazarajat region. In particular, Nadir Shah encouraged the Pashtun Kuchi nomads to relocate to the Hazaras' homeland to counterbalance the power and influence of the majority Hazara residents. This

29 People arrested were charged with 'treason against the state and the Hazara peoples. Around 8000 women and girls were forced to work in factories in Kabul, while other were given to soldiers as sex slaves. Most of the men were executed in Kabul. This is another indication of a clear strategy to commit genocide and gendered difference in persecuting men and women. F. M. Mughul, *Sirajut Tawarikh*, Matba'a e Horofi, Kabul, 1912, Vol. 2, pp. 944-945 and 975.

30 H. Emadi, op. cit.

policy had been first implemented by Abdur Rahman Khan in the 1890s, by granting the Kuchis control over summer pastures and markets in the Hazarajat region.³¹

The draconian measures implemented by Nadir Shah were also directed at Hazara intellectuals. This constituted a fatal blow to the Hazaras' self-confidence and trust in their leadership, whose activities in the wider region had constituted a source of inspiration for ordinary people. The brutality and discriminatory policies of the king caused a young Hazara intellectual, Abdul Khaliq, to kill Nadir Shah in November 1933. Zahir Shah was appointed as the next king, and he personally ordered the torture and execution of Khaliq.

Zahir Shah, who ruled Afghanistan from 1933 to 1973, is considered among the most moderate and enlightened rulers of Afghanistan. Nevertheless, he continued the 'Pashtunisation' campaign and resorted to the extreme use of force and torture against political opponents and innocent civilians.³² As cited in Hafizullah Ehmadi (1997), the 'Pashtunisation' campaign could be compared to the Nazification campaign of Hitler in the period leading up to World War II, which was aimed at the creation of an Aryan race. In this regard, the Zahir administration went so far as to publish fictitious literature to sustain their argument that Pashtuns were a superior race and culture.³³ Moreover, Hazaras who had settled down in areas inhabited by tolerant communities of other groups, ended up in

31 K. Ferdinand, "Nomad Expansion and Commerce in Afghanistan", *Folk*, Volume 4 1962, pp. 123-159.

32 Ibid.

33 This policy is exemplified by books such as *Putra Khazana* (The Hidden Treasure), which was written in 1960 by a pro-government Pashtun nationalist historian, Abdul Hay Habibi. The book is a collection of Pashtun heroes' gestures and literary works in the one hundred years that followed the death of Prophet Muhammad, as well as a demonstration of Pashtun influence on the Hazara people throughout history.

Hazara elders marrying non-Hazaras women and in doing so, depriving their heirs of their identity. This has had an impact on today's Afghanistan, in which Hazaras of mixed descent try to hide their identity for their own safety, or ignore their Hazara lineage altogether.

In the mid-1930s, Zahir Shah also started a cultural revolution by declaring Pashto as the official language of government and educational institutions.³⁴ He went as far as to embark on a 40-year attempt to rewrite the history of Afghanistan, based on the concept of Pashtunism and the greater body of thought and values entrenched in Pashto literature.³⁵

To minimise the political and social influence of the Hazaras, Zahir Shah implemented an unprecedented administrative reform which divided the Hazarajat region into five provinces; Bamiyan, Ghazni, Ghor, Uruzgan and Wardak, which to this date are inhabited by the Hazaras. The law was also aimed to decrease the amount of international support destined to the Hazarajat and reduce the number of Hazaras seats within the *Wolesi Jirga* (or House of the People of the Afghan Parliament).

To make matters worse for ordinary Hazaras, their own tribal chiefs and politicians used their influence and authority to make Hazara farmers' lives miserable through the imposition of an agricultural and economic system that resulted in increased poverty, and social isolation. The occurrence of natural disasters, such as drought, would then result in starvation and mass death among Hazaras in rural areas.

34 Elisabeth Leake, "Constitutions and Modernity in Post-Colonial Afghanistan: Ethnolinguistic Nationalism and the Making of an Afghan Nation-State", *Law and History Review*, Volume 41, 2023, pp. 295-315.

35 M.M.S. Farhang, *Afghanistan dar Panj Qarn-e Akhir*, Volume 3, 1992, Isma'iliyan Publisher, Qom. pp. 329-330.

1973 TO 2001: INTERNAL DIVISIONS, ATTEMPTS AT POLITICAL UNITY AND PERSECUTION

In 1973, Zahir Shah was ousted by his cousin, Mohammad Daoud, ushering in six years of political instability, which eventually led to the Soviet Union's invasion of Afghanistan in December 1979. In 1978, the communist party of Afghanistan, the so-called People's Democratic Party of Afghanistan (PDPA) formed the government that would rule Afghanistan until 1992, with the financial and military support of the Soviet Union. The 1978-1992 period was characterised by profound political changes, both at the national level and within Hazara society. The weakness of the government in Kabul forced the Hazaras to take action to protect themselves. In 1979, they established the *Shura-e-Inqilab-Ittifaq-e-Islami* (Council of the Islamic Revolutionary Alliance) in which Hazara religious leaders (Sayyeds, Sheikhs and Mirs) played a major role.³⁶ The *Shura* was effective in providing security in 1980 and 1981. But later, as the Soviets focused their military operations outside the Hazarajat region, the threat proved to be exaggerated and, therefore, the demands in terms of taxes and conscription were not justified. This eventually eroded popular support and created splits within the *Shura-e-Inqilab-Ittifaq-e-Islami*. Differences among the religious figures became more frequent, which led to the emergence of the more radical elements and eventually the outbreak of a civil war in Hazarajat in 1982, which would last till 1984. The conflict led to the ascendance of the *sheikhs*, the Shia trained clergy,³⁷ who were seen as trustworthy religious figures, as opposed to the untrained *sayyeds*. The fact that the *jihad* against the Soviets was mainly fought outside Hazarajat

36 In neighbouring Iran, the Islamic Revolution was being implemented and that boosted their credibility.

37 These elements were emboldened and inspired by the Iranian Revolution and had studied in Najaf, Iran, under Ayatollah Khomeini.

and the growing divisions among Shia leaders were decisive factors in the outbreak of the war, which eventually resulted in thousands of victims. Once again, the vested interests of sub-groups prevailed over those of the Hazara nation.

In February 1989, concomitant to the Soviet withdrawal from Afghanistan, Pakistan hosted a convention of the Afghan Sunni parties to decide the future of Afghanistan. Shias were left out and no role was granted to the Hazaras in the future interim government. The negotiations led to the creation of a government led by a representative of the PDPA, Mohammad Najibullah. This situation convinced the Hazara political and tribal leaders that it was time to create a single party, representing the totality of the Hazara nation. Such a political coalition was established in 1989, under the name of *Hezb-e-Wahdat-e-Islami Afghanistan* (Party of Islamic Unity of Afghanistan).³⁸ On 28 April 1992, after 3 years of political tensions between the different political parties, the PDPA executive collapsed, paving the way for further instability and the Taliban's rise to power. In the period between 1989 and 1992, about 1 million people were killed and many more fled the country, heading mainly towards Pakistan and Iran.³⁹ Most of the Hazaras sought refuge in Iran, where they would be safe from persecution by Pashtuns.

The groups responsible for the political instability of the period immediately after the Soviet withdrawal, were unable and unwilling to reach a consensus on the form of government and the future of Afghanistan and this, despite the diplomatic efforts of Iran and Pakistan,⁴⁰ would result in a bloody civil war. The war would cause thousands of civilian deaths and would

38 N. Ibrahimi, op. cit., pp. 181-187.

39 N. A. Khalidi, "Afghanistan: Demographic consequences of war, 1978-1987", *Central Asian Survey*, Volume 10, Number 3, 1991, pp. 101-126.

40 Since the 1970s, the two countries had been hosting Islamists in opposition to the communist regime in Afghanistan.

be instrumental in the emergence of the Taliban movement in Kandahar in 1994.

Despite the creations of a unified political party, the Hazaras remained weak and they were being targeted by the Hizb-e-Wahdat's (HeW's) political and ethnic rivals. In this regard, the most nefarious event was the so-called February 1993 Afshar Massacre by *mujahedeen* groups in the Afshar area of West Kabul, during the fighting to take over the capital, between rival *mujahedeen* factions. Officially, hundreds of Hazaras were killed by Pashtun groups and even by Tajik units under the command of Ahmad Shah Massoud and President Burhanuddin Rabbani. However, the role played by rogue Hazara elements or traitors in the massacre should not be ruled out. In 1995, Hazara contingents that had sought refuge in the Hazarajat region were able to defeat Massoud's troops when they later launched an offensive on the Hazara homeland.⁴¹

Supported financially and militarily by state (mainly Pakistan and Saudi Arabia) and non-state actors, the Taliban conquered the south of Afghanistan and entered Kabul in September 1996. However, they met with a stronger than expected opposition in the northern provinces where they suffered several setbacks, also at the hands of local Hazaras.⁴² The reverses suffered by the Taliban in their quest to conquer the northern provinces would trigger brutal measures, such as economic blockades and mass-killings of Hazaras, in the following months and years.⁴³

41 F. Adelhkah, "War and State (Re)Construction in Afghanistan: Conflicts of Tradition or Conflicts of Development?", in I. Bono and B. Hibou eds., *Development As a Battlefield*, Brill Nijhoff, Leiden, 2017, pp. 137-162.

42 I. Singh, "Exploring issues of violence within the recent context of the Hazarajat, Afghanistan", *Central Asian Survey*, Volume 20, Number 2, 2001, pp. 195-227.

43 Human Rights Watch "Afghanistan: The Massacre in Mazar-I Sharif", Volume 10, Number 7 (c), 1998, p. 5.

On August 8, 1998, the Taliban carried out an even bloodier mass-killing of Hazaras at Mazar-e-Sharif. In a mission to terrorise the population, the Taliban killed between 2,000 and 8,000 civilians, and raped and abducted hundreds of women and children. The regime created mass graves to hide the corpses to prevent reporters from spreading the news of their genocide. Still, information coming from within Afghanistan would reveal the extent of their violence to the world and the fact that such policy was part and parcel of the overarching Taliban strategy.⁴⁴

Following the killing of the prominent Hazara leader Abdul Ali Mazari in 1995, HeW split into two parties: one, headed by Karim Khalili from Wardak province, who joined the Northern Alliance of Ahmad Shah Massoud; and the other by Mohamed Akbari, originally from Bamyan province, allied with the Taliban as well as Iran. The splinter factions fought against each other until the fall of Hazarajat into Taliban's hands in 1998. Akbari and his inner circle were appointed as rulers of this region, while Khalili and his troops continued to fight against the Taliban until May 1999, when they were defeated in a battle to conquer Bamyan. However, such a setback did not prevent Khalili from attempting to conquer Bamyan's Yakawlang district in 2001. This last offensive also resulted in a Taliban victory and widespread bloodshed, destruction, and displacement of thousands of Hazaras and Tajiks.⁴⁵ Once

44 The Taliban didn't stop at Mazar-e-Sharif. One year later, in May 1999, after capturing the province of Bamyan, they killed and abducted hundreds of Hazaras. This was accompanied by the destruction of Hazara properties and land, and the burning of 200 homes. They eventually forced survivors to relocate to other areas or countries, a pattern already seen in previous periods. Human Rights Watch, "Massacres of Hazaras in Afghanistan", *Human Rights Watch*, February 19, 2001, <https://www.hrw.org/report/2001/02/01/massacres-hazaras-afghanistan>.

45 F. Adelhah, op. cit., pp. 137-162.

again, the efforts and bravery of Hazaras fighting against an oppressive regime were thwarted by the Hazaras' internal divisions and lack of a common strategy. This also contradicted the HeW's political manifesto, which emphasised the need for unity and for a single political strategy for the Hazaras.

During their first regime, the Taliban, reintroduced a policy of enforced displacement, which had first been implemented by Abdur Rahman. After forcing Hazaras to relocate to other provinces or countries, the Taliban encouraged Pashtun Kuchis to take ownership of Hazara lands. To add insult to injury, the Kuchis would demand a compensation from the Hazaras for the unlawful use of their lands.⁴⁶ Such expropriation has been a constant theme in the repressive policies of various Pashtun rulers, including the Taliban.

The Taliban's brainchild of cruelty towards the Hazaras also envisaged measures designed to starve the population by preventing humanitarian aid from reaching their cities and villages. This was coupled with the destruction of runways and blockading of roads, to make transfers of food almost impossible. The most affected by the blockade were small farmers and landowners living in mountainous areas, who were already experiencing chronic malnutrition.⁴⁷ Because of the Taliban blockade, they were forced to eat grass, which brought numerous health problems and caused a high number of deaths.⁴⁸ Overall, this tragic outcome was the Taliban's goal and an act of retaliation for the defeat suffered some months earlier, in

46 Amnesty International, "Afghanistan: The Human Rights of Minorities", 14 November, 1999, <https://www.amnesty.org/en/wp-content/uploads/2021/06/asa110141999en.pdf>.

47 I. Singh, 2001, op. cit.

48 D. Filkins, "Afghans Starve in Siege From Within", *The Los Angeles Times*, May 8, 1998, <https://www.latimes.com/archives/la-xpm-1998-may-08-mn-47605-story.html>.

their attempt to gain influence in northern Afghanistan. Once again, this brutality demonstrated genocidal intent.

2001 TO 2019: REPUBLICAN GOVERNMENTS AS MISSED OPPORTUNITIES

Following the September 11, 2001, attacks on the USA, and its subsequent military intervention in Afghanistan on October 7, 2001, the Taliban moved to their safe havens in the then Federally Administered Tribal Areas (FATA) of Pakistan. Capitalising on the US and NATO presence in Afghanistan, the Hazaras reached out to Karim Khalili, who would be appointed as Second Vice President in the first and second Hamid Karzai administrations (2004-2014).

The first elected Afghan government was the outcome of a three-year long period of negotiations by the International Community with Afghan parties, which had started with the Bonn Conference in December 2001. The event was organised under the aegis of the United Nations (UN) and culminated in the Bonn Agreement – a roadmap for the implementation of a “broad-based, gender-sensitive, multi-ethnic and fully representative government.”⁴⁹

Four major Afghan political parties took part in the Bonn Conference, but the Taliban and other Pashtun coalitions were excluded from the negotiations. In particular, Afghanistan was represented by: the Rome Group, an Afghan diaspora organisation, which had its main office in Rome and was made up of loyalists to Zahir Shah; the Cyprus Group, a less numerous diaspora living in Cyprus and headed by Humayun Jarir;⁵⁰ the Peshawar Group, attending the meeting with its

49 Quoted in N. Ibrahimi, 2017, op. cit.

50 Zahir Shah was the king who had been ousted in 1973 and had been living in the Italian capital since. Jarir was a prominent member of Hizb-e-Islami Gulbuddin and son-in-law of Gulbuddin Hekmatyar, also known as ‘The Butcher of Kabul’ due to his acts of brutality and shelling of the Afghan

leader, Ishaq Gailani; and the United Front, a coalition of political figures who took over the country after the fall of the Taliban regime. The Popalzai Durrani Pashtun, Hamid Karzai, who was a member of the *Jabh-e-Nijat-e-Milli*, was appointed as Chairman of the Interim Administration. Of note, two Hazaras were chosen to be Vice-Chairmen (Sima Samar and Mohammad Mohaqqueq) along with one Tajik, one Uzbek and one Pashtun.⁵¹ Karzai's tenure would be extended during the June 2002 *Loya Jirga* (Grand Council), for another 18 months.

The interim government included five Hazaras, among others; namely Sima Samar, also in charge of Women's Affairs; Mohammad Mohaqqueq, who was appointed as Planning Minister; Sayed Mustafa Kazemi, Commerce Minister; Sayyed Hussain Anwari, Agriculture Minister; and Sultan Hamid Sultan, Transportation Minister.

In 2003, the Karzai interim administration ratified the Rome Statute of the ICC in the Hague, which established four core international crimes: genocide, crimes against humanity, war crimes, and the crime of aggression. Despite that, Hazaras as well as non-Pashtun groups and religious minorities have been persecuted since, mainly by the Taliban, which never recognised the elected governments, between 2004 and 2021, as the legitimate governments of Afghanistan.⁵²

The new Afghan constitution was introduced in 2004 and its drafters adopted an ambiguous stance on ethnicity. They listed 16 different ethnic groups as an integral part of the country, while Dari and Pashto were declared official languages. This did not translate into a discrimination against provincial

capital, which killed thousands of innocent civilians, during the civil war of the 1990s.

51 N. Ibrahim, op. cit., p. 216.

52 However, widespread VHRs has always been perpetrated in Afghanistan also by the non-Pashtuns, sometimes due to internal feuds and power.

languages, which had been previously ignored, since they were separately recognised as local languages. Moreover, the constitution clearly stated that the President could belong to any ethnic group and banned political parties based exclusively on ethnicity. The President would share his power with two vice-presidents from two different ethnic groups. This helped create a perception of equal ethnic representation, but the mark left by vice-presidents on Afghanistan's internal and foreign policy, between 2004 and 2021, was all but relevant.⁵³

However, the unwritten law which stipulated that the President would be drawn from the Pashtuns continued to influence Afghan political life and confirmed a well-established tradition of Pashtun rulers. The US and NATO partners, as the British had done in the 19th century, indirectly supported Pashtun candidates, likely because they were considered stronger than candidates belonging to non-Pashtun groups and, as such, capable of maintaining political stability.⁵⁴ Inevitably, the ambiguity towards ethnicity would exacerbate tensions between different groups and permitted the mushrooming of political parties based on ethnic affiliation. The governments which were formed in the post-Taliban period were ethnically inclusive and this allowed the Hazaras to run ministries and government bodies. But, once again, the Hazaras would be the most discriminated against, by political rivals, and the most targeted by the Taliban and, after 2015, by ISK.

In 2009, HeW fragmented into four smaller groups, which were representative of different Hazara clans and interests.⁵⁵

53 N. Ibrahimi, op. cit., p. 218.

54 Historically, Pashtun rulers have been also supported by Pakistan.

55 In particular, Khalili's own faction was renamed as *HeW-Islami-ye Afghanistan* (Afghanistan Islamic Unity Party); Mohaqqeq created the *Hezb-e-Wahdat-e Eslami-ye Mardom-e Afghanistan* (Afghanistan People's Islamic Unity Party); Muhammad Akbari funded *Hezb-e-Wahdat Milli*

Each group claimed it was the legitimate successor of HeW, but the internal struggle would eventually weaken the party. Two of its most influential leaders, Mohaqqeq and Khalili, had already been fighting for supremacy within the party.⁵⁶ As aptly stated by Amiri in 2004, “each rival party under the name of Wahdat is a cloak sewn to fit the size of the main contenders of the political leadership of the Hazaras.”⁵⁷ The history of internal clashes repeated itself and proved detrimental to the Hazaras’ ambitions of achieving their political, social, and economic goals.

Karzai became the elected President of Afghanistan in 2004 and was re-confirmed as President in 2009, ruling Afghanistan until 2014, immediately before the downsizing of the NATO Coalition in Afghanistan which, as of January 2015, changed denomination from International Security Assistance Force,

Afghanistan (Afghanistan Islamic and National Unity Party); and HeW *Islami Millat Afghanistan*, led by Qurban Ali Erfani. N. Ibrahim, “The Dissipation of Political Capital among Afghanistan’s Hazaras: 2001-2009”, *Crisis State Research Center*, June 2009, 2023, <https://www.lse.ac.uk/international-development/Assets/Documents/PDFs/csdc-working-papers-phase-two/wp51.2-dissipation-of-political-capital.pdf>.

In 2013, in the period leading up to the 2014 elections, Akbari established a front, which consisted of three smaller Hazara parties. He was renowned for his political dwindling since he first supported the Pashtun candidate, Zalmi Rassul, but then parted with Abdullah in both the first round and the run-off. Abasin Zaheer, “4-party alliance set up to push for fair polls”, *Pajhwok*, August 20, 2013, <https://pajhwok.com/2013/08/20/4-party-alliance-set-push-fair-polls/>.

56 Khalili’s power base was located in the Hazarajat region and in the Herat province, while Mohaqqeq was influential in Kabul and Mazar-e-Sharif. T. Ruttig, “Afghanistan’s Paradoxical Political Party System”, *Afghanistan Analyst Network*, May 6, 2018, <https://www.afghanistan-analysts.org/en/special-reports/outside-inside-afghanistans-paradoxical-political-party-system-2001-16/>.

57 A. Amiri, 2004. “*Hizb-e Wahdat dar qiafe jaded-e a’an*” (The New Face of Hizb-e Wahdat-e Islami Afghanistan), published on various weblogs in Kabul.

tasked with combat duties, to Resolute Support Mission, whose main task was to ‘Train, Advise and Assist’ the still underdeveloped Afghan National Security Forces (ANSF).

The 2004 Presidential elections confirmed that the country was still deeply divided along ethnic lines, as Karzai attracted the Pashtun votes, while the three opponents Mohaqqueq (Hazara), Yonis Qanuni (Tajik) and Abdul Rashid Dostum (Uzbek), were chosen mostly by their co-ethnic voters.

In the 2009 Presidential elections, Afghan society appeared to be more evolved and politically savvy. Each presidential candidate formed a ticket consisting of two vice-presidential candidates, who belonged to a different ethnic group from the presidential candidate. This strategy aimed at attracting voters from different areas and at reaching out to at least another two ethnic minorities. As far as the Hazaras were concerned, this would also lead to a further fragmentation of their vote, and to an overlooking of the much-needed reforms in their territories or neighbourhoods (i.e., Dasht-e-Barchi in Kabul, as noted by Afghanistan scholar, Melissa Kerr Chioventa⁵⁸). This issue is also exemplified by the political dynamics in the period leading up to election day. Karzai, for example, despite getting the support of influential Hazara leaders such as Khalili, Mohaqqueq, and Sadiq Modabbir, got an almost equal percentage of votes as another influential Hazara technocrat, Bashardost, who had never been familiar with the Hazaras’ issues. This candidate had rarely visited the Hazarajat and had previously criticised the strong ethnic sentiment prevalent among all the social sectors. Karzai’s presidential ticket suffered a big humiliation in the Hazaras’ stronghold of Daikundi province. Bashardost

58 M.K. Chioventa, “Discursive Placemaking And Acts Of Violence: The Dasht-e Barchi Neighborhood Of Kabul, Afghanistan”, *Urban Anthropology and Studies of Cultural Systems and World Economic Development*, Volume 48, No. 1/2, pp. 13-49.

won with a 62.3 per cent consensus, while Karzai and his Hazara allies got 28.4 per cent of the votes.⁵⁹ This demonstrated that the Hazaras did not believe that their leaders, who were running along Karzai, would exert enough influence to impose their authority once they were elected.

The lack of reforms in favour of the Hazaras' middle and lower classes, between 2004 and 2009, also played a role in the defeat of the Karzai ticket in Hazarajat. This may have contributed to the prevailing sentiment of Karzai's running mates as solely focused on protecting their own vested interests. Conversely, Bashardost who, throughout his campaign, had been an outspoken critic of the corrupt ruling class, won most of the votes. Overall, the relevance of ethnic bonds in the south allowed the Karzai's alliance to get a landslide victory in Kandahar both in 2004 (95.9 per cent) and 2009 (82.2 per cent).⁶⁰ Such an overwhelming consensus for Karzai is even more relevant if we factor in the criticism that Pashtuns protested in the south, following his decision to choose Marshal Fahim Khan, a Tajik powerbroker, and a Hazara, as running mates.⁶¹

Despite the progress of the last decades in terms of education, reliance on formal political power rather than tradition informal bodies such as *jirgas* and local justice systems, and interethnic marriages (more practised in the north between Uzbeks and Tajiks), as well as a decreased ethnic consciousness, the 2009 election's pattern confirmed the centrality of ethnicity in Afghanistan. This factor explains why

59 A. Sahar, "Ethnicizing Masses in Post-Bonn Afghanistan: The Case of the 2004 and 2009 Presidential Elections", *Asian Journal of Political Science*, Volume 22, Number 3, 2014, pp. 289-314.

60 At the time when another Pashtun candidate, the future president Ashraf Ghani (2014-2021) was able to gain 6.5 per cent of the Pashtun votes in Kandahar. *Ibid.*

61 *Ibid.*

Mohaqqeq, who had won an overwhelming majority in 2004 (83 per cent) in Bamyan, Daikundi and Ghazni, was humiliated by Bashardost in the first two of these provinces and obtained a draw with Karzai in Ghazni. Mohaqqeq did not perform well five years later when he sided with Karzai, who had promised him five Ministries. Mohaqqeq, along with his fellow Khalili, the Hazara leader, started promoting their ticket, but the factors outlined above, as well as the Hazara ethnicity, played a bigger role and awarded victory to Bashardost. The winner in Hazarajat did not obtain a good result in the north, but performed quite well in Kabul (13 per cent) where he got the support of the local Hazaras. Yet, a large segment of the Hazaras voted for Abdullah Abdullah because they deem him more aligned to their positions than Mohaqqeq and Karzai. This demonstrated that Afghans were willing to shifting sides, voting for a Tajik leader who had promised them social reforms.⁶² Abdullah eventually lost to Karzai, who was re-elected after accusations of widespread fraud.⁶³

In 2014, after 10 years of Karzai's administration, which was characterised by a type of governance more in line with the historical Afghan tradition of previous governments, such as clientelism and heavy reliance on tribal customs, 12 candidates decided to run for president.⁶⁴ Abdullah was the winner with 45 per cent of the votes, while the Pashtun candidate, Ashraf Ghani, lagged behind with 35 per cent of the votes. The run-off, held in June 2014, reversed the first-round result and Ghani, after more than three months of reciprocal accusations of fraud, was

62 Ibid.

63 Cheragh Ali Cheragh, a Hazara surgeon from Kabul, was one of the two Abdullah running mates.

64 This inevitably contributed to the fragmentation of votes among such a high number of candidates and made it impossible for any of them to reach the required majority to be appointed as president following the first round.

elected President, while the US and the United Nations, having acknowledged the likelihood of irregularities in the electoral process, created an *ad hoc* position for Abdullah, who was appointed Chief Executive Officer (CEO).⁶⁵ The two leaders would then create the National Unity Government (NUG) which included Sarwar Danesh, who acted as second vice-president,⁶⁶ and Mohaqeq who remained politically active as second vice CEO.⁶⁷

Nevertheless, the NUG proved to be weak and ineffective due to deep divisions between Ghani and Abdullah and their respective groups.⁶⁸ The Hazaras paid a heavy price in terms of rights and security and blamed the NUG and President Ghani for his collusion with powerful tribal leaders and powerbrokers, and for not protecting them.⁶⁹

65 Abdullah voters mainly came from the Tajiks and Hazaras, while Ghani was chosen by Pashtuns and Uzbeks. The Uzbek areas were the stronghold of Abdul Rashid Dostum, Ghani's first vice president. Ghani as a 'capable technocrat' may have been the ideal candidate for educated Hazaras, but his 'frame of communication' did not win the hearts and minds of rural Hazaras. This played into the hands of Abdullah who proved more appealing for the Hazarajat's peasants, even though Ghani had promised to implement reform in their favour. N. Ibrahim, "Framing ethnicity under conditions of uncertainty: The case of Hazaras during Afghanistan's 2014 presidential elections", *Conflict, Security and Development*, Volume 17, Number 6, 2016, pp. 635-652.

66 Danesh stepped in as Ghani's Hazara running mate, since Khalili could not run for a third mandate as per the 2004 Constitution.

67 Bamyan and Daikundi were still the main power bases of the two most influential Hazara leaders, Khalili who decided to support Ghani and Mohaqeq.

68 This is exemplified by the negative role played by Dostum who, in his capacity as first vice president, never worked in the interest of the NUG, becoming instead a liability for President Ghani. Dostum became a problem also for his former Northern Alliance partners, including the Hazaras.

69 Barnett. R. Rubin, *Afghanistan: What Everyone Needs to Know*, OUP, USA, 2020, pp. 265-266.

The contested 2014 election gave strength to Hazara youth movements, which had first emerged in the years immediately after the collapse of the Taliban regime in 2001. They strongly criticised the Ghani administration on the lack of social reforms, a sense of injustice and of being marginalised, both by the executive and the International Community. Three main movements epitomise the Hazaras' plight for reforms and safety: the Tabassum Movement,⁷⁰ the Enlightenment Movement,⁷¹ and the Uprising for Change.⁷² Such groups, which included representatives of other ethnic groups, were able to organise rallies throughout the country, but their lack of organisation and of political backing by co-ethnic leaders were among the main factors for their unsuccessful campaign and eventual demise. The difficult coexistence of different ethnic groups and their diverging agendas also contributed to their failure.⁷³

70 The Tabassum Movement was created in 2015, following the killing of 7 Hazaras in the province of Zabul in November 2015. It was named after a 9-year-old girl who was killed, along with her parents, in the incident. The bodies of the victims were transferred to Kabul, where their coffins were shown in front of the Presidential Palace. A huge crowd, made up of representatives of all ethnic groups, gathered to protest against the government, mainly for lack of security and social reforms. S. Bose et al., "Youth Protest Movements in Afghanistan" *United States Institute of Peace*, February 12, 2019, <https://www.usip.org/publications/2019/02/youth-protest-movements-afghanistan>.

71 The Enlightenment Movement (*Junbesh-e-Roshnay*), was mainly active in 2016 and 2017. It opposed the rerouting of the Turkmenistan, Uzbekistan, Tajikistan, Afghanistan, and Pakistan energy project from Hazara-dominated territories to the northern provinces through the Salang Pass. Such a decision would deprive the Hazaras of social and economic benefits. On 23 July 2016, ISK attacked a rally of Hazaras who were protesting the government decision, killing around 80 innocent people. S. Bose et al., 2019, op. cit.

72 The Uprising for Change (*Junbesh-e-Rashtakhiz-e-Taghir*) came into existence to protest a wave of attacks against the Hazaras in the spring and summer of 2017. S. Bose et al. op. cit.

73 Ibid.

To make matters worse, in early 2015, the local branch of ISIS, ISK emerged in the areas straddling the Afghanistan-Pakistan border. ISK contested the Taliban as an insurgent group, as well as on their legitimacy to rule Afghanistan.⁷⁴ The other distinctive mark of ISK propaganda and insurgency has been the targeting of Hazaras throughout the country. Particularly, in 2017 and 2018, the Hazaras suffered from a series of attacks in Kabul and other major cities, coinciding with the period of the biggest influence and expansion of the group.⁷⁵ 2019 and the first half of 2020 were characterised by a dramatic reduction in ISK's attacks, largely due to an increase in the efficacy of the ANSF's operations against the group, which were supported by US's airpower.

Despite the failure of his government,⁷⁶ Ghani ran again for Presidency in 2019. This time around, he chose Amrullah Saleh, an influential Tajik, as his running mate. Ghani's

74 A. Jadoon et al., "The Islamic State Threat in Taliban Afghanistan: Tracing the Resurgence of Islamic State Khorasan", *CTC Sentinel*, Volume 15, Number 1, 2022, pp. 1-23.

75 Initially, ISK's main area of operations was Nangarhar (2015). Then it expanded into other provinces in the following years. Between 2015 and 2019, ISK was responsible for 4,900 casualties in Kabul (3,900) and Jalalabad (1,000) alone. The vast majority of ISK' victims were Hazaras who were predominantly targeted by suicide attacks. In the same time period, ISK attacks in Pakistan caused 2,073 casualties, most of which were carried out in the capital of Baluchistan, Quetta. Once again, the Hazaras, along the Pakistani Sufis, were the most-hit community. A. Jadoon et al., 2022, op. cit.. See also N. Ibrahim and S. Akbarzadeh, "Intra-Jihadist Conflict and Cooperation: Islamic State-Khorasan Province and the Taliban in Afghanistan", *Studies in Conflict and Terrorism*, Volume 43, Number 12, 2018, pp. 1086-1107.

76 The NUG's main failure was its unwillingness to convene a constitutional *Loya Jirga* to amend the 2004 constitution and legitimise the new CEO political figure. The public stand of the government was also weakened by the postponement of the 2015 parliamentary elections to 2018, due mainly to security reasons. In Ghazni, due to a series of attacks, which also included the targeting of Hazaras in 2018, the election was not held.

main objective was to appeal to ethnic minorities, including the Hazaras, through a new narrative of trans-ethnic politics to create a shared sentiment of nationhood. However, this ambitious project never came to fruition due to the lack of trust in Ghani among senior Tajik leaders such as Muhammad Atta Noor.⁷⁷ Abdullah, once again Ghani's main political rival, won the majority of 18 provinces in the north, northeast, centre and west, which represent the strongholds of Tajiks, Uzbeks and Hazaras.⁷⁸ Despite these political setbacks and a lengthy process of vote-counting, due to accusations of fraud by competitors such as Abdullah, Ghani was re-elected as President of Afghanistan in February 2020.⁷⁹

Overall, the 2019 presidential election was characterised by accusations of widespread fraud and Afghans casting their votes along ethnic lines. With regard to the Hazaras, the fragmentation of their vote between Ghani's and Abdullah's presidential tickets resulted in reduced political weight and competition for power between Danish, Ghani's second vice president and Mohaqqeq, Abdullah's second CEO.⁸⁰ Once again, the Hazara political leaders were not willing to coalesce under a single strong figure and, in doing so, to capitalise on a stronger support base to implement much-needed reforms.

The short life of the second Ghani government, which saw the continuation of mutual distrust between the president and Abdullah, as well as of the prosecution of well-established

77 Barnett. R. Rubin, op. cit., pp. 264-265.

78 T. Johnson, "The 2019 Afghan Presidential Election: An Assessment of Problematic Processes and Results", *Afghanistan*, Volume 4, Number 1, 2021, pp. 19-49.

79 The election, initially scheduled for 2014, was delayed by the Independent Electoral Commission till March 20, 2019, and was eventually held on September 28, 2019.

80 Mohaqqeq had initially been Mohammad Anif Atmar's running mate, but then joined Abdullah after Atmar withdrew his candidacy.

politics aimed at safeguarding personal interests by other members of the executive, contributed to the absence of reforms in favour of the population.

The situations of the Hazaras in this period is aptly summarised by Melissa Kerr Chiovenda's findings that,

Until 2002, [the Hazara] had largely been excluded from government positions and participation and from educational opportunities. Between 2002 and August 2021, Hazara representation in government positions, participation in educational institutions and independent sectors of the Afghan economy increased, though members of the group were still heavily underrepresented in proportion to their demographic presence in the country.⁸¹

Thus, even during the most favourable period in the history of Afghanistan since 1880, the Hazaras were neglected and deprived of their rights.

Alizada, et al., in their report on violence against Hazaras, claimed that the community endured at least 294 incidents between July 2002 and June 2022, of which they were able to record 266 in detail. These 266 incidents resulted in 2,228 dead and 2,837 wounded.⁸² This study confirmed that non-state actors such as the Taliban and ISK resorted to systematic violence against the Hazaras and that neither the presence of

81 Written submission, M. K. Chiovenda, June 9, 2022 *Hazara Inquiry*.

82 B. Alizada et al., "Systematic Violence against Hazaras of Afghanistan: An Historical Overview and a Chronology of Incidents from July 2002 to June 2022", unpublished Draft, June 2022. Although no attacks were recorded in 2009, it is highly likely that oppression and hostile actions were carried out against the Hazaras in that year. Data from July to December 2022 have been collected by the author from ACLED, "Two Years Of Repression: Mapping Taliban Violence Targeting Civilians in Afghanistan", *ACLED*, August 11, 2023, <https://acleddata.com/2023/08/11/two-years-of-repression-mapping-taliban-violence-targeting-civilians-in-afghanistan/>.

NATO troops nor the ANSF's COIN campaign significantly impacted on the attempts to wipe the Hazaras off the map of Afghanistan. The methods used by the Taliban and ISK, such as summary execution, suicide attacks, forced displacement and abduction, were typical of a strategy of genocide. [The findings of this study, aggregated by ACLED's 2023 report, are depicted in Appendix, Tables 1-4].

2020 TO THE PRESENT: FEAR OF RETRIBUTION AND ISOLATION

After almost 20 years as an insurgent force, the Taliban signed the Doha Agreement with the United States on February 29, 2020. The signing of the agreement set in motion the US and NATO withdrawal from Afghanistan, which was to be completed on August 31, 2021, despite the Taliban violation of the accord.

The Doha Agreement came after the failure of previous attempts, which had also involved China and Russia, to find a political solution to the Afghan conflict. In fact, on that day in February 2020, two agreements were signed to effectively implement a peace roadmap that would also involve Ghani's government: the Doha Agreement for Bringing Peace to Afghanistan and a bilateral United States-Afghanistan declaration.⁸³ The so-called intra-Afghan peace talks were supposed to start on March 10, 2020. However, the internal peace process never took off, mainly due to the Taliban's repeated violations of the agreement and their unwillingness to recognise the Ghani's executive as the legitimate government of Afghanistan.⁸⁴

83 T. Ruttig, "A Deal in the Mist: How much of the US-Taliban Doha agreement has been implemented?" *Afghanistan Analyst Network*, February 25, 2021, <https://www.afghanistan-analysts.org/en/reports/war-and-peace/a-deal-in-the-mist-how-much-of-the-us-taliban-doha-agreement-has-been-implemented/>

84 In particular, the Taliban refused to keep violence down after a two-week pause, which preceded and followed the Doha Agreement.

What empowered the Taliban was the US' decision to keep the Afghan government off the negotiating table, relegating it to a secondary role. Additionally, this strategy allowed the Taliban to negotiate from a position of strength in the lengthy and unproductive intra-Afghan talks at Doha, and to wait out the completion of the US and NATO withdrawal.

On August 15, 2021, the Taliban carried out a bloodless coup, becoming the *de facto* rulers of the country and ushering in a new era of backwardness, persecution, and violations of Human Rights, which would involve thousands of Hazaras.

Also, the Doha Agreement, along with a decreased pressure by US ground and air assets on ISK, contributed to the re-emergence of this group in June 2020, under the new leadership of Shahab al Muhajir.⁸⁵ Highly lethal attacks against the Hazara community continued to be a central part of ISK's strategy. The horror is exemplified by an attack against a Hazara girls' school in Kabul in May 2021, which killed or wounded more than 200 girls and teachers.⁸⁶ Unfortunately, the Afghan government, affected by internal feuds and pervaded by a growing feeling of powerlessness and hopelessness in the face of the Taliban advance, did little to protect the Hazara community. The ethnic and religious minorities, including the Hazaras, were the most affected and concerned about their future, and already felt abandoned at this early stage. Over time, the presence of ISK has become an existential threat to the Islamic Emirate of Afghanistan itself, and to foreign personnel and investment in the country.⁸⁷ However, the fact

85 The number of attacks rose from just three in June 2020, to 41 in June 2021.

86 A. Jadoon et al., *op. cit.*

87 In September 2022 the Russian Embassy in Kabul was attacked by an ISIS-K suicide bomber. In the first attack on a foreign diplomatic mission in Afghanistan since August 2021, two Russian diplomats were killed. On 5 December 2022, the Pakistan ambassador to Kabul was wounded

that ISK has, in the last two years, diversified its targets, has favoured the Hazaras, who share the weight of ISK's brutality with regional actors such as China, Pakistan, and Russia.

The Hazaras' fears were confirmed by the first acts of the new Taliban regime. After almost three weeks of secretive talks by its most influential leaders, Zabiullah Mujahid, the Taliban spokesperson, announced the first 33-member cabinet on September 7, 2021. It was and still is an *interim* government, because the Taliban's aim was likely to communicate that this was just the first step and that they would seek the Afghan population's legitimation in the following weeks and months, by installing a system which would meet the demands of the international community. That entailed that Akhundzada, the supreme leader, was the only permanent position within the Emirate, while the rest of the cabinet members were supposed to be temporary. To everyone's surprise, Akhundzada appointed the 70-year-old Mullah Mohammad Hassan Akhund, one of the co-founders of the Taliban in the 1990s and Deputy Foreign Affairs Minister between 1996 and 2001, as the new Prime Minister. Hassan Akhund was most likely chosen because he was close to Akhundzada and for his lack of political ambition, which made him the ideal candidate for different factions in the Emirate.⁸⁸ Taliban's top leaders, such as Sirajuddin Haqqani, leader of the powerful Haqqani Network, and Mullah Ghani Barader, former deputy of Mullah Omar and one of the negotiators in Doha, were not considered for

following an attack by ISK gunmen, at the Pakistan embassy compound in the Afghan capital. Finally, on 12 December 2022, a Chinese hotel was attacked by assailants in broad daylight in Kabul. Several Chinese workers were injured in the attack, which was claimed by ISK. Zia ur Rehman, "ISIS-K attack in Kabul compounds China's insurgency headaches", *Nikkei Asia*, December 18, 2022, <https://asia.nikkei.com/Politics/Terrorism/ISIS-K-attack-in-Kabul-compounds-China-s-insurgency-headaches>.

88 H. Abbas, *The Return of the Taliban*, Yale University Press, 2023, p. 86.

the premiership. The former was, instead, chosen as Minister of the Interior, while the latter was one of the Deputy Prime Ministers. Another influential leader, the son of Mullah Omar, Mullah Yaqoob, was appointed as the Minister of Defence.

The Hazaras, along with influential Pashtun and Tajik leaders close to Iran, were purposely excluded from the first cabinet. Overall, 30 ministerial positions went to Pashtuns and only two to Tajiks and one to the Uzbek leader, Mullah Abdul Salam Hanafi, who had long been a senior member of the Taliban, was appointed as Deputy Prime Minister. The exclusion of the Hazaras was expected, while senior Pashtun leaders such as Ibrahim Sadr and Zakir were not considered due to their closeness to Iran.⁸⁹ The fact that the Emirate ignored the requests of the international community, which had called for an executive which would represent all of Afghanistan's ethnic groups, raised eyebrows around the world, and even political leaders including the then Pakistani Prime Minister Imran Khan, who had initially welcomed the Taliban raise to power, were concerned about the absence of Tajiks, Uzbeks and Hazaras in the interim cabinet. Iran and even Russia officially showed their displeasure because, according to Afghanistan scholar Antonio Giustozzi, they had supported the Taliban's advance to Kabul in the 2021 spring and, as such, expected to be compensated by the inclusion of the very leaders they had supported in the executive.⁹⁰

In the following weeks and months, the Islamic Emirate of Afghanistan's (IEA) spokesperson, Zabiullah Mujahid announced more lists of people who were appointed to

89 Antonio Giustozzi, "Russia and Iran: Disappointed Friends of the Taliban?" *RUSI Commentary*, September 30, 2021, <https://rusi.org/explore-our-research/publications/commentary/russia-and-iran-disappointed-friends-taliban>.

90 Ibid.

ministerial positions, both at the central and local level. The Hazara representative, Abdul Latif Nazari, was appointed as Deputy Minister of Economy. Nazari, who had previously run as Vice President in the 2019 presidential elections, holds a PhD in International Relations from the University of Tehran, and is one of the few highly educated members of the IEA. A second Hazara, Dr. Hassan Gyasi, was appointed as Deputy Minister of Public Health.

Unfortunately, attacks on the Hazaras continued after the establishment of the IEA in August 2021. The Taliban government has done little to protect the Hazaras who, in their view, continue to represent a marginal part of Afghan society. Additionally, the counterterrorism operations carried out by the newly established Afghan security forces have been only marginally effective and have demonstrated their incapacity to shift from an insurgent force to a government force. ISK still enjoys relative freedom of movement in Afghanistan in terms of regrouping, planning, and recruiting, especially among the Salafi sections of society. Such freedom will enable the group to conduct more attacks on the Hazaras in future.

Moreover, a typical form of discrimination against the Hazaras, which has been revived since August 2021, has been land grabbing of summer pastures by the Pashtun Kuchis in the Hazarajat region. The Taliban have set up special commissions and courts to deliberate on cases of contested land and harvest by Kuchis and Hazaras, which have most of the time been decided in favour of the former, in line with the historical alliance between the Kuchis and Pashtun rulers, which was first formed by Abdur Rahman Khan in the 19th century. This demonstrates the continuation of past policy towards the Hazaras, by the Taliban and that the decisions in favour of the Kuchis are part of a strategy aimed at intimidating minorities

and rewarding loyal groups for the support they provided before August 2021.⁹¹

The complete absence of measures in favour of the Hazaras has, once again, manifested in growing discontent, which has translated into brave Hazara women taking to the streets to demand more socio-economic rights and liberties. Unfortunately, such movements are still too weak, poorly coordinated and supported, both domestically and internationally, to bring about significant positive changes. The Taliban's violent methods to put down these protests have been met with indifference by the international community, thereby diminishing the likelihood of future movements.

As of August 2023, the Taliban have not only repeatedly failed to live up to their initial pledges to protect all Afghans, they have engaged in widespread violations of Human Rights against the Hazaras and other non-Pashtuns. The IEA has also implemented restriction on the religious ceremonies during the month of Muharram, which were usually held with a few limitations from 2001 to 2021.⁹² The Taliban claimed that their decision was based on security reasons, but the main reason was to prevent Shias from holding celebrations that Sunni extremists see as contrary to their version of Islam.

91 F. Foschini, "Conflict Management or Retribution? How the Taleban deal with land disputes between Kuchis and local communities", *Afghanistan Analyst Network*, December 22, 2022, <https://www.afghanistan-analysts.org/en/reports/political-landscape/conflict-management-or-retribution-hoe-the-taleban-deal-with-land-disputes-between-kuchis-and-local-communities/>.

92 RFE/RL's Radio Azadi, "Shi'ite Scholars Ask Mourners To Tone Down Muharram Observance After Taliban Imposed Restrictions ", *RFE/RL's Radio Azadi* , July 27, 2023, <https://www.rferl.org/a/afghan-shia-muharram-taliban-restrictions/32522069.html>.

A growing number of reports,⁹³ demonstrate that inhuman treatment and forced displacements have been a distinctive brand of Taliban strategy, especially at the province and district levels. This suggests that, perhaps, some of their hostile actions against ethnic and religious minorities have been carried out independently, by local Taliban commanders or government officials. Afghan scholars Sitarah Mohammadi and Sajjad Askari, in their 2021 article on *Al Jazeera*, thus noted “a clear pattern of Taliban atrocities being committed across Afghanistan, which could mean that the Hazaras may be facing imminent ethnic cleansing.”⁹⁴ As of August 2023, researchers cannot back this up with solid evidence of a precise Taliban strategy, but can state that Hazaras have continued to experience oppression and isolation, and that their voices have been further silenced.

This also begs the question, what do we mean by ethnic cleansing? Mohammadi and Askari clearly hinted at the worst-case scenario, the Hazaras being wiped off the map of Afghanistan in the near future. Such a bleak scenario, which also stems from their own personal experiences, seems unlikely in the short to medium term (3 years). However, if we define ethnic cleansing as the erasing of their culture, traditions, language and heritage, this author thinks that this is already taking place in Afghanistan. As history points out, women have been the most targeted within Afghan society and the Hazara community. As rightly described by Pakistani scholar Hassan

93 S. Khalid, “Imprisonment Will Follow if Locals Refuse to Pay Money to Kuchis, Taliban Warns Hazaras in Ghazni’s Nawur”, *Hasht e Subh Daily*, December 30, 2022, <https://8am.media/eng/imprisonment-will-follow-if-locals-refuse-to-pay-money-to-kuchis-taliban-warns-hazaras-in-ghazni-nawur/>.

94 S. Mohammadi and S. Askari, “Why the Hazara people fear genocide in Afghanistan”, *Al Jazeera*, October 27, 2021, <https://www.aljazeera.com/opinions/2021/10/27/why-the-hazara-people-fear-genocide-in-afghanistan>.

Abbas in his seminal book, *The Return of the Taliban*, the fact that many Hazara women are educated and socially engaged constitutes an additional reason for targeting them.⁹⁵

Another policy which follows these trends, seen after the establishment of the first Taliban rule in the 1990s, attempts to cancel the Hazaras' and non-Pashtun groups' culture by focusing on an anti-Persian language campaign throughout the country. This has caused a public outcry, since Persian is an integral part of Afghanistan's culture and is spoken by 80 per cent of the population. This demonstrates the Taliban's conviction that the Persian language is a threat to their rule, as well as the ignorance of the Kandahar-based Taliban leadership about the cultural diversity and wealth of Afghanistan, which they erroneously consider to be a liability rather than beneficial for the country. Overall, the anti-Persian campaign is part of their strategy to mould Afghan society according to their views of Afghanistan, as a Pashtun-dominated society. However, the Taliban's aim to erase the Persian culture will be very difficult to achieve, since it is a cultural and religious pillar of society, and any attempt to remove it would prove to be detrimental to internal cohesion and peaceful coexistence.

CONCLUSION

Since the rule of Abdur Rahman Khan, the Hazaras have been constantly targeted by the state as well as by non-state actors because of their origins and their adherence to the Shia branch of Islam. The violence set in motion by Abdur Rahman Khan and the isolation of the Hazaras within the Afghan society contributed to an increased sense of belonging to their ethnic group and the necessity to join efforts to face the threat mainly represented by the Pashtun. However, as demonstrated

95 H. Abbas, op.cit., p.114.

throughout the paper, this policy has been partially successful, because internal divisions have characterised the Hazara nation, and their elected political representatives have often put their interests before those of their co-ethnics.

Although the period from 1901 to 1979 saw an improvement in the general condition of the Hazaras in Afghanistan, they continued to be persecuted and under-represented at the political level. Once again, selfish policies of Hazara tribal elders contributed to their marginalisation. This continued under the Soviet occupation when the Hazaras proved to be unable to coalesce under the umbrella of a single warring faction and fought alongside smaller groups' loyalties, represented by influential Hazara powerbrokers. That came to an end in 1989, when they managed to create HeW, which claimed to be willing to fight against Hazaras' discrimination. Their unity did not last long and their fracturing contributed to the political instability, the breaking of the civil war and the Taliban's rise to power. The creation of the first IEA ushered in a new era of violence against the Hazaras, which ended only with the collapse of the Taliban system in 2001. Although the democratic governments of Karzai and Ghani allowed the Hazaras to be represented at the central and local level, the splitting of the Hazaras' vote was detrimental to their attempt to play a major role in Afghanistan. The emergence of ISK and the establishment of the second IEA have inaugurated a new era of persecutions and political isolation that is likely to continue in the short term (3 years).

In this regard, the absence of a US and NATO contingency plan to force the Taliban to abide by the Doha Agreement gave them free rein to start their conquest of Afghanistan, which culminated in the 15 August 2021 fall of Kabul into their hands. Overall, the Doha agreement instead of paving the

way for an inclusive “democratic” government, resulted in the establishment of the second IEA, not least because the US and NATO wanted out of Afghanistan, implicitly recognising that peace was not achievable through military means and that it was time the Afghans found a broad-based national consensus. The firmness of US and NATO allies to withdraw from Afghanistan was met with the weakness of Ghani’s government and the unpreparedness of the ANSF to face a more motivated Taliban force on their own.

Despite initial promises of a dramatic change with regards to the Hazaras, the measures implemented by the Taliban so far have demonstrated a complete disregard of the Hazaras’ needs and socio-economic rights and their discrimination has continued unabated. To aggravate the Hazaras’ situation, their persecution by Taliban local commanders, who act almost autonomously, has never been publicly condemned nor the perpetrators of brutal acts have been brought to justice.

The draconian measures imposed by the Taliban since August 2021 have produced a devastating effect on the financial means of ordinary Afghans, including Hazaras, who have been dying of starvation⁹⁶. These events along with the inhumane treatment and suffering Hazaras have received throughout history, is an open wound which no government or foreign presence can ever heal.

96 As a way of dealing with the famine and repercussions of Taliban government, Afghan families have resorted to selling internal organs to feed their children or using sedative drugs to get them to sleep. Two articles which discuss this are: Yogita Limaye, “Afghanistan: ‘I drug my hungry children to help them sleep’”, *BBC*, November 24, 2022, <https://www.bbc.com/news/world-asia-63733683>; WFP Staff, “Record levels of hunger persist in Afghanistan: People require humanitarian assistance, livelihood support, jobs, and long-term investment to help solve the crisis”, WFP, May 9, 2022, <https://www.wfp.org/news/record-levels-hunger-persist-afghanistan-people-require-humanitarian-assistance-livelihood>.

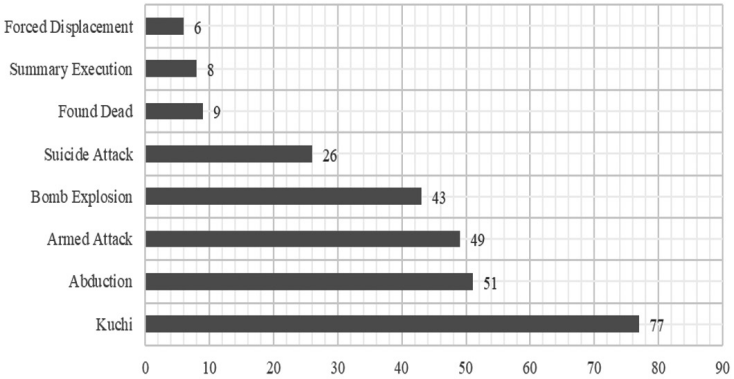
Persecution of the Hazaras of Afghanistan

The counterinsurgent operations against ISK have only been partially successful and as such the group's threat has remained significant for the Hazaras. The fact that Hazaras have suffered relatively less in terms of direct attacks by ISK is also due to a stronger emphasis in terms of attacks on countries such as China, Pakistan, and Russia.

Considering the above, the silence of the IC, including supra-national bodies, before and after August 2021, has indirectly contributed to the continuous discrimination against the Hazaras in Afghanistan. This has led to the rise of civil rights movements worldwide and pro-Hazara campaigns on social media, which have never been accompanied by concrete steps by foreign governments to promote the Hazara cause at the national and international level. The IC has so far unsuccessfully applied pressure to the IEA on matters of HRs and on the necessity to include non-Pashtun in the current executive, but this strategy has never specifically addressed the Hazaras' issue. The Taliban's stubbornness and firm intention to continue to ignore the IC's requests will likely prove to be a liability in the short to medium term (up to 3 years) because it can cause the IEA to implode due to growing internal divisions, which have been contained so far for the sake of projecting an image of cohesiveness. As previous power transitions in Afghanistan demonstrate, that wouldn't necessarily translate into more favourable living conditions for the Hazaras of Afghanistan if a broad-based national consensus, which contemplates the socio-economic rights of Afghan religious minorities and non-Pashtuns, is not reached. Such a consensus should also address the concept of Pashtunism, which should be reformulated as nationalism and include all Afghans regardless of their ethnic or religious affiliation. This epochal change will enhance Afghanistan's image and status within the IC and prove to be greatly beneficial for all Afghans.

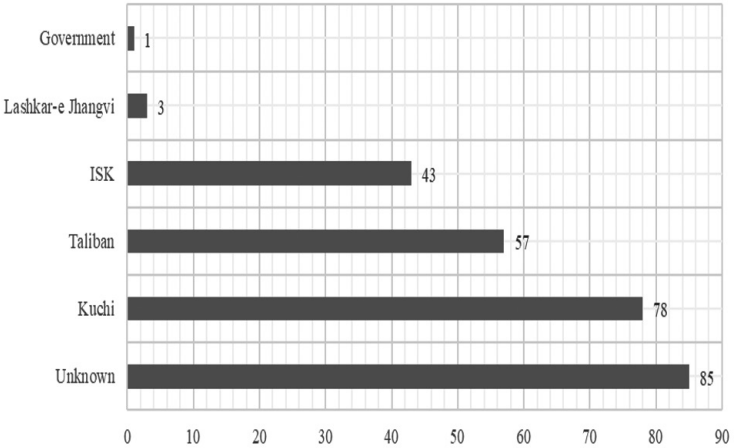
APPENDIX

Table 1. Incidents by Type July 2002 - December 2022



Source: B. Alizada et al., 2022 and ACLED 2023.

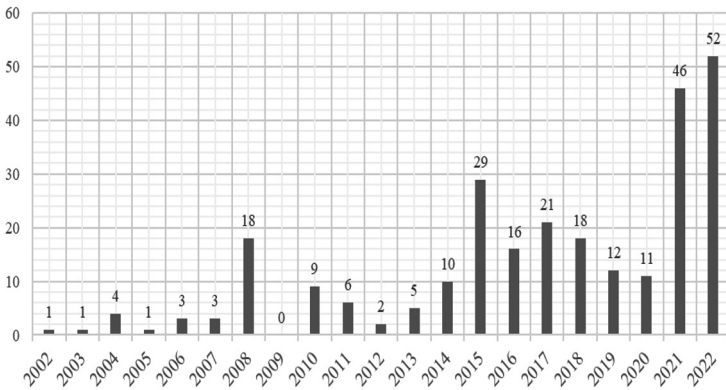
Table 2. Incidents by Perpetrator July 2002 - December 2022



Source: B. Alizada et al., 2022 and ACLED 2023.

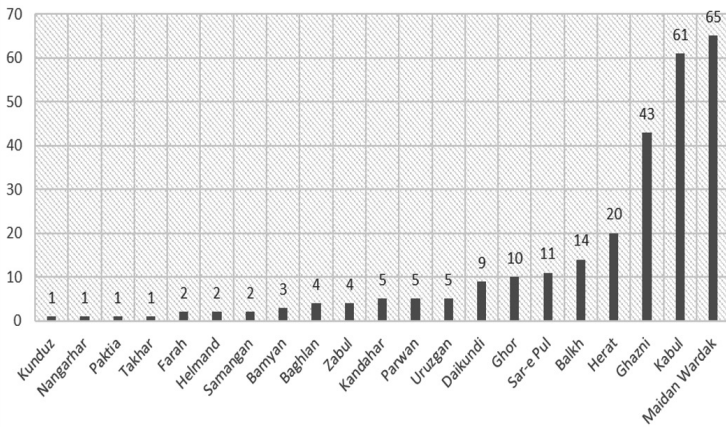
Persecution of the Hazaras of Afghanistan

Table 3. Incidents by Year July 2002 - December 2022



Source: B. Alizada et al., 2022 and ACLED 2023.

Table 4. Incidents by Province July 2002 - December 2022



Source: B. Alizada et al., 2022 and ACLED 2023.

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Traditional UN Peace Operation

Preventive Deployment for Conflict Management

Major General A.K. Bardalai*

The United Nations (UN) is going through an identity crisis for having failed to prevent Russia from invading Ukraine, and for being unable to prevent the conflict. A few African nations have taken matters into their own hands, and are asking the UN to close some ongoing peacekeeping missions. However, traditional UN peace operations deployed in the Middle East remain in place and have been able to contribute to maintaining stability and preventing the recurrence of conflict. Nevertheless, the Ukraine conflict has reignited the debate on the role of traditional UN peace operations in the prevention of conflict.

* Major General (Dr.) A.K. Bardalai is a former UN peacekeeper and is a Distinguished Fellow of USI of India. He served in Angola as an Unarmed Military Observer and later was the Deputy Head of the Mission and Deputy Force Commander of the United Nations Interim Force in Lebanon (UNIFIL). He did his PhD in UN Peace Operations from Tilburg University, the Netherlands, under the supervision of Prof. Dr. Joseph Soeters of Tilburg University and Prof. Dr. Patricia M. Shields of Texas State University, the USA.

Prevention has found a central place even in the UN's New Agenda for Peace.¹ Traditional UN peace operations as a tool of conflict management by preventive deployment thus remain extremely relevant, and demand urgent examination.

The current security situation in Europe, involving one P-5 member of the UN Security Council (UNSC) superpower and another industrialist European nation in an inter-state conflict has posed a daunting challenge to the international community and made the UN look like an ineffectual organisation. Nevertheless, the conflict should urge political scientists and security analysts to revisit the concept of preventive diplomacy and deployment to prevent a conflict, prevent the recurrence of conflict and act as a tool for conflict management. In this context, following Russia's invasion of Ukraine in February 2022, cold war-era peace operations, known as traditional peacekeeping or unidimensional peacekeeping missions, have started to get traction as a possible conflict management tool in preventing conflict.² The idea of Preventive Diplomacy was first articulated by Dag Hammarskjold in the 1960s and it was officially introduced to the UN by Boutros Boutros Ghali as part of the Agenda for Peace in 1992.³ The Agenda for Peace

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- 1 See, for instance, United Nations, "Our Common Agenda Policy Brief No. 9: A New Agenda for Peace", July, 2023, <https://www.un.org/sites/un2.un.org/files/our-common-agenda-policy-brief-new-agenda-for-peace-en.pdf>.
 - 2 For example, I was a special invitee to talk on the relevance of traditional peace operations during the EPON presentation of the policy paper on the Protection of Civilians to UN HQs in May, 2022.
 - 3 Bertrand G. Ramcharan, "Preventive Diplomacy at United Nations," UN Chronicle, <https://www.un.org/en/chronicle/article/preventive-diplomacy-united-nations>; Yan Shenchun and Guo Yanjun, "Origin and Development of Preventive Diplomacy," *Preventive Diplomacy in the Asia Pacific*, World Scientific Publishing Company, Singapore, 2021, pp. 1-39, https://www.worldscientific.com/doi/epdf/10.1142/9789811218552_0001 and UN General Assembly Security Council, "Agenda for Peace", A/47/277 –

underlined the need to use *Preventive diplomacy* to prevent disputes from arising between parties, to prevent existing disputes from escalating into conflicts and limiting the spread of the latter when they occur; *Peace-making* to bring hostile parties to an agreement, essentially through such peaceful means as those foreseen in Chapter VI of the Charter of the United Nations and *Peace-keeping* (including preventive deployment), which is the deployment of a United Nations presence in the field, hitherto with the consent of all the parties concerned, normally involving United Nations military and/or police personnel and frequently civilians as well. These three concept elements are not sequential but work in tandem in the conflict zone, with weight from one arm shifting to another depending on the situation. Therefore, it is the art of maintaining a balance between the three arms of the concept of the Agenda for Peace – *peace-making, peacekeeping and peacebuilding* – that becomes the enabling factor to prevent conflict from arising and finding amicable solutions leading to conflict resolution.⁴ Even though the Secretary-General mentioned in the Agenda for Peace that there can be circumstances where a preventive deployment of UN peacekeeping missions may take place in the inter-state conflict to create confidence among the warring parties before hostilities break out, the utility of preventive deployment in intra-state conflict should not be ruled out (as is explained in later sections).

S/24111, June 17, 1992. Also, see S/2011/552. “Preventive Diplomacy: Delivering Results,” *Report of the Secretary-General*, August 2011, <https://www.un.org/undpa/sites/www.un.org.undpa/files/SG%20Report%20on%20Preventive%20Diplomacy.pdf>.

- 4 Ali Ahmed, “Operational Art in Peace Operations: Balancing the Peace Triangle,” *USI of India*, April-June 2022, <https://www.usiofindia.org/publication-journal/operational-art-in-peace-operations-balancing-the-peace-triangle.html>.

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The need for conflict prevention has been re-emphasised and found a central place even in the New Agenda for Peace.⁵ Conflict prevention as a subject is however part of a larger debate. Hence, this paper will limit its views on conflict prevention to the terms of UN peacekeeping (hereafter, *UN peacekeeping* and *UN peace operations* would be used interchangeably) and will aim at establishing the relevance of traditional UN peace operations in the context of preventive deployment. To argue the utility of preventive deployment as a conflict management tool, I will begin by briefly describing the concept of preventive deployment and its challenges. It will be followed by examining the missed opportunities for the UN to prevent the Ukraine conflict and the feasibility of a UN role in a post-conflict scenario in case of a ceasefire.

PREVENTIVE DEPLOYMENT

The two components of the Agenda for Peace that are generally overlooked are,

1. if conflict erupts, engage in peace-making (peace-making can be by anyone including the UN) with an aim to resolving the issues that have led to conflict;
2. using peacekeeping, to preserve peace, however fragile, where fighting has been halted and to assist in implementing agreements achieved by the peacemakers.⁶

5 The UN, “Our Common Agenda Policy Brief 9: A New Agenda for Peace”, July, 2023,” <https://www.un.org/sites/un2.un.org/files/our-common-agenda-policy-brief-new-agenda-for-peace-en.pdf>. Also see, Richard Gowan, “What’s New about the UN’s New Agenda for Peace?” *International Crisis Group*, July 19, 2023, <https://www.crisisgroup.org/global/whats-new-about-uns-new-agenda-peace>.

6 The UN General Assembly Security Council, Agenda for Peace, A/47/277 – S/24111, June 17, 1992.

Like preventive diplomacy, preventive deployment is another preventive action tool. It differs from preventive diplomacy in the strategy of prevention. The strategy is prevention by positioning military troops rather than using diplomacy.⁷ It involves the deployment of military observers or troops either between two warring states in a temporary security zone or even on one side of the border. The primary objective is to deter armed escalation. If the prevention of armed conflict (including prevention of outbreak or escalation of the conflict) is the ultimate goal of peace operations, it is difficult to draw a clear line between preventive deployment and other peace operations. Accordingly, all peace operations deployed in the middle of the conflict are also preventive. However, the term preventive deployment suggests that such deployment will take place before the outbreak of a conflict. The deployment of UN peacekeeping in Macedonia to prevent the spillover of the Yugoslav war in 1992 is the most popular example of preventive deployment among UN peacekeeping missions.⁸ Preventive deployment is best undertaken with the host state's consent under Chapter VI. In exceptional circumstances, preventive deployment can take place as enforcement operations under Chapter VII.

What are the characteristics of preventive deployment (deployed before the outbreak of war with the consent of the host state)? According to William and Bellamy, preventive deployment must be able to react quickly to unfolding

7 Özçelik, Sezai, "The Theory and Practice of Preventive Diplomacy: The Case of Preventive Deployment in Macedonia", *Uluslararası İlişkiler*, Volume 3, No 11, Fall 2006, pp. 103-128.

8 "The Blue Helmets: A Review of United Nations Peacekeeping", UN Department of Public Information, New York, United Nations, 1996, pp. 564-66; UN Security Council, S/24923, December 9, 1992; and UN Security Council, *Report of the Secretary-General on the Implementation of Security Council Resolution S/1995/987* November 23, 1995.

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situations and be able to interposition between two warring parties, monitor and build confidence and act as a deterrent to the outbreak of the conflict.⁹

United Nations Preventive Deployment (UNPREDEP) in the Republic of Macedonia is the single case of a classical preventive deployment UN mission because it carried the official tag of prevention and was based on the principles laid out in the Agenda for Peace.¹⁰ After UNPREDEP closed, there has been no other instance of the UN deploying a peacekeeping mission as part of this concept. It is not very clear why there were no more such initiatives despite this success. One theory could be that there was no organisational learning from the success of UNPREDEP. Another is that the powerful nations who take the final decisions at the Security Council either were more focused on increasing the quantum of complex intra-state violence, or preventive deployment did not serve their purpose for other reasons.¹¹

Since a civil war broke out in Macedonia within two years of the withdrawal of UNPREDEP, the absence of the

9 Paul D. Williams and Alex J. Bellamy, *Understanding Peacekeeping*, Polity, Cambridge, 2021, pp. 113 and 129; and UN Security Council, S/24923, December 9, 1992. Also see, Laurie Nathan, Adam Day, João Honwana and Rebecca Brubaker “Capturing UN Preventive Diplomacy Success: How and Why Does It Work?”, United Nations Centre for Policy Research, 2018 and personal account of Lt. Gen. J.S. Lidder, former Force Commander and Deputy SRSG of UNMIS.

10 Tardy, Thierry, “United Nations Preventive Deployment Force (UNPREDEP – Macedonia)”, in Joachim A. Koops, Norrie Macqueen, Thierry Tardy and Paul D. Williams eds. *The Oxford Handbook of United Nations Peacekeeping Operations*, Oxford University Press, Oxford, 2015, pp. 501-10.

11 Mary Frances Rosett Lebamoff, “Learning from the UN Preventive Deployment Mission in Macedonia: Nothing Fails Like Success?”, Loyola University Chicago, 2015, Ph.D. Dissertations, https://ecommons.luc.edu/luc_diss/1951.

conflict during the deployment of the peacekeeping mission can be attributed to UNPREDEP. Even during UNPREDEP deployment, Macedonia was going through domestic tension arising out of the rift between the Macedonian Albanian minority and Slav-dominated Macedonians. The Secretary-General also reported that, besides the potential external threat, the sources of violence and instability in Macedonia were internal.¹² In 2001, after the civil war broke out, a NATO peacekeeping force was deployed to disarm the National Liberation Army (NLA) that demanded greater rights for the Macedonian Albanian minority.¹³ The deployment of NATO peacekeeping and its success goes to prove two things. *One*, it was because of UNPREDEP that there was no violence in Macedonia during its deployment. *Two*, preventive deployment can work even during the ongoing conflict to prevent the recurrence of violence. EU deployment of a military operation during the election in DRC in 2006 in support of the United Nations Organisation Mission in the Democratic Republic of Congo (MONUC) based on the UN Security Council Resolution 1671 of 25 April, further strengthens this argument.¹⁴

Although not classically termed a preventive deployment, the United Nations Mission in Ethiopia and Eritrea (UNMEE) can also fall into this pattern. UNMEE was established to solve boundary disputes between Ethiopia and Eritrea. But the mission had to be closed because of the withdrawal of consent

12 UN Security Council, "Report of the Secretary-General on the Implementation of Security Council Resolution Pursuant to Resolution 871 (1993) S/1994/300", March 16, 1994.

13 Paul D. Williams and Alex J. Bellamy, op. cit. and Thierry Tardy, op. cit., Also, see "NATO Launches Full Macedonian Mission," *PBS News Hour*, August 22, 2001, https://www.pbs.org/newshour/world/europe-july-dec01-macedonia_08-22.

14 Paul D. Williams and Alex J. Bellamy, op. cit., and UN Security Council Resolution *S/RES/1671(2006)*, April 25, 2006.

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by Eritrea. Yet, during the period of its stay, it contributed to peace and tranquillity in the area.¹⁵ Apart from UNMEE, the United Nations Interim Force in Lebanon (UNIFIL) was established in 1978 in the context of inter-state conflict. It was clear from the experience of the 2006 war that UNIFIL was not and is still not capable of preventing a full-fledged war between Israel and Lebanon. The mission however has displayed its ability to prevent a conflict arising out of a misunderstanding of trivial issues that have the potential for escalation. UN operations such as UNMEE and UNIFIL, even though they don't attract much attention unless there is an incidence of violence, can thus be called UN peace operations in preventive deployment.

Preventive deployment is a cost-effective conflict management tool and has better chances of success provided there is adequate early warning available and there is a will to resolve issues using both political and material investment. This will be discussed subsequently. However, before that, considering the current geopolitical and geostrategic changes around the world, the efficacy of preventive deployment will be examined in the context of the Ukraine war, and if there is a ceasefire. It is, however, not to suggest a role for UN peacekeeping in Ukraine but only to consider the conflict in Ukraine as a jumping board.

IS UN PEACEKEEPING IN UKRAINE AFTER A CEASEFIRE AN OPTION?

Gowan, the UN Director of Crisis Group, pointed out that “There is a natural tendency in moments of crisis to raise the

15 Patrick Cammaert and Andreas Sugar, “United Nations Mission in Ethiopia and Eritria (UNMEE),” in Joachim A. Koops, Norrie Macqueen, Thierry Tardy and Paul D. Williams eds., *The Oxford Handbook of United Nations Peacekeeping Operations*, Oxford University Press, Oxford, 2015, pp. 671-81.

idea of ‘peacekeeping’ vaguely, much as Poland has done.” He observed that such an idea of using Blue Helmets in the context of a post-ceasefire agreement between Russia and Ukraine also came up earlier, in 2015, and Putin was open to the idea. Comparing the starting points for a peacekeeping mission in 2015 and at present, there was a better chance in 2015, because Putin was at least open to the idea.¹⁶ Gowan reaffirmed his views during his intervention in “Multilateralism and the state of the international order after Russia invades Ukraine,” at the Finish Institute of International Affairs. He believed that, as and when there is a ceasefire, the UN can play a role in the form of peacekeeping (and various other forms) for conflict termination.¹⁷ Before examining the feasibility of the role of UN peacekeeping in the event of a cease-fire (if at all there is one), a brief examination of the question whether the war in Ukraine could have been avoided by preventive diplomacy and giving space to political primacy, would help.

COULD THE UN PREVENT THE UKRAINE WAR IN 2022?

There was a full year’s time for the UN (Secretary-General) and world leaders, when Russia dropped paratroopers near

16 Richard Gowan, “A Tentative First Look at Options for Peace Operations in Ukraine,” *International Crisis Group*, March 24, 2022, <https://www.crisisgroup.org/europe-central-asia/eastern-europe/ukraine/tentative-first-look-options-peace-operations-ukraine>. Please also see, Lloyd Axworthy and Alan Rock, “The United Nations can use its blue helmets to save lives in Ukraine,” *The Globe and Mail*, March 22, 2022, <https://www.theglobeandmail.com/opinion/article-the-united-nations-can-use-its-blue-helmets-to-save-lives-in-ukraine/>.

17 Finish Institute of International Affairs, “Multilateralism and the state of the international order after Russia’s invasion of Ukraine,” *YouTube*, June 21, 2022, https://youtu.be/D4oA_OOB8QA. Please also see, “Ukraine Options Paper: Peace Operations”, https://www.lcil.cam.ac.uk/sites/www.law.cam.ac.uk/files/images/www.lcil.cam.ac.uk/ukraine/gowan_international_peace_operations.pdf.

the Ukraine border on 21 February 2021 and until the actual invasion on 24 February 2022, to initiate preventive diplomacy and even to consider preventive deployment, before the war started.¹⁸ Intriguingly, that window was lost. The world kept talking about the invasion much before the actual invasion. Sadly, nothing much was done to seize the initiative to reassure Russia and convince Ukraine that their concern could be addressed by using means other than war. A few European leaders tried, but Russia looks at Europe with suspicion. As for non-European nations, India and China could have influenced President Putin's decision for the better. Prime Minister Modi told President Putin during the Shanghai Cooperation Organisation (SCO) summit at Samarkand in September 2022 that this was not the era of war but democracy, dialogue, and diplomacy,¹⁹ but this was too little too late. Organisational weaknesses in the wake of the involvement of one of the P5 members can be cited as the primary reason for the UN not being able to prevent the war. These, however, are not justifications to prevent the UN from peace-making. Now that the war seems unstoppable for one reason or another (Russia's ending the Black Sea Grain Deal is one such example) and no sign of loss of appetite for threats and counter threats, all that remains is to wait and watch how political primacy can still be put work to bring an end to the conflict and reach some kind of ceasefire agreement. As Posen commented in *Foreign Affairs*,

18 Simon Shuster, "The Untold Story of the Ukraine Crisis", *Time*, February 2, 2022, <https://time.com/6144109/russia-ukraine-vladimir-putin-viktor-medvedchuk/>.

19 Sachin Parashar, "This is not an era of war, let's talk peace: PM Modi tells Russian president Vladimir Putin on sidelines of SCO summit", *The Times of India*, September 17, 2022, <https://timesofindia.indiatimes.com/india/this-is-not-an-era-of-war-pm-modi-tells-russian-president-vladimir-putin-on-sidelines-of-sco-summit/articleshow/94250464.cms>.

“There is only one responsible thing to do: seek a diplomatic end to the war now.”²⁰

Supported by documentary evidence, Sach, who has been an advisor to three United Nations Secretaries-General, and currently serves as an SDG Advocate under Secretary-General Antonio Guterres, also reported that Ukraine was provoked.²¹ If it was provoked, it is reasonable to conclude that it could have been prevented and can now be stopped, provided there is political will. How the war can end is, however, outside the purview of this paper. The next section, therefore, will dwell only on the options for UN peacekeeping in terms of its structure in a post-ceasefire scenario. As it looks now, the acceptability of an armed peacekeeping mission by both sides seems unlikely.

OPTIONS FOR UN PEACEKEEPING IN UKRAINE

The probability of success of UN operations in the context of the Ukraine conflict should be studied in the context of, firstly, the kind of role UN peacekeeping can play and, secondly, the probability of its success in the face of several challenges. As of now, even the very idea of using UN peacekeeping as a means of conflict management in Ukraine triggers intense debates and the majority believe that the time has long passed. Besides, using statistical analysis and selected

20 Barry R. Posen, “Ukraine’s Implausible Theories of Victory: The Fantasy of Russian Defeat and the Case for Diplomacy,” *Foreign Affairs*, July 8, 2022, <https://www.foreignaffairs.com/articles/ukraine/2022-07-08/ukraine-s-implausible-theories-victory>. Also, see Hasim Turker, “Behind the Demise of the Black Sea Grain Deal,” *Geopolitical Monitor*, July 25, 2023, <https://www.geopoliticalmonitor.com/behind-the-demise-of-the-black-sea-grain-deal/> and <https://youtu.be/6OvwGBdc9Bo>.

21 Jeffrey D. Sach, “The War in Ukraine Was Provoked—and Why That Matters to Achieve Peace,” *Common Dreams*, May 23, 2023, <https://www.commondreams.org/opinion/the-war-in-ukraine-was-provoked-and-why-that-matters-if-we-want-peace>.

case studies, Doyle and Sambanis observed that the UN would not be effective in intervening in ongoing wars, other than by giving technical advice to non-UN-led multinational peace operations.²²

Yet, optimists believe that the UN has a role in Ukraine if there is a ceasefire agreement. For example, a former Canadian foreign minister and a professor of law at the University of Ottawa Axworthy and Rock believe that the UN can use Blue Helmets to save Ukrainian lives.²³ This was also briefly discussed during the sidelines of EPON week in New York in May 2022, and the participants believed that there is also a possibility that post a ceasefire agreement, there can be some role for UN peace operations in Ukraine.²⁴ At this stage, when exploring the feasibility of peacekeeping as a conflict management tool is only an idea, it is difficult to comment on its effectiveness in Ukraine.

Jacob reported after his visit to Ukraine that “conditions on the battlefield will need to change decisively before either Moscow or Kyiv is willing to enter meaningful negotiations toward ending the conflict. Russia and Ukraine have not reached a mutually hurting stalemate that would force them to the table.”²⁵ According to him, it India’s interest for the war to end at the earliest, and its successful mediation in getting both

22 Michael W. Doyle and Nicholas Sambanis, *Making War and Building Peace: United Nations Peace Operations*, Princeton University Press, Princeton, 2006.

23 Lloyd Axworthy and Alan Rock, op. cit.

24 Please see <https://effectivepeaceops.net/> for more about EPON. Please also see for details about the round table conference <https://drive.google.com/file/d/1zU1jsPvrWurUhaj7MNYJ5dgb-jHr0U28/view?usp=sharing>.

25 Happymon Jacob, “Can India Bring Russia and Ukraine to the Table? What New Delhi’s Diplomacy Can and Cannot Achieve”, *Foreign Affairs*, August 2, 2023, <https://www.foreignaffairs.com/india/can-india-bring-russia-and-ukraine-table>.

sides to the table will boost its international image. Besides, India is ideally placed to sell the idea of UN peacekeeping to both Kremlin and Kyiv. However, presuming both Russia and Ukraine may be amenable to this idea, such an option would still need to be examined in the context of the basic conditions that must be fulfilled for peace operations to succeed.

This is challenging. One of the primary conditions is the need to adhere to the principles of peacekeeping.²⁶ It is not always easy to strictly adhere to these principles because of the inherent ambiguity in their interpretation. Deploying peacekeepers without the approval of the parties to the conflict is against the first cardinal principle of UN peacekeeping – *Consent*.²⁷ Even if both Russia and Ukraine agree to the UN's intervention to monitor a ceasefire, the consent is not likely to be absolute, but conditional (there will be caveats). Some of the conditions could even be implied (for example how much of the territories both Ukraine and Russia are ready to give up).

As regards the use of force, given the kind of violence and threat of violence that the peacekeepers would be exposed to, the biggest challenge will come from the mercenaries that are fighting for both sides. These are loose organisations and can easily get out of control of their handlers. Besides, these groups are most likely to operate with tacit support from the main parties to the conflict. Therefore, the ceasefire is not

26 *United Nations Peacekeeping Operations: Principles and Guidelines*, UN Department of Peacekeeping Operations, New York, 2008, pp. 31-40.

27 Peacekeeping principles were identified after the establishment of UN Emergency Force I (UNEF I) in Gaza. See United Nations, "Summary Study of the Experience Derived from the Establishment and Operation of the Force: Report of the Secretary-General, A/3943," (October 9, 1958) and Paul F. Diehl, "First United Nations Emergency Force (UNEF I)" in Joachim A. Koops, Norrie Macqueen, Thierry Tardy and Paul D. Williams eds., *The Oxford Handbook of United Nations Peacekeeping Operations*, Oxford University Press, Oxford, 2015, p. 151.

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likely to hold unless there is sincerity on the part of Russia and Ukraine to restrain these irregular fighters. Another challenge is finding the Troop Contributing Countries (TCCs) that would be willing to participate in such a mission. The member states may not be inclined to make political and military sacrifices by getting caught between the Russian and Ukrainian armed forces and the mercenaries whose ownership does not have any legitimacy. Given the cause and the ferocity of the conflict, Russia and Ukraine's context is far removed from other peace operations deployed in the context of inter-state conflicts UNIFIL, United Nations Disengagement Force (UNDOF) and United Nations Peacekeeping Force in Cyprus (UNFICYP) are the only current armed peace operations deployed in inter-state conflicts. Besides these three, The United Nations Truce Supervision Organization (UNTSO), which is the first UN peace operation established after the 1948 Arab-Israeli war, is an unarmed observer mission. It is therefore unlikely that other than an unarmed (or perhaps, lightly armed, for self-defence) monitoring role, any armed foreign troops would be acceptable to Russia or Ukraine.

Dr. Alexandra Novosseloff, while referring to the role of Cold war era peacekeeping missions, observed that the war in Ukraine has amplified the need for more attention to inter-positional forces and observer missions.²⁸ If the main parties to the conflict are willing to accept it, even a UN civilian observers' mission in line with the Organization of Security and Cooperation in Europe's Special Monitoring Mission (OSCE SMM) is another option worth considering. So far, these

28 Alexandra Novosseloff, "A comparative study of older one-dimensional UN Peace Operations: Is the Future of UN Peacekeeping its Past?" April, 2022, <https://library.fes.de/pdf-files/bueros/zypern/19099-20220510.pdf>.

observers have performed well.²⁹ If civilian peacekeepers are not possible because of security constraints, as Richard Gowan suggested, the next option is to have a multi-lateral political mission. Past political missions have contributed positively to mediating between the parties, leading to conflict resolution.³⁰

However, putting aside the possibility of a UN role in Ukraine for the time being, as of now, it seems rather difficult to think even of a ceasefire, because the Ukrainian forces have succeeded in taking back a portion of lost territories, followed by Russia declaring martial law in the occupied territories of Ukraine, and the West is worried about a possible nuclear attack by Russia.³¹

Regardless of the form, the peacekeeping mission can place only after a ceasefire agreement, when there is a peace to keep. Putting it differently, unless there is a reasonable chance of even partial success, it would be futile to invest

29 André Härtel, Anton Pisarenko, and Andreas Umland, “The osce’s Special Monitoring Mission to Ukraine: *The SMM’s Work in the Donbas and Its Ukrainian Critique in 2014–2019*,” June 7, 2021, https://brill.com/view/journals/shrs/31/1-4/article-p121_121.xml?language=en. Also, see Richard Gowan, “For UN Peacekeeping, Smaller Is Looking Better Again,” *World Political Review*, July 5, 2022, <https://www.worldpoliticsreview.com/articles/30655/on-peacekeeping-un-could-turn-to-a-cold-war-model>.

30 Richard Gowan, “Multilateral Political Missions and Preventive Diplomacy,” Special Report 299, *United States Institute for Peace*, December 2011, <https://www.usip.org/sites/default/files/resources/SR299.pdf>.

31 Elizabeth Piper, “Britain’s Wallace discussed Ukraine security concerns on Washington trip -source”, October 19, 2022, *Reuters*, <https://www.reuters.com/world/britains-wallace-discussed-ukraine-security-concerns-washington-trip-source-2022-10-19/>. Also see, Chels Michta, “Putin Says the Gloves Are Off — Believe Him,” *Centre for European Policy Analysis*, October 18, 2022, <https://cepa.org/article/putin-says-the-gloves-are-off-believe-him/>; and Anatol Lieven “Ukraine’s War Is Like World War I, Not World War II,” *Foreign Policy*, October 27, 2022, <https://foreignpolicy.com/2022/10/27/ukraines-war-is-like-world-war-i-not-world-war-ii/>.

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in deploying a peacekeeping mission in Ukraine. If a non-violent international intervention is either not acceptable or not considered workable, a solution to the conflict will have to be found by Russia and Ukraine themselves, with support from those nations who are working behind the scenes, to support the continuation of the conflict.

PREVENTIVE DEPLOYMENT AND CONFLICT MANAGEMENT

After evaluating the conflict-reducing effect of UN peace operations Hegre, Hultman and Nygard observed, “If the UN had invested US\$200 billion in PKOs with strong mandates, major armed conflict would have been reduced by up to two-thirds relative to a scenario without PKOs and 150,000 lives would have been saved over the 13-year period compared to a no-PKO scenario. UN peacekeeping is clearly a cost-effective way of increasing global security.”³² The speculative data derived from the study refers to the effect of peace operations that are already in place and hence comparing it to the direct cost of deployment of a peace operation before occurrence of the conflict would be misleading. Because unless the conflict breaks out, it is not possible to put a figure on the overall cost of a conflict (besides the cost of the peace operation) that includes human suffering and destruction of property etc. For example, the financial burden of UNDPREDEP was USD 26,296,200.³³ Since there was no conflict during the deployment of UNDPREDEP, there is no data about what could have been the total cost of the peace operation if it was deployed after the occurrence of violence. It is hence reasonable to conclude that the total cost of the peacekeeping mission deployed after the

32 Håvard Hegre, Lisa Hultman, and Håvard Mogleiv Nygård, “Evaluating the Conflict-Reducing Effect of UN Peacekeeping Operations,” *The Journal of Politics*, Volume 81, Number 1, 2019, pp. 215-223.

33 The UN General Assembly, A/RES/50/243 9 August 1996.

commencement of the conflict, would have been much more. Hence preventive deployment is more cost-effective.

The prevention of a conflict by either diplomacy or using force is not an easier option when powerful nations are either party to the conflict or have stakes in the continuation of the conflict. Haass observed that when Iraq invaded Kuwait in August 1990, there was a consensus in the international community to use force against Iraq. But as the disorder in the world is on the rise, nothing of the sort can happen now, because one P5 member is the invader and another P5 member is supporting the invasion.³⁴ Therefore, once the conflict occurs and powerful nations are parties to the conflict, the application of the idea Agenda for Peace is not likely to go beyond the conceptual stage. On the other hand, when the conflict is between two states who are not as powerful as the developed nations, and the continuation of the conflict is not in the strategic interests of the powerful nations, there is a high probability that the concept of preventive diplomacy and preventive deployment would succeed.

Nevertheless, coming back to the relevance of traditional peace operations in the context of inter-state conflict, save for UNMEE and UNPREDEP, most other traditional peace operations are still in place. Although these two missions were closed, they helped prevent the occurrence of conflict. UN peace operations missions may not carry the tag of 'preventive deployment'. *But in the spirit of the Agenda for Peace, all peacekeeping missions are preventive in nature.* With enough early warning available and sincere commitment by the UN leadership and powerful nations, skilful diplomacy accompanied by the timely deployment of UN peacekeepers

34 Richard Haass, "The Dangerous Decade," *Foreign Affairs*, September 6, 2022, <https://www.foreignaffairs.com/united-states/dangerous-decade-foreign-policy-world-crisis-richard-haass>.

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can save the day. The composition of the mission for such a purpose need not be the same as UNPREDEP. But the deployment, as well as the operational activities, must be guided by the three principles of peacekeeping. For observing ceasefire verification, the mission can be lightly armed (for self-defence) blue helmeted or unarmed observers or civilian observers, or even a combination of these, in order to perform the role of the verification mission.

The subject of the use of force for self-defence is fraught with ambiguity. Accordingly, the profile of even lightly armed peacekeepers at times can be misinterpreted as a sign of arrogance as well as offensive intent. Hence, rather than an armed observer mission, an observer verification mission comprising peacekeepers from neutral countries supported by a liaison and coordination mechanism is likely more suitable to facilitate a ceasefire in inter-state conflict. The role, composition and size of the mission and modalities can only be worked out after deliberations by the stakeholders and field visits by technical teams. There were contrasting views during the recent annual event of Challenges Forum 22 in New Delhi on 6 and 7 October 2022.³⁵ A few even questioned the very idea of the concept of preventive diplomacy and preventive deployment as a tool for conflict management. Despite that, the final consensus was that peacekeeping is expensive, so prevention with political content in the driver's seat is a better option.

WHY CIVILIAN PEACEKEEPERS?

Military peacekeepers find it easy to deal with foreign militaries in a hostile environment because of their familiarity with the common and basic military culture. When military

35 Challenges Forum, 2022, <https://challengesforum.teamwork.com/#!/files/7387784>

personnel act in a particular manner, because of their training, military peacekeepers can anticipate such actions with greater ease than their civilian counterparts. However, given proper military training and availability in adequate numbers, there is potential for civilians to participate in UN observer missions, either independently or better, by complementing the military peacekeepers, in an integrated UN observer mission. Even though civilians are generally not comfortable working alongside the military, there were earlier instances of both military and civilians working together. During the UN-supervised Angola general election in September 1992, the unarmed military observers were asked to provide only logistic support like transportation (that too only if required) to the electoral teams. But because of the uncertain security situation, several electoral teams were forced to stay at the military observers' bases during the period of the election. Staying together in difficult times brought both military personnel and civilians together, respecting each other's space.³⁶ Besides, as military peacekeepers find it easy to relate to military activities because of their familiarity with military culture, civilians can also bring with them certain nuances of peacekeeping that may go unnoticed by the military peacekeepers in the normal course.³⁷

CONCLUSION

The Ukraine conflict has brought to the fore the relevance of traditional peace operations as a tool for conflict management to supervise post-ceasefire agreements. An

36 Personal experiences of the author from his days as an Unarmed Military Observer in the United Nations Verification Mission in Angola (UNAVEM) in 1991-1992.

37 Major General (Dr) A.K. Bardalai, "Ukraine Conflict: Is UN peacekeeping an option?", *Hesperus*, April 1, 2022, <https://hesperus.co.in/research/f/ukraine-conflict-is-un-peacekeeping-an-option>.

examination of the current conflict in Ukraine explores the role of UN peacekeeping after a possible ceasefire agreement. Despite the odds against the role of UN peacekeeping, given the suffering of the civilian population, there are chances that Ukraine might agree to a peacekeeping mission just to alleviate the civilian suffering. M.K. Bhadrakumar notes that 30 left-wing lawmakers from President Biden's Democratic Party were trying to make the President see the advantages of a negotiated settlement.³⁸ While the fine print of the suggestions for a negotiated settlement is not known, the conflict has given rise to the renewed possibility of large inter-state hostilities. Therefore, the idea of a peacekeeping mission needs to be examined further as one possible model.

After exploring the feasibility of a role for peacekeeping in Ukraine, the relevance or utility of traditional peace operations for the prevention of inter-state conflict has been examined. The 'status quo' status of current traditional peace operations helped to maintain stability in the conflict zone and to prevent the recurrence of conflicts that have the potential to escalate beyond the confines of a region. Despite the gradual decline in UN peace operations in intra-state conflicts, the current traditional peace operations are still relevant. Karlsrud also observed that because of increased geopolitical competition and the decline in UN multidimensional peacekeeping going out of style, "traditional observer missions deployed to relatively stable conflict situations may become more relevant as possible compromise solutions."³⁹

38 M.K. Bhadrakumar, "US gets a nasty surprise in Ukraine," *Asian Times*, October 27, 2022, https://asiatimes.com/2022/10/us-gets-a-nasty-surprise-in-ukraine/?mc_cid=e7470fdb79&mc_eid=4fd420b35f.

39 John Karlsrud, "UN Peacekeeping Operations in a Multipolar Era," *Global Governance*, Volume 29, 2023, pp. 219-229.

The UN is best suited for preventing disputes and conflicts from arising out of both inter-state and intra-state relationships. Use of preventive diplomacy and deployment, as conflict management tools, is not only limited to UN peace operations under Chapter VI of the Charter of the UN. These can be effectively used in the interplay between inter-state and intra-state conflicts, and while invoking Responsibility to Protect (R2P) under Chapter VII of the UN Charter. Ban Ki-moon, in his letter to the President of the General Assembly and the President of the Security Council, also underlined that the framework for R2P should aim to encourage a preventive rather than a reactive approach.⁴⁰ If it was done that way, R2P action in Libya would possibly not have received bad press. As observed by Ododa Opiyo, preventive diplomacy interventions can provide only breathing space, as they rarely settle the underlying differences that drive conflicts.⁴¹

As for the efficacy of preventive deployment in intra-state conflicts, the model of an observer mission for a post-conflict scenario in Ukraine may not work. The biggest challenge will be to protect civilians when the state itself is complicit in crimes against civilians, as well as to provide protection against armed groups when no peacekeeping mission is deployed, or is withdrawn, as would happen to Mali once the United Nations Multidimensional Integrated Mission in Mali (MINUSMA) exits at the end of 2023.⁴² In this regard, there are proponents

40 United Nations, "UN Secretary General's letter addressed to the Presidents of General Assembly and Security Council," A/70/741-S/2016/71, February 16, 2016.

41 J. Ododa Opiyo, "The challenges of preventive diplomacy: The United Nations' post-Cold War experiences in Africa," *African Journal on Conflict Resolution*, Volume 12, Number 1, 2012, pp. 61-82.

42 Daniel Forti, in his interview with *SRF News*, July 29, 2023, <https://www.srf.ch/news/international/abzug-der-truppen-aus-fuer-uno-blauhelme-in-afrika>.

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who are of the opinion that the UN should seriously consider hiring private security outfits to protect civilians,⁴³ an issue that needs to be discussed and debated separately.

On a positive note, the Ukraine conflict has reignited the international community's consciousness of the need to unfreeze the frozen concept of the Agenda for Peace by using the tools that have been effectively used in some of the so-called frozen conflicts. A lot will depend on the Secretary General's report on the New Agenda for Peace, scheduled to be published some time in 2023. In the interim, it is heartening to note that prevention has found a central place in the Policy Brief for the New Agenda for Peace.⁴⁴

43 Peter W Singer, "Peacekeeper Inc," *Brookings*, June 1, 2003, <https://www.brookings.edu/articles/peacekeepers-inc/> and Paul D. Williams and Alex J. Bellamy, *op. cit.*

44 UN, "Our Common Agenda Policy Brief 9: A New Agenda for Peace", *op. cit.*

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China

‘Crimes against Humanity’ in Xinjiang

Mahesh Ranjan Debata*

While assessing the human rights situations in China’s Xinjiang Uyghur Autonomous Region (XUAR), the United Nations Office of the High Commissioner Human Rights (UNOHCHR), in its report published on August 31, 2022, described the Chinese excesses and atrocities meted out to the minorities in Xinjiang, especially Uyghurs, as “crimes against humanity.”¹ Earlier, many individuals, global institutions and organisations, civil society groups, human rights groups (especially Human Rights Watch and Amnesty International), scholars and academicians, activists, thinktanks, media agencies, and various governments and country heads have expressed serious concern over the human rights violations against Uyghurs, besides other minority groups such as Kazakhs, Kyrgyzs and Huis. The US State Department and

* Dr. Mahesh Ranjan Debata is Associate Professor, in Centre for Inner Asian Studies, School of International Studies, Jawaharlal Nehru University, New Delhi.

1 The UN Human Rights Office of the High Commissioners, “OHCHR Assessment of Human Rights Concerns in the Xinjiang Uyghur Autonomous Region, People’s Republic of China”, August 31, 2022, <https://www.ohchr.org/sites/default/files/documents/countries/2022-08-31/22-08-31-final-assesment.pdf>.

many other Western governments have gone to the extent of dubbing the atrocities against Uyghurs as “genocide.”² Recently, during the Winter Session of India’s Parliament in New Delhi, on December 5, 2023, Aneel Prasad Hegde, a Member of the Upper House (Rajya Sabha) raised the issue of human rights atrocities in Xinjiang and urged the Indian government to start a campaign against Chinese brutality. For the first time, an Indian lawmaker focused on China’s persecution of Uyghur Muslims, describing the Chinese communist regime’s human rights situation as “very grave.”³ Earlier, in 2019, the International Consortium of Investigative Journalists (ICIJ) released a set of confidential documents called *China Cable*, shedding light on China’s mass detention camps in Xinjiang. Furthermore, the accounts of many Uyghur women such as Saliha, Mihrigul Tursun, Tursinay Ziyawdun, Gulbahar Jelilova, Gulbahar Hatiwaji, Zumret Dawut, Rukiya Perhat, Sayragul Sautbay, Kalbinur Sidik, and many other unknown Uyghur and Kazakh women,⁴ after their release from the internment camps across Xinjiang, showcase the grim picture of the human rights conditions of the Uyghurs

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- 2 The term “genocide” has been mentioned 27 times in the 2021 International Religious Freedom Report published by the US State Department. The Report also talks about “cultural genocide” in Xinjiang. For more details, see The US State Department, “China (includes Tibet, Xinjiang, Hong Kong, and Macau), 2021, International Religious Freedom Report, <https://www.state.gov/wp-content/uploads/2022/05/CHINA-INCLUDES-TIBET-XINJIANG-HONG-KONG-AND-MACAU-2021-INTERNATIONAL-RELIGIOUS-FREEDOM-REPORT.pdf>.
 - 3 Venus Upadhyaya, “Indian Lawmakers Raise Concern about Human Rights Crisis in China”, *The Epoch Times*, December 12, 2023, <https://www.theepochtimes.com/world/in-depth-indian-lawmakers-raise-concerns-about-human-rights-crisis-in-china-5542219>.
 - 4 Zubayra Shamseden, “The Ghulja Massacre of 1997 and the Face of Uyghur Genocide Today”, *The Diplomat*, February 5, 2021, <https://thediplomat.com/2021/02/the-ghulja-massacre-of-1997-and-the-face-of-uyghur-genocide-today/>.

in Xinjiang, especially the crimes against women. Two case studies of discrimination and harassment meted out to Uyghurs can be mentioned here, one by Gulbahar Hatiwaji and the other by Sayragul Sautbay, who had expressed their harrowing tales in Xinjiang's internment camps through their books.⁵ Gulbahar described her more than two-year long torture by the Chinese through scaffolding, shocks through electric chair, special helmets and wrist bands, drowning etc. Sayragul, who was awarded the prestigious International Women of Courage Award by the US State Department in 2020, managed to escape "the largest open-air prison of world" in Xinjiang. Sayragul was subject to electric shocks through chairs, sleeping on cold concrete floor during winter that led to severe arthritis, besides being subjected to psychological terror due to the screams of other prisoners.

The Chinese Central Government has been violating human rights in Xinjiang in a very systematic manner since its incorporation as the People's Republic of China (henceforth PRC) in 1949. Further, the human rights situation in Xinjiang has deteriorated abysmally during the last decade of Xi Jinping as President of the PRC.

China defends its action in XUAR on the pretext of safeguarding its national interest in this strategically important northwestern frontier.

Research over the past years, with substantial primary and secondary source materials, especially the author's own interaction with Uyghurs across the globe, the White Papers

5 Gulbahar Hatiwaji and Rozenn Morgat. *How I Survived a Chinese 'Re-Education Camp': A Uyghur Woman's Story*, Seven Stories Press, NY, Oakland, 2023, pp. 102, 111 and 137; Sayragul Sauytbay and Alexandra Cavelius, *The Chief Witness: Escape from China's Modern-day Concentration Camps*, Scribe Publications., London, 2021, pp. 129, 140 and 188.

published by the State Council Information Office of the PRC, various reports by the US State Department, the Human Rights Watch and Amnesty International, etc., establish the human rights violations in Xinjiang, and document the similarities between Mao Zedong and Xi Jinping's actions against the Uyghurs of Xinjiang.

HUMAN RIGHTS VIOLATIONS IN XUAR: FROM MAO TO XI

Human rights violations are not new to China, even in Xinjiang. For decades these have been routinely practiced by the Chinese Central Government. Since the establishment of the PRC in 1949, the regimes, from Mao Zedong to Xi Jinping, have pursued policies to prosecute, even execute, anyone who is found by the Central Government to be 'anti-state, anti-nation, anti-Chinese and anti-Communist Party of China (CCP).' In Xinjiang, Chinese policies over the last seven decades or so have blatantly violated multiple human rights, including the rights to liberty and security of person; privacy; freedom of movement, opinion and expression, thought, conscience, religion and belief, participation in cultural life, etc.⁶ The worst violation of human rights was witnessed during the Cultural Revolution led by Mao Zedong as well as during the ongoing years of rule by Xi Jinping, the present President of China who, perhaps, wants a "Xinjiang without Uyghurs."⁷ The nearly four decades of combined rule by Mao Zedong (1949-1976) and Xi Jinping (since 2013 till date), which are more than the half of the total years of existence of PRC, have witnessed the worst form of human rights violation in Xinjiang.

For instance, during the decade-long Cultural Revolution of the Mao era, hundreds of thousands of members of ethnic

6 Amnesty International, "China 2022", <https://www.amnesty.org/en/location/asia-and-the-pacific/east-asia/china/report-china/>.

7 Gulbahar Haitiwaji and Rozenn Morgat. op. cit., p.20.

minority groups, especially Uyghurs and Tibetans, were ‘purged’. Besides, the atheist communist leadership under Mao pursued a policy that curtailed religious freedom in Xinjiang, outlawed Islam, persecuted, imprisoned and even killed Uyghur religious leaders, abolished Muslim holidays and festivals like *Ramadan*, halted Haj pilgrimage, and desecrated mosques and cemeteries. Religious worship and religious education were forbidden, even utterances like *Inshallah* (God Willing) was prohibited.⁸ Because of their anti-minority policies and anti-human rights stance, people did not hesitate in dubbing Mao Zedong as China’s Joseph Stalin and Xi Jinping as China’s Adolf Hitler, two among the worst human rights’ abusers in history.

Similarly, in the ongoing ‘reign of terror’ since 2017, the Xi Jinping Government has arbitrarily detained over one million people (mostly Uyghurs) in Xinjiang, meted out extraordinary torture, enforced disappearances, mass surveillance, cultural and religious persecution, extra-judicial killings, separation of families, sexual violence and violations of reproductive rights, besides subjecting Uyghurs and other minority groups to forced labour inside and outside Xinjiang.⁹ Table-1 presents data on deaths due to repression in Xinjiang since January 2017 till date. According to Amnesty International, the internment camps or so-called ‘re-education camps’ (as described by the Chinese Government) have taken on a darker role, resembling the infamous labour camps of the Mao Zedong era. Anyone perceived as disloyal to the state or the CCP is sent to these

8 Mahesh Ranjan Debata, *China’s Minorities: Ethnic-Religious Separatism in Xinjiang*, Pentagon Press, New Delhi, 2007, pp. 83 and 127.

9 Human Rights Watch, “Asleep at the Wheel: Car Companies’ Complicity in Forced Labor in China”, February 1, 2024, <https://www.hrw.org/report/2024/02/01/asleep-wheel/car-companies-complicity-forced-labor-china>.

camps, reminiscent of the past, when political dissidents faced the same fate.

TABLE-1

Victim Deaths due to Chinese Repression (January 2017 to present)		
1.	Victims who died in police custody or shortly after	23
2.	Victims who died in internment camps or shortly after	67
3.	Victims who died while serving a sentence or shortly after	61
4.	Victims who died in an unspecified form of hard detention or shortly after	39

Source: Xinjiang Victims Database, <https://shahit.biz/eng/#lists>

Tragically, these re-education camps have become places of torture and punishment, particularly targeting ethnic minorities, such as Uyghurs, leading to a state of constant terror among these communities and their incarcerated family members and relatives.¹⁰

TABLE-2

Chinese Facilities for Internment of Minorities		
1.	Specific Prisons	26,813
2.	Specific Camps	1,563
3.	Specific Police Detention Centres	1,098
4.	Specific Factories	24,358

Source: Xinjiang Victims Database, <https://shahit.biz/eng/#lists>

According to one estimate, in 2017 alone, arbitrary detentions in Xinjiang accounted for nearly 21 per cent of the total arrests in China. Average arrests as per provincial

10 Amnesty International, “Like we were Enemies in a War: China’s Mass Internment, Torture, and Persecution of Muslims in Xinjiang”, June 10, 2021, file:///C:/Users/user/Downloads/Amnesty-International_China-Report_FINAL.pdf.

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population is much higher in XUAR than anywhere else in the country, as the population of the region is only 1.5 per cent of China's total population (see Table 3). What is more disturbing is that many Uyghur children, whose parents have been arbitrarily detained, are forcibly kept in state-controlled orphanages and boarding schools, even boarding pre-schools,¹¹ putting immense stress on young and impressionable minds.

TABLE-3

Arbitrary Detention of Minorities, 2018-2019		
1.	15-day Arrests	61
2.	Forced Job Placement/Labour	29,362
3.	Forcefully assigned work following graduation from Camp	121
4.	Victims flagged by the Integrated Joint Operations Platform (IJOP)	8,439
5.	Sentenced in Camps	106
6.	From Prison to Camp	28
7.	Multiple Prison Sentences	707
8.	Rushed Sentences	663

Source: Xinjiang Victims Database, <https://shahit.biz/eng/#lists>

11 Human Rights Watch, "Break their Lineage, Break their Roots: China's Crimes against Humanity Targeting Uyghurs and other Turkic Muslims", April 19, 2021, <https://www.hrw.org/report/2021/04/19/break-their-lineage-break-their-roots/chinas-crimes-against-humanity-targeting>.

TABLE-4

Minority Prisoners as per various Leaked Chinese Documents			
Sl. No.	Documents/Lists	Leaked in the Year	Number of prisoners
1.	2010-2015 Prisoners' List	2021	18,192
2.	QQ Files	NA	15,613
3.	Qaraqash List	2019	583
4.	Urumqi Public Security Bureau Files	NA	36,842
5.	Konashahr Prisoners	2021	10,310
6.	Xinjiang Police Files	2022	21,176

Source: Xinjiang Victims Database, <https://shahit.biz/eng/#lists>

Xi Jinping's reign of terror knew no bounds when he appointed Chen Quanguo as CCP's Secretary in the charge of XUAR in mid-2016. Chen, who was infamous for his brutalities in Tibet, undertook:

- grid-style social management,
- technology-intensive approach to urban governance and intelligence-led policing (as seen in cities in China's eastern part since the mid-to-late 2000s), and
- the establishment of some 7,500 'convenience police stations' within a span of six months in early 2017, to torment Uyghurs under a 'smart digital' regime.

China's "digital gulag"¹² in XUAR, which is a testament to Chinese human rights violations in recent times, is home to enveloping surveillance, combining human spies with advanced technological systems. In Xinjiang, the Integrated

12 The documentary "Undercover: Inside China's Digital Gulag", by Robin Barnwell has won seven international awards and was nominated for more than half a dozen awards. It has showcased detention of millions of Uyghurs without trial. For more details, see <https://www.robinbarnwell.com/chinas-digital-gulag>.

Joint Operations Platform is at the centre of this excessive and extensive surveillance endeavour, collecting data on Uyghurs through scanners, CCTV cameras equipped with face and voice recognition, and DNA sampling. This vast data is then linked with residents' online activity, banking details, phone calls, and text messages to identify behaviour that the government perceives as potential threats. Under Chen, the XUAR became a police state, unleashing state terror by mobilising 50,000 to 100,000 People's Liberation Army (PLA) and People's Armed Police (PAP) personnel and 9 to 10 million Han civilians. In addition, Chen secured the support of 2.68 million cadres of the Xinjiang Production and Construction Corps (XPCC),¹³ a para-military organisation that has been a Chinese bulwark against the Uyghurs since its creation in the 1950s.

Other than Mao and Xi, the rest of the Chinese political leaders were no angels, and they too were ruthless towards the minorities, particularly the Uyghurs. Even the so-called 'reformist' Deng Xiaoping was no less brutal and repressive than Mao Zedong. The unprecedented executions in China in the early 1980s and the suppression of democratic voices in Xinjiang (1985) and further, at Tiananmen Square in 1989, are some such instances, which put Deng on the same platform as Mao. In the mid-1990s, under the pretext of combating violent separatist activities in Xinjiang, Deng Xiaoping and Jiang Zemin launched a military crackdown 'Strike Hard, Maximum Pressure Campaign' on April 28, 1996. The very name of this military crackdown indicates how brutal the Chinese security personnel would have been while dealing with the Uyghurs. The brutality of this military move is visible in the fact that, just a day later, on April 29, 1996, the Chinese authorities

13 Mahesh Ranjan Debata, "Chinese Assimilationist Policies in Xinjiang: From Mao Zedong to Xi Jinping", *International Studies*, Volume 59, Number 3, 2022, p. 207.

arbitrarily arrested over 1,300 Uyghurs, besides claiming to have destroyed 70 ‘criminal organisations’ and seized a cache of weapons, ammunition and money in Xinjiang alone. For the next six months, the Chinese authorities continued with the military crackdown in the nooks and corners of the XUAR. Amnesty International reported the execution of over 1,000 people during this phase of *Strike Hard*.¹⁴

Another example of Deng’s oppressive and repressive attitude towards Uyghurs was the Ghulja Massacre that occurred on February 5, 1997, just two weeks before his death. For the first time in the history of Xinjiang, the incident was dubbed as “massacre” that led to the death of dozens of Uyghurs and arrest of some three to five thousand people in Ghulja. The detained Uyghurs never received a fair trial nor justice. They were tortured by the Chinese authorities¹⁵ and, in some cases, were executed.

It is important to recognize, here, that the Chinese government had actually unleashed the *Strike Hard* crackdown against Uyghurs in April, 1990, following the Baren incident, but it was made official only in April, 1996. In the Baren incident, an entire Uyghur township in the vicinity of Kashgar reportedly rose in armed rebellion against the local Han authorities, who responded with enormous military force. A reliable tally of the casualties at Baren may never be known: according to the government, the death toll came to around twenty; but Uyghur sources claimed that several hundred rebels were killed.¹⁶

14 Ibid. p. 204.

15 Amnesty International, “People’s Republic of China: Gross Violations of Human Rights in the Xinjiang Uighur Autonomous Region,” April 21, 1999, p. 22, <https://www.amnesty.org/en/documents/asa17/018/1999/en/>.

16 Human Rights Watch, “Xinjiang, China’s Restive Northwest”, 1998, https://www.hrw.org/legacy/campaigns/china-98/sj_xnj2.htm.

Furthermore, in the last quarter century, the military crackdown under *Strike Hard* has been launched by the Chinese Central government in five major phases as a potential tool against the Uyghurs in Xinjiang. The second phase of this highly criticised military policy began immediately after Global War on Terror (GWOT) was launched by the USA and her allies in October 2001 against the terrorist infrastructure in Afghanistan, following the 9/11 terrorist attacks. The third, fourth and fifth phases of *Strike Hard* were launched subsequently, after the Urumqi riots (July 5, 2009), Kunming incident (2014) and in the year 2017. However, in the last two and half decades, there have been many mini-*Strike Hard* crackdowns against the hapless Uyghurs, during which many Uyghurs were arrested for no fault or reason, were prosecuted, and in some instances, even executed.

China has been under an authoritarian communist political regime over the last seven decades or so, which does not allow any news and opinions about human rights violation to be disseminated within or outside the country. There are bans and restrictions on international news and social media in the country due to which the outside world has to depend on the news feeds provided by the official and state-sponsored Chinese media. Not only are the local Uyghurs under surveillance, but any foreign visitor is also under the scanner. The local Uyghurs are even banned from speaking with foreign tourists. During his visits to Xinjiang from 2013 to 2015, this author had witnessed how Uyghurs have been subjected to Chinese suspicion, oppression, repression and fear. While talking to a Uyghur in Urumqi in July 2013, after taking part in a Conference, the author found that Chinese restrictions, particularly for Uyghurs, were severe. A young Uyghur, while moving around the City Centre and Grand Bazar Area with the author, kept a safe distance for fear of being apprehended

by the Chinese security personnel. Similarly, another Uyghur academic, whom the author met in Urumqi, did not agree to allow the author to participate at a conference for fear of the Chinese. Even the Chinese hosts expressed displeasure over a visit to the Grand Bazar, one of the popular tourist spots in the city. Further, during a visit to a mosque near the Grand Bazar, a few Uyghur *namazis* rejected the author's requests to talk and take some photographs. In addition, the author was not allowed by Chinese security personnel to take photographs of certain 'sensitive' places, such as the business complex earlier owned by Uyghur businesswoman, Rebiya Kadeer, who later became the President of the World Uyghur Congress. This business complex had been seized by the Chinese authorities since her arrest in August 1999. Rebiya Kadeer herself shared this fact with the author during her testimony before the US Congress in Washington DC in April 2005. Security personnel even checked this author's camera and cell phone for any photographs of 'sensitive places' in Urumqi.

Later, during this author's visit to Urumqi in June, 2014 to take part in a propaganda conference on the *One Belt One Road* (OBOR) project, where more than 300 delegates from around 88 countries participated, the delegates were not allowed to go outside the conference venue as the organizers cited 'security reasons'. Chinese surveillance of foreigners was so rigorous that one Uyghur girl (anonymous) who wanted to talk to the author on the sidelines of the conference was under strict watch by security personnel and could not voice a single word during her interaction with the author. Besides, a Kazakh girl, who was assisting the foreign delegates, was also under restrictions by security personnel, who ensured she did not socialize with them. The Conference organisers did not allow the foreign delegates to move around the market complexes and other places. The most interesting part of the author's

experience is that whenever he shared these facts with some Chinese scholars, they had an entirely different take on this issue. They defended, whatever their government was doing, and dubbed these actions necessary against 'terrorists', who had been involved in activities inside Xinjiang and in other cities of China, such as Kunming, Beijing, etc.

TOOLS AND TACTICS

China adopts an assertive and aggressive posture in defending its excessive actions against the Uyghurs, explaining away its brazen, careless and ruthless attitude towards Uyghurs in Xinjiang. China adopts a range of tactics, such as pleas, policies and pretexts; and tools, including surveillance, White Papers, etc., to keep the Uyghurs under control. It is well-known that the Chinese coverup of its actions in XUAR has, so far, been robust. The intent with regard to XUAR is complete control over the Uyghurs, by hook or by crook.

It is important to highlight here that the Chinese are adept in making pretexts or providing solid defences in favour of their actions against the Uyghurs, as well as other minorities. For example, the human rights violations against ethnic groups, especially during the Cultural Revolution period were defended by the CCP, the Chinese Central Government and other arms of the government on various counts: the instability in XUAR in the second half of 1950s following the Khotan uprising (1955); the apprehension of Soviet intervention in XUAR, which had a nearly 4,000 kilometre border with the Soviet Union, which also had a considerable presence in XUAR since the 1890s, besides the Cold War era enmity between the two communist neighbours; and the USA, who the Chinese asserted were provoking nationalist and separatist sentiments among the Uyghurs and Tibetans.

Similarly, the Chinese government whitewashed the *Strike Hard* campaign in Xinjiang. For instance, the government took the pretext of violent separatism by Uyghurs in the 1990s following incidents such as Baren (1990), Urumqi (1992), Turpan (1993) and Khotan (1995), to adopt stern military measures, which came in the form of the *Strike Hard* campaign in April, 1996. In addition, the Chinese government took advantage of this opportunity to raise allegations regarding the violent activities by Uyghurs at regional and international fora. For example, as one of the founding members of the Shanghai Five, which later became the Shanghai Cooperation Organisation (SCO) in 2001, the Chinese government projected the stringent measures adopted against the Uyghurs in the name of “three evil forces” – separatism, extremism and terrorism. Since 2001, the SCO has been including one clause every year, under China’s pressure, on combating these “three evil forces”, at its annual summit.

After 9/11, China also used the pretext of the Global War on Terror (GWOT) to suppress the Uyghur population and intensify the violation of their human rights on the grounds of maintaining stability in the region. It is noteworthy to mention here that China was one of the first countries to have joined the GWOT and perhaps the only country that has taken maximum advantage of this campaign. Through this global counter-terrorism campaign, China legitimized its claim as the foremost victim of the “three evil forces” and relentlessly pursued stringent action against the Uyghurs under its own “People’s War on Terror.” Beijing made sure that no Uyghur could get away at any cost and anybody who engaged in any ‘anti-Chinese’ activities would be punished. Xi Jinping called for “absolutely no mercy” for Uyghurs who were purportedly involved in terrorist activities.

Xi Jinping took the People's War on Terror to a new level. He gave a clarion call to the Chinese security forces to build a "Great Wall of Steel" in Xinjiang against the Uyghurs. He was instrumental in framing the first counter-terrorism law on December 26, 2015, adopted by China's National People's Congress (NPC) Standing Committee, which came into force in January 2016 as the legal basis of China's counter-terrorism activities; creating the National Intelligence Center (NIC) to coordinate inter-departmental and trans-regional efforts on counter-terrorism intelligence and information; the National Anti-Terrorism Coordination Group (NATCG); and the Anti-Terrorism Bureau. The 'Xinjiang Uyghur Autonomous Region Regulations on De-extremification,' containing 50 articles, came into force on April 1, 2017, under which 'vocational education and training centers' were established to impose 'very strict restrictions on Uyghur religious beliefs and practices',¹⁷ thereby denying the Uyghurs their religious freedoms.

SURVEILLANCE AS THE KEY TACTIC

Xinjiang has become one of the most heavily surveilled regions in the world. Anything on earth is under surveillance in Xinjiang. China employs advanced surveillance technologies, such as facial recognition and big data analytics, to monitor and track the movements and activities of Uyghurs. The authorities have forced Uyghur and other minority people into labour camps where allegations of human rights abuses against them are reported. A mobile app, "reverse engineering" is used by police and officials in XUAR to communicate with the Integrated Joint Operations Platform (IJOP), a major system employed by Chinese authorities for mass surveillance in Xinjiang. The IJOP gathers data about individuals and identifies those considered potentially threatening, flagging them to

17 Mahesh Ranjan Debata, *op. cit.*, p. 207.

officials. Subsequently, some of these flagged individuals are detained and sent to political education camps and other facilities. Through this mobile app, specific behaviour and targeted individuals who are under mass surveillance system are identified. The IJOP app serves three main functions: collecting personal information; reporting on activities or circumstances seen as suspicious; and prompting investigations of individuals flagged by the system as problematic.¹⁸

The Chinese authorities had installed some 626 million surveillance cameras equipped with facial recognition by the year 2020 in and around Xinjiang. During this author's first visit to Xinjiang's capital Urumqi in 2013, one young Uyghur (name withheld) disclosed that a large number of surveillance cameras were installed in the Urumqi city after the July 5, 2009, incident, in which protests against racism and mistreatment began, centered around Urumqi's Grand Bazaar. The official reports were that nearly 200 people died in violence.¹⁹ According to him, on the first anniversary of this riot on July 5, 2010, more than 30,000 close circuit television cameras were installed in Urumqi city alone.

WHITE PAPERS AS PROPAGANDA MECHANISMS

Publishing White Papers at regular intervals has become a regular feature of the Chinese central government. These have been dubbed as propaganda machines of the PRC in defence of its activities inside and outside the country. Since 2017, the State Council Information Office of the PRC has

18 Human Rights Watch, "China's Algorithms of Repression: Reverse Engineering in Xinjiang Police Mass Surveillance App", May 1, 2019, <https://www.hrw.org/report/2019/05/01/chinas-algorithms-repression/reverse-engineering-xinjiang-police-mass>.

19 James Carter, "July 5, 2009: The riots that changed everything in Xinjiang", *The China Project*, July 6, 2022, <https://thechinaproject.com/2022/07/06/july-5-2009-the-riots-that-changed-everything-in-xinjiang/>.

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published around 5 White Papers on human rights issues and 10 White Papers devoted to Xinjiang. China leaves no stone unturned to showcase its own version of human rights through these propaganda mechanisms. According to a White Paper published in 2021:

...for a hundred years, the CPC has always put people first, applying the principle of universality of human rights in the context of the national conditions. It regards the rights to subsistence and development as the primary and basic human rights, and believes that living a life of contentment is the ultimate human right. It promotes the well-rounded development of the individual, and strives to give every person a stronger sense of gain, happiness and security. Its success in pioneering human rights in a socialist country is unique and readily apparent.²⁰

The truth, however, is somewhat different.

Earlier, in a White Paper published in 2019,²¹ the Chinese government made clear that the issue of terrorism and religious extremism in Xinjiang can be effectively addressed through the establishment of ‘Vocational Education and Training’ centres, thereby rejecting the concerns of the global community about Uyghurs’ internment and defending its right to fight against terrorism. It added further that Xinjiang is seen as a crucial battleground in the fight against terrorism and extremism

20 The State Council Information Office of the People’s Republic of China, “The Communist Party of China and Human Rights Protection – A 100 Year Quest”, June 24, 2021, http://english.scio.gov.cn/whitepapers/2021-06/24/content_77584416_2.htm.

21 The State Council Information Office of the People’s Republic of China, “Vocational Education and Training in Xinjiang”, August 17, 2019, https://english.www.gov.cn/archive/whitepaper/201908/17/content_WS5d57573cc6d0c6695ff7ed6c.html.

within China, as the region has been dealing with ‘terrorism and religious extremism’ which constituted a serious threat to the lives of its people. In response to these challenges, the government stated, it had taken a comprehensive approach, combining preventive measures with a forceful response. The White Paper emphasizes that the vocational education and training centres were established in accordance with the law, aiming to prevent the breeding and spread of terrorism and religious extremism. These centres were instrumental in curbing frequent terrorist incidents and safeguarding the rights to life, health, and development of all ethnic groups in Xinjiang, it added. According to the Chinese government, these measures were necessary to promote stability and security in the region and protect the well-being of its citizens.

On January 23, 2024, China released another White Paper, in which the fourth section is devoted to “protection of human rights in counterterrorism practices.” In this government-sponsored propaganda document, the Chinese government claims that

China has found a path of law-based counterterrorism that conforms to its realities by establishing a sound legal framework, promoting strict, impartial, procedure-based law enforcement, and ensuring impartial administration of justice and effective protection of human rights.

Section IV states, further, that “China respects and protects human rights as an underlying principle in improving its legal framework and practices in the field of counterterrorism.” The claims that China “gives equal weight to safeguarding the basic rights of citizens” and provides a “guard against discrimination based on geographical area, ethnic group, or religion”, are diametrically opposite to its actions against

Uyghurs in Xinjiang and against Tibetans. Even though China’s Constitution and laws specify that “citizens’ personal freedom and dignity shall not be violated”, as reiterated in this White Paper, individual freedom and dignity of Uyghurs in China has been blatantly violated. Further, China’s Constitution and laws grant citizens of all ethnic groups the right to use their own language in court proceedings, the White Paper adds. However, the reality is entirely different. The Chinese government has been pursuing a policy of prioritizing the Mandarin language over ethnic languages, even at the primary school level. The forcible promotion of Mandarin Chinese over local languages in Xinjiang has hampered the ethnic languages as well as the linguistic identity of the minority people. The brazen assertion that “prisons provide cultural, legal and technical education to increase offenders’ knowledge, skills and employability” has enabled the imprisonment of millions of minority people in Xinjiang.²²

USING UYGHURS AGAINST UYGHURS

China has very tactfully offered very high-profile posts, such as provincial governor of the XUAR, to Uyghurs, but without conferring any real power. When the XUAR was established on October 1, 1955, Saifuddin Azizi, an ethnic Uyghur, was made the provincial governor, while the real power was vested in the Secretary of CCP’s Xinjiang branch. Since then, the Uyghurs have been used by the Chinese authorities to nourish Beijing’s interests. For instance, after the stories about re-education camps surfaced, the provincial governor of XUAR, Shohrat Zakir, stated on the sidelines of the annual National

22 Mahesh Ranjan Debata, “How China Persecutes Uyghurs in the Garb of Countering Terrorism”, *Firstpost*, January 29, 2024, <https://www.firstpost.com/opinion/how-china-persecutes-uyghurs-in-the-garb-of-countering-terrorism-13667032.html>.

Legislative Session in March 2019, that “Xinjiang is a victim of terrorism and extremism, and the education and training centers aim to fundamentally eliminate the environment for terrorism and extremism.” Zakir emphasized that Xinjiang, in its counter-terrorism and de-extremization effort, was not targeting any specific ethnic groups or religions, rather “the three evil forces”.²³

CONCLUSION

It is evident that China has been systematically violating the human rights of the Uyghur minorities in Xinjiang since 1949. The gravity of human rights violation in XUAR in the last one decade or so, especially under Xi Jinping regime, is indescribable. There have been serious concerns across the globe about the Uyghurs, who are deprived of their basic rights enshrined in the Universal Declaration of Human Rights. However, China has defended its actions, rules, policies and programmes against Uyghurs in Xinjiang through various means. Chinese official documents seek to make the outside world believe that all is well in Xinjiang and Uyghurs are living a peaceful, progressive and prosperous life. Many supporters of the Chinese government, both inside and outside the country, feel the Uyghur issue is China’s internal matter and have dubbed Xi’s rule as golden era as far as security, stability and prosperity of Xinjiang is concerned. They have poured effusive praise on Xi Jinping for handling the extremism and terrorism issue very well and for his counterterrorism policies, often describing the human rights violation charges against China as a mere Western agenda. For instance, the global Muslim community has not responded to the pitiful situation of the Uyghurs in Xinjiang and to their religious and cultural suppression and mental torture. Uyghurs had high hopes from

23 Mahesh Ranjan Debata, *op. cit.*, p. 208.

their Muslim brethren across the world, who they hoped would express solidarity with their situation and extend at least moral support, but in vain. These Muslim-majority countries, especially in the Middle East, have put their strategic and economic interests over the human rights violations of the Uyghurs, particularly since they have become the beneficiaries of Chinese largesse under the Belt and Road Initiative (BRI) that came into being in September 2013.

Nevertheless, the truth about human rights violation in Xinjiang has an uncanny proclivity to leak out. The international community is aware of the grave human rights situation in Xinjiang, and of the reality that the Uyghurs have been tormented by the Chinese authorities over the past seven decades.

The sustained efforts of the global community are urgently needed at this juncture, but the onus is still on China and its supreme leader Xi Jinping. Unfortunately, China continues to take pride in its success at mobilizing global opinion in its favour as far as the Uyghur issue is concerned, instead of showing mercy towards this tormented community. In the name of safeguarding the national interests on its strategic frontier in Xinjiang, the Chinese authorities browbeat the Uyghurs, its own citizens and the majority ethnic group in the province. As a nation state and a responsible world power, China should not deprive the Uyghurs of their basic human rights.

Silent Wings of Crime

The growing menace of drones along the India-Pakistan border

Bulbul Prakash*

In recent years, the skies above the India-Pakistan border have become an unlikely battleground for a new wave of crime: the illicit use of drones for smuggling composite consignments [weapons+drugs+counterfeit currency notes]. These small, Unmanned Aerial systems (UASs), commonly known as drones, have captured the attention of law enforcement agencies, as criminals leverage technology to carry out their nefarious activities. The rising trend of drone-based smuggling operations create challenges of border security, and of counter-measures from security agencies.

Drones are defined as “aircraft of varying size that do not have a pilot on board and are instead controlled by someone on the ground”.¹ They are used extensively in various sectors and industries, such as media companies utilising them to capture entertainment and news events; law enforcement agencies employing them for surveillance and monitoring purposes;

* Bulbul Prakash is currently working towards her PhD in Politics at the University of Manchester in the United Kingdom. She was a research assistant at the Institute for Conflict Management (ICM) in New Delhi.

1 Michael J. Boyle, *The Drone Age: How Drone Technology Will Change War and Peace*, Oxford University Press, 2020, pp. 2-45.

airports using them for maintenance and inspection activities; agricultural companies employing them for monitoring crops and livestock; among an augmenting array of others. Their potential for expediting emergency healthcare interventions has garnered attention, owing to their exceptional manoeuvrability. Additionally, the implementation of drone-based food delivery systems has commenced in countries such as New Zealand and the United States,² driven by promotional objectives and cost-effectiveness. Furthermore, the deployment of drones exhibits promising prospects in investigating untapped energy reservoirs located in remote regions, and contributing to scientific endeavours by gathering invaluable data in domains such as meteorology and environmental sciences. Drones also offer distinct advantages in archaeological explorations, urban cartography, traffic monitoring, and geological surveys.

The advancement of drones has led to their increasing compactness, speed, and durability, making them harder to detect. With the ability to cover long distances and carry heavy loads, coupled with their ease of operation, drones pose safety and security concerns in almost every kind of environment. The misuse of this emerging technology poses a significant contemporary challenge.

TYPES OF DRONE THREATS

The threats posed by drones encompass various categories that can be distinguished based on their nature and potential implications. First, drones can be exploited as attack vehicles, capable of transporting and delivering explosives, biological agents, or chemical weapons. Such deployments constitute severe risks, as they can lead to substantial harm and cause extensive damage to targeted areas. Secondly, collision threats

2 DJI Enterprise, “What you need to know about drone delivery”, December 8, 2022, <https://enterprise-insights.dji.com/blog/drone-delivery>.

arise when drones enter the flight paths of aircraft, endangering the lives of passengers on board and creating a hazard for individuals and property on the ground. Poorly piloted or malfunctioning drones can result in accidents and potentially lead to fatalities.

Furthermore, the utilisation of drones for transport of contraband has become increasingly prevalent. Drones have emerged as a preferred tool for smuggling contraband items due to their ability to bypass ground-based security measures for the transportation of drugs, weapons, or other illicit substances.

Another significant category of drone threats pertains to espionage activities. Drones equipped with advanced imaging systems, including high-resolution cameras and sophisticated sensors, provide unparalleled surveillance capabilities. They enable covert monitoring of targeted individuals, specific locations, and sensitive sites. Their ability to hover, manoeuvre, and collect data in real-time, offer distinct advantages over traditional surveillance methods. This raises concerns regarding privacy, security breaches, and the potential compromise of sensitive information.

In recent years, there has been a spike in reported incidents of aerial smuggling. The illicit trafficking by drones carrying narcotics has been reported in various regions of Mexico, Colombia, and the United States, and has become a major concern.³ The authorities have identified initial employment of hand-made drones for surveillance purposes in sensitive locations such as harbours and prisons, subsequently followed by the utilization of more advanced drones for the

3 Tim Wright, "How Many Drones Are Smuggling Drugs Across the U.S. Southern Border?", *Smithsonian Magazine*, June 2020, <https://www.smithsonianmag.com/air-space-magazine/narcodrones-180974934/>.

transportation of narcotics. The substances primarily smuggled include methamphetamine, heroin, cannabis, and cocaine. These recurring incidents underscore the pressing need for a comprehensive legal frameworks and effective measures to combat the misuse of drones in illicit activities.

HISTORY

Drug traffickers continuously adapt their strategies to evade law enforcement and maintain the flow of illicit drugs. Alongside traditional methods such as cars and high-speed boats, traffickers have embraced technological advancements, including app-based ride-sharing programs and darknet purchases.⁴ The emergence of drones as a new avenue for drug distribution has opened unparalleled possibilities for traffickers.

Since approximately 2010, Mexican drug cartels started exploring the potential of drones for transporting drugs across borders.⁵ To counter border surveillance, smugglers employ technology to spoof and jam the Global Positioning System (GPS) signals used by drones, effectively concealing their illicit cargo during transportation.

On August 12, 2015, Jonathan Elias and Brayan Valle, residents of El Centro, California, pleaded guilty to charges of using drones to smuggle 28 pounds of heroin into the United States. This is marked as the first international narcotics recovery involving the use of drones by Mexican drug traffickers, as

4 Carole Cadwalladr, “How I bought drugs from ‘dark net’ – it’s just like Amazon run by cartels”, *The Guardian*, October 6, 2013, <https://www.theguardian.com/society/2013/oct/06/dark-net-drugs>.

5 Brenda Fiegel, “Narco-Drones: A New Way to Transport Drugs”, *Small Wars Journal*, May 7, 2017, <https://smallwarsjournal.com/jrnl/art/narco-drones-a-new-way-to-transport-drugs>.

documented by the US Homeland Security Investigations.⁶ As drone technology became more accessible and cost-effective globally, the next logical progression for cartels in Mexico was to commission the creation of custom-made drones.⁷ By investing in larger and more specialised Unmanned Aerial Vehicles (UAVs), the cartels aim to increase their smuggling capacity, allowing them to transport larger quantities of drugs or contraband across borders, more efficiently and discreetly.

The use of drones carrying weapons has raised threat levels in various parts of the world. On October 20, 2017, near Salamanca, Guanajuato, Mexican authorities made a significant discovery when they apprehended four individuals with a stolen vehicle that contained a small commercial drone, equipped with an explosive device and a radiofrequency detonator.⁸ This incident marked a pivotal moment, as it was the first time that authorities had intercepted an armed drone operated by a criminal organisation. It is worth noting that, while civilian drones have been commonly employed for smuggling substantial amounts of illegal substances into the United States, the emergence of armed drones is an even more alarming threat.

Aerial drones are increasingly becoming integral to modern irregular warfare, attracting terrorist groups, insurgents, guerrillas, and Criminal Armed Groups (CAGs). Various violent non-state actors (VNSAs), including Hamas,

6 “International Smuggling by Drones Nets 28 Pounds of Heroin”, U.S. Attorney’s Office, Southern District of California, August 12, 2015, <https://www.justice.gov/usao-sdca/pr/international-smuggling-drones-nets-28-pounds-heroin>.

7 Brenda Fiegel, op. cit.

8 Kathleen Joyce, “IED attached to drone in Mexico could show evolution of drug cartel tactics”, *Fox News*, October 25, 2017, <http://www.phoenixgrouppanama.com/pdf/article-drone-mexico-cartel-arrest.pdf>.

Hezbollah, Houthi rebels and the Islamic State (IS) have utilised drones. They have also been used for assassinations, such as the attempts on Venezuela's President Nicolas Maduro in 2018,⁹ and Haiti's President Jovenel Moise in July 2021.¹⁰ Learning from past experience, Ukrainian forces have successfully exploited drones since 2022, in combat operations against the Russian invasion.

DRONES AS DELIVERY VEHICLES IN INDIA

India, following its independence on August 15, 1947, effectively adapted and restructured its military at both the organisational and operational levels, drawing valuable lessons from past experiences. Among the notable transformations in the recent past has been the integration of drone technology into various military functions, encompassing offensive and defensive applications.

India's adversaries have also adapted this rapidly developing technology and, on June 27, 2021, India encountered its first drone attack, when two UAVs released Improvised Explosive Devices (IEDs) targeting an Indian Air Force (IAF) station situated in the Jammu region of Jammu and Kashmir (J&K), injuring two Security Force (SF) personnel.¹¹ Furthermore, in a subsequent occurrence during the night of June 27-28, two drones were observed hovering above the military stations

9 "Venezuela's Nicolás Maduro survives apparent assassination attempt", *The Guardian*, August 5, 2018, <https://www.theguardian.com/world/2018/aug/04/nicolas-maduros-speech-cut-short-while-soldiers-scatter>.

10 Jim Wyss and Walter Brandimarte, "Haiti President Jovenel Moise Assassinated at Home, AP Reports," *Bloomberg*, July 7, 2021, <https://www.bloomberg.com/news/articles/2021-07-07/haiti-president-moise-assassinated-at-home-ap-reports#xj4y7vzkg>.

11 Kamaljit Kaur Sandhu, "In a first, drones used to drop explosives on Jammu air base", *India Today*, June 27, 2021, <https://www.indiatoday.in/india/story/air-force-station-jammu-blast-drone-attack-suspected-1819895-2021-06-27>.

in Ratnuchak and Kaluchak, both located within the Jammu region.¹² Situated approximately 12 to 15 kilometres from the India-Pakistan International Border (IB), the Indian Air Force installation in Jammu faces significant security risks arising from the potential infiltration of low-altitude drones, which also menace military facilities positioned near border areas.

In addition to their offensive potential, drones have been increasingly used for smuggling drugs, weapons, as well as composite consignments into India. Since 2018-2019, Pakistan has been employing drones, to clandestinely transport arms, ammunition, narcotics, and Fake Indian Currency Note (FICN) across the IB and Line of Control (LoC) into India. It has been reported that Pakistan's Inter-Services Intelligence (ISI) has established six drone centres along the border, strategically coordinating anti-India activities through aerial routes.¹³ As technology continues to advance, the utilisation of drones would constitute a significant and escalating threat. Despite occasional reports by the Border Security Force (BSF) successfully intercepting and disabling a limited number of drones, most of these drones effectively penetrate the permeable airspace along the IB and LoC.

According to partial data compiled by Institute for Conflict Management (ICM), a significant increase in drone activity along the India-Pakistan border has been recorded across four states/Union Territories: Punjab, Jammu and Kashmir,

12 Ravi Krishnan Khajuria, "2 more drones spotted over Kaluchak military station in Jammu; searches launched", *Hindustan Times*, June 28, 2021, <https://www.hindustantimes.com/india-news/2-more-drones-spotted-over-kaluchak-military-station-in-jammu-searches-launched-101624863251849.html>.

13 Colonel US Rathore, "Drone: The Winning Edge", *Indian Defence Review*, July 29, 2022, <http://www.indiandefencereview.com/news/drone-the-winning-edge/>.

Rajasthan, and Gujarat. Punjab emerges as the frontrunner, with the highest proportion of incidents, approximately 77.35 per cent of reported cases. This is particularly notable in the Amritsar, Gurdaspur and Ferozepur districts. There was a total of 228 recorded incidents in these states in 2022, 104 in 2021, 77 in 2020 and 167 in 2019 – a total of 637 incidents since 2019, when the first incident was reported.¹⁴ 61 such incidents had been recorded in 2023, by May 31.¹⁵

DRONE INCIDENTS: 2019 – 2023

Year	Punjab	Jammu and Kashmir (J&K)	Rajasthan	Gujarat	Total
2023	53	5	2	1	61
2022	186	20	18	4	228
2021	64	31	7	2	104
2020	47	19	10	1	77
2019	142	25	0	0	167
Total*	492	100	37	7	637

*Data till May 31, 2023;

Source: ICM

The state of Punjab, situated in close proximity to the Golden Crescent region, comprising Afghanistan, Iran, and Pakistan, faces a significant drug menace. The Golden

14 Harpreet Bajwa, “Arms-dropping drones, recovered near Pakistan border, manufactured in China”, *The New Indian Express*, September 29, 2019, <https://www.newindianexpress.com/nation/2019/sep/29/arms-dropping-drones-recovered-near-pakistan-border-manufactured-in-china-2040828.html>.

15 The data is extracted from Institute for Conflict Management (ICM) that research on terrorism, low intensity warfare, sectarian and other conflict.

Crescent serves as the entry point for heroin and opium from Afghanistan into India, specifically through the Punjab border with Pakistan. The price discrepancy between Pakistan and India has incentivised drug traffickers to smuggle heroin (narcotics) across the border, resulting in the proliferation of trafficking networks operating on both sides of the border.¹⁶

In the past, smugglers employed a range of techniques to transport drugs, such as concealing them in cavities within water campers, agricultural tools, shovels, plastic pipes, and utilising hollow spaces within the vacuum brake cylinders of goods trains from Pakistan.¹⁷ They even resorted to throwing drugs across the border to Indian couriers waiting near the fenced border. However, these methods were effectively countered by BSF troops, resulting in the recovery of substantial quantities of narcotics.

To circumvent heightened security measures, smugglers have increasingly turned to Remotely Piloted Aircraft (RPA) or drones, recognising their potential as “ideal drug mules.”¹⁸ Pakistan and China, in particular, have capitalised on the use of drones for drug trafficking. Pakistan’s increasing use of drones to smuggle contraband across the IB since August 2019 has raised major concerns for the BSF. On August 13, 2019, the first Pakistani ‘Hexacopter Drone’ designed and manufactured

16 David R. Winston, “The Convergence of the Narcotics Underworld and Extremists in Afghanistan and Pakistan and Its Global Proliferation”, *DEEP*, 2022, <https://deepportal.hq.nato.int/eacademy/wp-content/uploads/2022/05/Narco-Insecurity-Inc..pdf>.

17 Aseem Bassi, “Heroin flows from across border; Pak still in denial”, *Hindustan Times*, May 20, 2013, <https://www.hindustantimes.com/punjab/heroin-flows-from-across-border-pak-still-in-denial/story-EzgfW0VORFdny1563rnKO.html>.

18 Jochen Kleinschmidt and Luca Trenta. “Scanning the Horizon: Drones and Counter- narcotics in Latin America”, 2022, <https://edoc.ku.de/id/eprint/29582/>.

by T Motors, a Chinese company, with a 21-kilogram payload capacity, was recovered in Mohawa village in the Amritsar district of Punjab.¹⁹

Among the drones recovered along the IB and LoC, the Matrice 300 RTK, manufactured by the Chinese Da-Jiang Innovations (DJI) company, has emerged as a preferred choice for smugglers. This drone offers superior reliability compared to assembled counterparts, ensuring precise delivery at predetermined locations.²⁰ Equipped with high-definition cameras capable of live recording and photography, the drone's flight time extends up to 55 minutes, allowing for the mounting of up to three payloads simultaneously. Additionally, these drones can be operated using dual remote controls featuring High-Definition (HD) screens.

The Matrice 300 RTK possesses an advanced feature that enables operators to remotely erase all data from the device in the event of its destruction or seizure, making it challenging to trace its previous flight paths. This further complicates efforts to track and monitor smuggling activities associated with the drone.

19 "Punjab police probe into Pakistan drones raises questions on its claims", *The Times of India*, September 28, 2019, <https://timesofindia.indiatimes.com/city/chandigarh/punjab-police-probe-into-pakistan-drones-raises-questions-on-its-claims/articleshow/71344857.cms>.

20 Anil Sharma, "High-end Chinese drone catches fancy of Pak smugglers", *Hindustan Times*, May 3, 2023, <https://www.hindustantimes.com/cities/chandigarh-news/chinese-ai-drone-becomes-favourite-tool-of-pakistani-smugglers-dropping-drugs-and-arms-in-amritsar-india-101683135386675.html>.

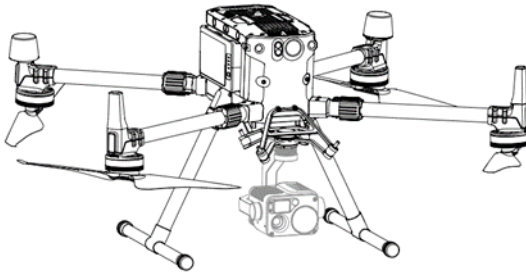


Figure 1. Matrice 300 RTK²¹

Narco-drones equipped with advanced, multi-axis cameras can also provide tactical information from a bird's-eye view, superior to that provided by human lookouts. This capability is advantageous for monitoring troop movements and border security.

DRONE ACTIVITY ACROSS THE INDIA-PAKISTAN BORDER

Punjab

Punjab, a state in northern India, comprises 23 districts and shares its borders with Jammu and Kashmir (J&K), Himachal Pradesh, Haryana, and Rajasthan, as well as with Pakistan. The border between Indian Punjab and Pakistan spans approximately 553 kilometres and is a critical frontier, under strict surveillance and security measures. Over the past few years, drone activity in Punjab has increased significantly, with at least 492 incidents of drone sightings/entry into India along the India-Pakistan border detected between 2019-2023 (data till May 31, 2023) in the Punjab Frontier.²²

The geographical features of the region do not pose

21 “Matrice 300 RTK User Manual”, *DJI*, May 29, 2022, https://dl.djicdn.com/downloads/matrice-300/20200507/M300_RTK_User_Manual_EN.pdf.

22 Institute for Conflict Management (ICM), New Delhi, data.

significant obstacles for individuals interested in using drones to cross the border from Pakistan. The flat terrain allows for unobstructed line-of-sight communication, making it easier for drone operators to maintain control. Additionally, the proximity of villages and houses to the border fence provides convenient landing options, allowing for precise placement of the drone in courtyards or other suitable locations.

Despite security measures such as fortified fences, floodlights, and round-the-clock patrolling by BSF personnel, the limited range of drones due to weight restrictions suggests that they may land at predetermined coordinates in remote areas. Communication between Indian and Pakistani smugglers often occur through encrypted *WhatsApp* calls, taking advantage of the fair data connectivity in border areas.²³ However, it remains unclear why certain areas experience higher drone activities while adjacent regions remain unaffected.

The use of civilian-grade drones and the growing reliance on them by terrorist groups like Lashkar-e-Taiba (LeT) and Khalistani factions supported by the ISI, indicate an inevitable utilisation of drones for launching attacks on security forces, political leaders, and crucial military and non-military installations.²⁴ This emerging threat persists despite efforts to fortify security infrastructure.

The state is battling a severe drug menace, with more than 20 per cent of the total heroin recoveries in the country attributed

23 Harpreet Bajwa and Bala Chauhan, “Drug, drones and death: Inside Punjab’s tragic stories of addiction”, *The Indian Express*, October 30, 2022, <https://www.newindianexpress.com/magazine/2022/oct/30/drug-drones-and-death-inside-punjab-tragic-stories-of-addiction-2512309.html>.

24 Bulbul Prakash, “India-Pakistan: Drone Intrusions – Analysis”, *South Asia Terrorism Portal*, May 22, 2023, <https://www.satp.org/south-asia-intelligence-review-Volume-21-No-48>.

to Punjab alone.²⁵ The crisis has also resulted in a high number of addicts in the state, leading to devastating consequences for individuals, families, and communities, including increased crime rates, overdose deaths, and the destruction of lives and livelihoods. The Punjab Police, along with other agencies, is engaged in a challenging battle against drug smugglers, but corruption and limited resources significantly inhibit their efforts.

Another emerging concern for Punjab Police is the transportation of ammunition to gangsters and militants via drones. Though the smuggled narcotics are sold in multiple regions across the world, the illicit arms brought in through drones often remain within Punjab, fuelling criminal activities and creating potentials for terrorism, and destabilising the region.

Investigations into the RPG attack on Punjab Police's intelligence headquarters in May 2022 revealed that the key accused received an AK-47 rifle through a drone from Pakistan.²⁶ Furthermore, the supplier of the IED used in the December 23, 2021 Ludhiana court blast admitted to receiving the IED used from a drone sent from Pakistan, and to supplying it to the perpetrators of the blast.²⁷

On February 18, 2023, the BSF recovered 20 packets wrapped in yellow tape, suspected to contain approximately

25 Harpreet Bajwa and Bala Chauhan, op. cit.

26 Nikhil Sharma, "Mohali RPG attack: Punjab Police recover AK-47 from field in Ropar", *Hindustan Times*, October 21, 2022, <https://www.hindustantimes.com/cities/chandigarh-news/mohali-rpg-attack-punjab-police-recover-ak-47-from-field-in-ropar-101666333003525.html>.

27 PK Jaiswar, "Ludhiana court blast case: Five, including juvenile, arrested", *Tribune India*, May 20, 2023, <https://www.tribuneindia.com/news/punjab/stf-cracks-ludhiana-bomb-blast-case-arrests-4-for-providing-technical-support-to-traffickers-396499>.

22 kilograms of heroin, along the International Border (IB) in Gurdaspur district, Punjab. During this operation, they also seized two pistols, one of Turkish origin and the other made in China, along with six magazines, 242 rounds of ammunition, and a 12-foot-long plastic pipe.²⁸

2023 marked a notable period in Punjab, with a series of composite seizures reflecting the persistent challenges posed by the illegal drug trade and the proliferation of firearms.

COMPOSITE SEIZURES IN PUNJAB 2023²⁹

Date	No. of Incidents	Items
20 January 23	1	1.100 kg of heroin, .32 bore pistol
21 January 23	1	2 kg of heroin and a pistol
27 January 23	1	100 gm of heroin, four pistol of 0.32 bore, 18 live cartridges of 0.32 bore, four magazines and INR 770,000 in drug money
3 February 23	3	2.2 kg of heroin, 14 kg of other narcotics, two rifles, three pistol, live ammunition
10 February 23	1	3 kg of heroin, one china-made pistol. cartridge, and a magazine
18 February 23	1	22 kg heroin, two pistol, six magazine, and 242 rounds
26 March 23	1	4 kg heroin, 2 pistols, 18 live cartridges

28 “BSF seizes 20 packets of contraband close to India-Pak border”, *Greater Kashmir*, February 19, 2023, <https://www.greaterkashmir.com/national-2/bsf-seizes-20-packets-of-contraband-close-to-india-pak-border>

29 Data extracted from “Khalistan Extremism Monitor”, a web portal which intends to be a one stop resource centre for research on the Khalistan separatist movement in Punjab. Data till May 31, 2023.

Date	No. of Incidents	Items
28 March 23	1	2 kg heroin, 1 chinese-made pistol, 1 magazine, and eight bullets
4 May 23	1	One .32 bore, two Glocks, and three 30 bore Pistols, 7 magazines, 77 live rounds, 4.5 kg heroin.
16 May 23	1	Chinese-made drone, 1.6 kg of heroin, a pistol, and rifle
18 May 23	2	Narcotics weighing 2.1 kg, one pistol; 150 gm of heroin, a country-made pistol, and live bullets.
23 May 23	1	Chinese-made drone, 1.6 kg of heroin, a pistol, and rifle
31 May 23	1	1.8 kg heroin, 82 kg poppy husk, 1 kg opium, four weapons.
Total	16	41.35 kg heroin, 82 kg poppy husk, 1 kg opium, 2 kg intoxicating powder, 16.1 kg other narcotics, 9 pistols, 11 magazines, 139 live cartridges, 7 other weapons

The deployment of Chinese autonomous civilian drones for delivering weapons in Indian Punjab by Pakistan adds a new dimension to India's security challenges, although it has largely refrained from directly targeting Army posts along the Line of Control (LoC) with armed drones. There was, however, a drone attack at the Air Force Station in Jammu on June 27, 2021. The global implications of this evolving threat are exemplified by events abroad, such as the 2016 incident in northern Iraq, where Kurdish forces intercepted and accidentally triggered

a small drone laden with explosives deployed by the Islamic State, illustrating the use of weaponized drones in combat. The proliferation of drone-dropped weapons and narcotics in Punjab highlight an urgent need for robust border surveillance and international cooperation to counter an amplifying danger.³⁰

In May 2023, the Director General of Police (DGP), Punjab, announced a proactive step, offering a reward of INR 100,000 for information on drone movements that leads to the recovery of weapons or narcotics.³¹

Interestingly, recent arrests in May 2023, have highlighted reverse cross-border drone operations, with smugglers orchestrating the smuggling of narcotics from Pakistan using drones operated from Indian soil.³² The availability and affordability of drones, coupled with the support and bases provided by the Pakistani spy agency ISI, reinforce the need for stringent measures to counter this emerging threat in the region.

Jammu and Kashmir

Jammu and Kashmir (J&K) is a region situated in the north western part of the Indian subcontinent. To the east lies the Indian union territory of Ladakh, while to the south are the Indian states of Himachal Pradesh and Punjab. On the

30 Vinay Kaura, “War on Drugs: Challenges for the Punjab Government”, *ORF*, 2017, https://www.orfonline.org/wp-content/uploads/2017/05/ORF_IssueBrief_176_DrugsPunjab.pdf.

31 Tarun Gandhi, “Punjab DGP declares Rs 1 Lakh reward for information about drone movement”, *The Daily Guardian*, May 18, 2023, <https://thedailyguardian.com/punjab-dgp-declares-rs-1-lakh-reward-for-information-about-drone-movement-2/>.

32 Yudhvir Rana, “Reverse drone smuggling unearthed by STF in Punjab”, *The Times of India*, May 23, 2023, <https://timesofindia.indiatimes.com/city/amritsar/reverse-drone-smuggling-unearthed-by-stf-in-punjab/articleshow/100452109.cms?from=mdr>.

southwest side, it is bounded by Pakistan, and to the northwest is Pakistan occupied Kashmir (PoK).

The terrain of the region is widely diverse, including high mountains, valleys, and plain areas, with ample hiding spots and cover for illicit activities. The rugged and inaccessible areas, and the proximity to neighbouring countries which are known for drug production and arms smuggling, such as Pakistan and Afghanistan, create opportunities for illegal cross-border activities, making imposing a necessity for security forces to maintain constant surveillance.

The Union Territory (UT) has become a transit route for narcotics, as Pakistan and Afghanistan utilise the region for transporting drugs to states such as Punjab and Delhi. The highway connecting Punjab and J&K plays a pivotal role in facilitating this drug trade, often involving the use of drones.³³ Areas such as Kathua, Samba, and Doda districts frequently witness trans-border drone activities. This infiltration of drugs through drones not only contributes to the rise of drug addiction, particularly opioid dependence, but also serves as part of a deliberate narco-terrorism strategy targeting Kashmir's youth. The growing prevalence of drug abuse in the region has led to an increase in addiction rates, accompanied by various socio-cultural problems and a rise in criminal behaviour.

The convergence of drug-peddling syndicates with terrorist groups like LeT, The Resistance Front (TRF), and Hizb-ul-Mujahideen (HM), has led to the prominence of heroin as a cross-border covert currency. This shift towards drug trafficking is a consequence of the diminished financial

33 Ankur Sharma, "Drugs Dropped by Drones in Punjab, Moved to J&K Via Road: The New High-Way Headache for Agencies", *News 18*, December 9, 2022, <https://www.news18.com/news/india/drugs-dropped-by-drones-in-punjab-moved-to-jk-via-road-the-new-high-way-headache-for-agencies-6576655.html>.

resources available to terrorist groups, which has resulted in an engagement with drug-peddling activities.³⁴

Besides, drones have also been used to drop weapons in the region. Between 2019 and 2023, Jammu and Kashmir has recorded 16 documented instances of arms recovery from drones.³⁵ Defence analysts have claimed the potential utilisation of Kamikaze drones for the recent terrorist attack in Poonch District of J&K on April 20, 2023, further amplify the security challenges associated with drone activity in the region.³⁶

The transition from Kalashnikovs to pistols for targeted killings in J&K has also been observed. Despite interception efforts, security officials acknowledge the possibility of magnetic IEDs, sticky bombs, and smaller weapons successfully entering the region. The infiltration of drugs and weapons through drone activity, coupled with the corresponding problem of narco-terrorism, constitute a significant threat to the stability and security of Jammu and Kashmir.

Rajasthan

Rajasthan, located in the north-western part of India, is the country's largest state characterised by its predominantly arid and semi-arid landscapes. The vast expanses of deserts and sparsely populated areas in Rajasthan pose challenges to authorities in effectively monitoring the increasing occurrences of drone intrusions in the region.

34 United Nations Office on Drugs and Crime, "Drug trafficking and the financing of terrorism", *UNODC*, <https://www.unodc.org/unodc/en/frontpage/drug-trafficking-and-the-financing-of-terrorism.html>

35 ICM data.

36 Abhishek Das, "Poonch militant attack: Use of drone, foreign weapons can't be ruled out", *Kashmirwalla*, April 21, 2023, <https://thekashmirwalla.com/poonch-militant-attack-use-of-drone-foreign-weapons-cant-be-ruled-out/>.

Historically, criminal syndicates and terrorist groups based in Pakistan utilised camel-back smuggling routes across the vast Thar Desert in Rajasthan and relied on well-trained foot couriers. However, there has been a shift in their modus operandi, with drones emerging as their preferred mode of transportation.

The districts of Sriganganagar and Barmer in Rajasthan have emerged as focal points for drone-based smuggling operations, primarily involving the transportation of narcotics.³⁷ These districts share a border with Pakistan, which adds to their appeal as strategic locations for smugglers.

Currently, local-level small-scale smugglers entice farmers who own agricultural farms near the border with financial incentives, actively engaging them in illicit activities. The Bharatmala highway, which traverses through Jaisalmer and Barmer in Rajasthan and connects with Punjab, serves as a key route for their operations. Moreover, reports indicate the establishment of criminal gangs in Punjab, as well as the presence of pro-Khalistan movement supporters, who are consolidating their base in Hanumangarh district and Sriganganagar.³⁸

Law enforcement efforts have resulted in noteworthy arrests and seizures. On April 13, 2023, the Rajasthan Police apprehended three individuals and successfully recovered narcotics valued at INR 700 million that were dropped from a Pakistani drone in the Sriganganagar District.³⁹ Similarly, on

37 Jaykrishnan Sharma, "Sri Ganganagar new target of Pak agencies to smuggle arms, drugs to India", *India Today*, August 1, 2022, <https://www.indiatoday.in/india/story/sri-ganganagar-district-new-target-pak-agencies-isi-drugs-arms-smuggling-1982567-2022-08-01>.

38 Ibid.

39 "Rajasthan: Police seize Heroin worth over Rs 70 crore 3 held", *India Today*, April 13, 2023, <https://theprint.in/india/rajasthan-police-seize-heroin-worth-over-rs-70-crore-3-held/1516710/>.

April 10, 2023, four individuals were arrested in the Jaisalmer District, and heroin worth INR 350 million was seized. It was revealed that these local smugglers had intended to distribute the narcotics across various districts in Rajasthan, as well as in Punjab, Himachal Pradesh, and Delhi.⁴⁰

Gujarat

Gujarat, a state situated in western India, has witnessed a series of incidents involving the use of drones for smuggling narcotics in recent years. Between 2019 and 2023, a total of seven reported incidents of drone sightings/entry into India have been documented.⁴¹ The prominence of Gujarat's seaports as major gateways for drug trafficking exacerbates concerns regarding the proliferation of drone-based delivery methods for narcotics. Notably, between 2022 and 2023, the state has experienced a significant surge in drug and liquor recoveries, amounting to a staggering value of INR 42.69 billion, across 25 districts. Additionally, on March 8, 2023, law enforcement agencies recovered 61 kilograms of heroin valued at INR 4.25 billion from an Iranian boat in Gujarat's Kutch district, a development that has once again underscored the issue of drug smuggling through the state's ports.⁴² Earlier, on September 13, 2021, a gigantic consignment weighing 2,988 kilograms of heroin, had been seized at Mundra Port in the Kutch District of Gujarat.

40 Ashish Mehta, "9kg of heroin worth Rs 35 crore seized in Rajasthan, four smugglers arrested", *The Times of India*, April 10, 2023, <https://timesofindia.indiatimes.com/city/jaipur/9-kg-of-heroin-worth-rs-35-crore-seized-in-rajasthan-four-smugglers-arrested/articleshow/99379600.cms?from=mdr>.

41 ICM data.

42 "Drugs worth Rs 425 crore seized from Iranian boat off Gujarat coast", *The Economic Times*, March 7, 2023, <https://economictimes.indiatimes.com/news/india/drugs-worth-rs-425-crore-seized-from-iranian-boat-off-gujarat-coast/videoshow/98464541.cms>.

While the number of reported incidents involving drone-facilitated drug smuggling in Gujarat may appear relatively few when compared to other regions, the risks are substantial, since the coastal areas and ports in the state are already major transit routes for drugs.

STRENGTHENING BORDER SECURITY AGAINST UAS

To address diverse drone threats effectively, it is crucial that comprehensive countermeasures be developed and security measures be enhanced. This would include the implementation of robust systems for detection, interception, and neutralisation of rogue drones. Additionally, regulations and guidelines need to be established to govern the ownership, operation, and usage of drones, taking into account potential security risks. Collaboration among relevant stakeholders, including security agencies, technology developers, and policymakers, is essential to devise strategies that mitigate the threats posed by drones while upholding safety, privacy, and the overall security of the affected areas.

Rights, Security, and Implications

Drone incursions represent a severe infringement of the fundamental rights of civilians, encompassing privacy, safety, and security. These violations occur not only within the domestic territory but also at the borders, impacting individuals on both sides. Consequently, such actions can be deemed as morally reprehensible due to their inherent disregard for ethical principles.

The utilisation of low-cost unmanned drones by extremist and terrorist organisations has proven to be an effective tool for mass destruction. This phenomenon has prompted numerous countries to engage in the race for drone production, leading to increased affordability and a growing market for these devices. Such proliferation of drones is expected to alter

rules governing surveillance, and also to increase the risk of conflict escalation.⁴³ As of 2020, approximately 90 countries possessed military drones, with the majority of production concentrated in the hands of the United States, Russia, and Israel. The emergence of China as a major drone producer further exacerbates concerns surrounding this issue. In India, the prevalence of class-I and class-II Unmanned Aerial Vehicles (UAVs) primarily serves surveillance and tactical purposes.⁴⁴ Prominent laboratories such as the Aeronautical Development Establishment Laboratory and the National Aerospace Laboratory have made significant strides in developing indigenous military drones.⁴⁵ However, domestic endeavours have yet to be fully implemented, resulting in India's continued reliance on imports from the United States and Israel.

Boyle explores the implications of drone usage in conflict zones and highlights the potential for increased competition and tension between states, leading to new risks of escalation.⁴⁶ Drawing upon the example of drone use in Kashmir by both Indian and Pakistani forces, Boyle thus, cautions:

“...as drones are used in more conflict zones around the world, they will begin to quietly reorder the risk calculations behind deterrence and coercion and produce greater chances of miscalculation, error and accident...”⁴⁷

43 Michael J. Boyle, Michael C. Horowitz, Sarah E. Kreps, Matthew Fuhrmann, “Debating Drone Proliferation”, *International Security*, Volume 42, Issue 3, 2018, pp.178-182.

44 Pintu Kumar Mahla, “Military Drones in India New Frontier of Warfare”, *Journal of Defence Studies*, Volume 16, Issue 4, 2022, p.253-261, https://www.idsa.in/system/files/jds/jds-16-4_Pintu-Kumar-Mahla_15.pdf.

45 Ibid.

46 Boyle, 2020, op. cit, p. 45.

47 Ibid, p. 46.

Kintervater emphasises the significance of drone warfare in shaping modern warfare strategies, highlighting the increased reliance on Intelligence, Surveillance, and Reconnaissance (ISR) capabilities and dynamic targeting.⁴⁸ Through a study of archival sources on the history of warfare, Kintervater observes a historical pattern of “lethal surveillance” facilitated by drone technology, which has shaped current practices of security and control.

It is well-known that India intends to continue utilising armed drones equipped with precision munitions to counter cross-border terrorism. Pakistan has collaborated with China to develop its own drones for combating the Taliban.⁴⁹

Anti-Drone System

The Anti-Drone System is a technological solution designed to detect and destroy the movement of UAVs. Advancements in technology have enabled the development of various methods for detecting, identifying, locating, and tracking drones. In military zones, where drones may be employed for espionage or malicious activities, the major countermeasures commonly employed involved:

- physically destroying the drone
- neutralising the drone
- taking control of the drone

Counter-drone technologies are applicable for both Hard Kill, involving a laser-based offensive to eliminate hostile drones, and Soft Kill, which involves disrupting the

48 Katharine Hall Kindervater, “The emergence of lethal surveillance: Watching and killing in the history of drone technology”, *Security Dialogue*, Volume 47, Issue 3, 2016, p. 223-238.

49 Micah Zenko and Sarah Kreps, “Limiting Armed Drone Proliferation”, *Council Special Report No. 69*, June 2014, https://www.files.ethz.ch/isn/181065/Limiting_Armed_Drone_Proliferation_CSR69.pdf.

communication capabilities of enemy drones. While actually shooting down a drone is known as a Hard Kill solution, most countries adopt Soft Kill solutions⁵⁰ which encompass three distinct techniques: “jamming”, which disrupts the GPS signal of the drone, causing it to lose orientation and either land or return to its point of origin; “spoofing”, which involves providing the drone with false GPS signals to divert its intended path; and “protocol manipulation”, where the drone is hacked and subsequently controlled by a different operator instead of the original one.

Drones can function as a mini-computer to detect other drones, even hack into their system and take control. In India, counter-drone technology employs radar, infrared, and radio frequency for detection and identification of drones. Interception is accomplished through methods such as kinetic kill or employing neutralisation techniques like jamming or using drone capture nets.⁵¹ The Indian Air Force has played a crucial role in coordinating multiple departments involved in counter-strategies against drone attacks.

CHALLENGES

As governments face mounting pressure to combat the growing threat of drones, border security agencies are tasked with finding effective solutions. However, addressing these challenges is no easy task, particularly due to the extensive length of borders, which can span mountains, shorelines, and densely populated urban areas.

50 Charlie Campbell, “The Anti-Drone Arms Race: Inside the Fight to Protect the World’s Skies”, *Time*, March 23, 2023, <https://time.com/6265108/drone-trd-singapore-unmanned-aerial-vehicle/>.

51 “National Counter Rogue Drone Guidelines”, *Ministry of Civil Aviation*, 2019, pp. 64-68, https://www.civilaviation.gov.in/sites/default/files/Counter_rogue_drone_guidelines_NSCS.pdf.

Traditional methods employed by border security agencies to mitigate the drone threat have their limitations. One key limitation lies in differentiating between small drones and other objects, leading to false positives when relying solely on radar systems. This compromises the accuracy and effectiveness of detection efforts, potentially allowing rogue drones to go undetected.

The challenge of destruction lies in achieving a balance between the cost of kill and the cost of the attack. It is impractical to use expensive surface-to-air missiles (SAMs) costing millions of dollars to destroy inexpensive drones. Small arms, such as rifles and Medium Machine Gun (MMG) offer a cost-effective solution for neutralising visually detected drones.⁵² Countermeasures like jamming can disrupt radio communications, impeding critical communication channels between military or special forces units. Furthermore, both jamming and kinetic solutions fail to provide clear insights into the types of drones deployed, to disrupt missions, or regarding the whereabouts of the drone operators.

Kinetic solutions, such as physically destroying drones, may cause collateral damage in urban border areas or to border facilities.⁵³ The jammer-based systems, while capable of disrupting drone control signals temporarily, can disrupt border communications as well, and may not offer a long-term solution. Additionally, counter-drone solutions, including jammers, can interfere with existing communication signals operating on specific frequency bands. This interference may

52 V K Saxena, "Drone Threat – the big picture", July 14, 2021, *Vivekananda International Foundation*, <https://www.vifindia.org/article/2021/july/14/drone-threat-the-big-picture>.

53 D-fend solutions, "Difficult times at the borderlines", <https://d-fendsolutions.com/by-sector/border-patrol/>.

disrupt Wi-Fi and point-to-point communications, introducing additional complications.

To overcome these limitations, innovative counter-drone solutions are required, such as identifying and tracking the take-off positions and remote-control operators of rogue drones. This accurate identification and tracking capability would enable effective enforcement actions and better targeting of individuals controlling illegal drone activities. Terrain-independent detection capabilities are thus necessary to ensure effective drone detection, regardless of the challenging landscape.

ANTI-DRONE SYSTEMS IN INDIA

Considering the geographical proximity of India to Pakistan and China, nations that have demonstrated persistent hostility to India, as well as substantial advancements in China (with advantages offered to Pakistan) in the integration of artificial intelligence (AI), in addition to the drone attack in Jammu in June 2021, the Indian government has prioritized the critical requirements for anti-drone technologies. Counter-unmanned aerial systems (Counter-UAS) are not only required by the Armed Forces and the BSF, but also by Police forces, to ensure they possess the necessary equipment for effective response and mitigation against unauthorised unmanned aerial systems.

The task of securing extensive borders using a limited number of anti-drone systems, which possess constraints in terms of direction, range, and detection capabilities, particularly with regard to smaller drones, is proving to be challenging for BSF troops. Should any suspicious activity be detected, the systems necessitate manual interventions. A senior BSF official stated,

We don't have a sufficient number of systems to cover even 10% of the area at one point in time. We have to change their placement at frequent intervals and install them again and again as there is an acute shortage of anti-drone systems. Another issue is with the limitations and flaws, which make them almost counterproductive. Our men, manually, day and night, keep a check, but it is not foolproof for such long border areas...⁵⁴

India's focus on countering rogue drones and enhancing its anti-drone capabilities is evident through various initiatives and collaborations. The country requires anti-drone technology which can retrieve drone payloads being carried by rogue drones, identify and track the location of the drones' take-off positions and of their remote-control operators. India's security agencies are formulating methodologies to identify and intercept these unmanned aerial vehicles, encompassing the utilisation of counter-drone technology, augmenting surveillance efforts, and enhancing collaborative efforts among different agencies.

The BSF has made notable progress in implementing the Comprehensive Integrated Border Management System (CIBMS) after the Pathankot terrorist attack in 2016.⁵⁵ The CIBMS integrates new gadgets and technologies to bridge the gaps in the existing border security system. By seamlessly integrating human resources, weapons, and advanced

54 Ankur Sharma, "Insufficient Anti-Drone Systems Giving Tough Time to BSF on Indo-Pak Border, Advantage to Enemy", *News 18*, June 24, 2022, <https://www.news18.com/news/india/insufficient-faulty-anti-drone-systems-giving-tough-time-to-bsf-on-indo-pak-border-5427811.html>.

55 Pushpita Das, "Comprehensive Integrated Border Management System: Issues and Challenges", *MP-IDSA*, October 4, 2017, https://www.idsa.in/issuebrief/comprehensive-integrated-border-management-system_pdas_041017.

surveillance equipment, the CIBMS aim to replace manual surveillance with electronic surveillance, thereby strengthening detection and interception capabilities. BSF established a drone repair laboratory in Delhi in 2022.⁵⁶ This facility enables analysis of drone behaviour and characteristics, leading to the development and implementation of remedial measures. By gaining insights into drone flight patterns, the BSF aims to strengthen its capabilities in countering drone-related threats and enhancing overall border security.

In a significant development, the Indian Navy has entered into a contract with Navratna Defence PSU Bharat Limited, to procure the first indigenous comprehensive Naval Anti-Drone System (NADS).⁵⁷ Equipped with both hard kill and soft kill capabilities, the NADS can detect, jam, and neutralise micro drones using laser-based technology.

India is also exploring various anti-drone systems developed both domestically and internationally. One such system is the Defence Research & Development Organisation's (DRDO's) D-4 drone system, a domestically developed solution that can identify and neutralise rogue drones through soft and hard kill mechanisms. Additionally, the evaluation of Israel's SMASH 2000 Plus systems by the Indian Navy, showcases India's determination to expedite the procurement of effective anti-drone technology.⁵⁸ The SMASH 2000 Plus system

56 "BSF's drone forensic lab at border helps fight menace from Pakistan", *The Pioneer*, June 2, 2023, <https://www.dailypioneer.com/2022/india/bsf--s-drone-forensic-lab-at-border-helps-fight-menace-from-pakistan.html>.

57 "Indian Navy signs contract with BEL for supply of Naval Anti drone system", *Ministry of Defence*, August 31, 2021, <https://pib.gov.in/PressReleasePage.aspx?PRID=1750830>.

58 Sneha Alex Philip, "Navy orders Israeli SMASH 2000 Plus systems to tackle drones, more contracts in offing", *The Print*, December 8, 2020, <https://theprint.in/defence/navy-orders-israeli-smash-2000-plus-systems-to-tackle-drones-more-contracts-in-offing/562955/>.

utilises artificial intelligence, computer vision, and advanced algorithms to provide a lightweight, handheld fire control system capable of countering drones and small UAS.

Furthermore, India's own Indrajaal Drone Defense Dome system, developed by the Hyderabad Technology Research and Development Organization, offers extensive monitoring and protection over large areas.⁵⁹ It can effectively detect and track multiple UAVs in real-time, providing continuous surveillance and incorporating a weapons infrastructure to enhance its functionality.

These initiatives and collaborations underline India's efforts to strengthen its defences against rogue drones and minimise their threats. By integrating advanced technologies, enhancing surveillance efforts, and leveraging indigenous and international anti-drone systems, India is actively working towards countering the evolving challenges posed by unmanned aerial devices.

THE ROAD AHEAD

To strengthen defences against rogue drones and minimise their entry across India's borders, several key measures can be implemented. First, India should participate or even take lead in averting conflicting situations, promoting harmony on its borders and strengthening norms guiding drone proliferation and use. Secondly, documenting and conducting further research on drone activity, including effective detection and security responses, can inform future policy development and contribute to the advancement of indigenous drone technology design and manufacturing. The collaboration between the BSF

⁵⁹ Geethanath, "India's own Indrajaal drone defense dome system", *The Hindu*, July 9, 2021, <https://www.thehindu.com/news/cities/Hyderabad/hyderabad-firm-develops-drone-defence-dome/article35227828.ece>.

and local police, as well as community involvement, can be strengthened to improve anti-drone security responses.

It is essential to address the issue of underutilisation of high-tech surveillance devices deployed by the BSF by ensuring that the necessary technical expertise is uniformly available among personnel. Furthermore, the development of a national-level technology solution, such as a dedicated mobile application, can play a crucial role in capturing comprehensive data on drones and their operators. This solution should facilitate the identification, registration, licensing, enforcement, and compliance monitoring of drone operations. Establishing and strictly enforcing designated 'no-drone areas', which encompass Vulnerable Areas and Points (VAs/VPs) near border regions and critical national security locations, is paramount. Prioritizing the areas based on their level of criticality, involving subject-matter experts, and identifying the most suitable anti-drone solutions, including situational awareness (SA), Close-In Weapon Systems (CIWS), or a combination of multiple solutions, will significantly enhance India's defences against rogue drones and minimise their entry across the borders.