

Pakistan: Political Impact of the Earthquake

I. OVERVIEW

The Pakistan government's ill-planned and poorly executed emergency response to the October 2005 earthquake highlighted the inadequacies of authoritarian rule. As the government now embarks on three to four years of reconstruction and rehabilitation, the absence of civilian oversight and inadequate accountability and transparency could seriously undermine the process. Should jihadi groups that have been active in relief work remain as involved in reconstruction, threats to domestic and regional security will increase.

Although civil society volunteers and international organisations rushed into action just hours after the earthquake on 8 October, countless lives were lost because of the military's ineffective response. The army's incapacity reflected its institutional shortcomings and neglect of the civilian infrastructure needed to manage responses to natural disasters. While civilian authorities and institutions usually undertake humanitarian relief, the military has, even after the initial emergency phase, excluded elected bodies, civil society organisations and communities and sidelined civil administration from the effort, as well as its reconstruction and rehabilitation plans.

By accepting a major role for banned jihadi groups in humanitarian relief efforts, the government's policies are helping Islamist radicals to bolster their presence in the earthquake-affected areas of the North West Frontier Province (NWFP) and Pakistan-administered Kashmir. The willingness of donors to accept military directives and priorities, willingly or reluctantly, has also inadvertently empowered extremists and, if extended to the reconstruction phase, could further undermine the prospects of democratisation in Pakistan and Pakistan-administered Kashmir.

Natural disasters sometimes create the political conditions for peacemaking. While the October earthquake led to some minor confidence-building measures, it did not dissipate India and Pakistan's mutual mistrust. This was to be expected since banned jihadi groups such as the Lashkar-e-Tayyaba (LeT) and Jaishe Mohammed are operating under new names or through front organisations in relief efforts, thus providing ample evidence that their infrastructure remains intact. To rebuild trust, the Pakistan

government must disband the networks of these and all other banned organisations.

While an effective relief, reconstruction and rehabilitation process requires broader involvement of the civil administration and community-based and national-level Pakistani non-governmental organisations (NGOs), it appears that the military intends to retain its central role. The international community would be wise to use its massive reconstruction pledges also to counter jihadi influence, support Pakistan's democratic transition and promote regional peace. To ensure transparency, accountability and effective utilisation of assistance, international humanitarian organisations should shift their approach from an embedded relationship with the military to an effective partnership with elected officials and credible and moderate civil society organisations.

In preparing rehabilitation and reconstruction plans, international actors and the Pakistan government should:

- ❑ work with secular humanitarian partners in Pakistan's NGO sector that have a proven track record;
- ❑ develop mechanisms to provide local communities with a role in decision-making on relief, reconstruction and rehabilitation;
- ❑ empower elected officials and institutions by ensuring their participation in the process and build civilian disaster response capacities;
- ❑ major donors and UN agencies should create and work through an independent mechanism to ensure aid accountability and transparency;
- ❑ UN missions in Pakistan and international NGOs (INGOs) ought independently to assess the government's reconstruction priorities, identify appropriate strategies and targets and exercise oversight over crucial areas such as shelter and reconstruction of the educational sector; and
- ❑ the Pakistan government should exclude jihadi groups banned under the Anti-Terrorism Law, including those operating under changed names, from participating in earthquake work and dismantle their infrastructure.

II. BACKGROUND

On 8 October 2005, an earthquake that measured 7.6 on the Richter scale, the most devastating for a century in the region, destroyed entire cities and villages in Azad Jammu and Kashmir (AJK) and the Northwest Frontier Province (NWFP), including the former's capital, Muzaffarabad, leaving more than two and half million people homeless. Eleven days later, officials reported a death toll of more than 73,000 with over 70,000 injured, which rose by November to some 88,000 deaths and over 100,000 injured.¹ Although thousands of soldiers were stationed in Pakistan-administered Kashmir, it took the army three days to reach major towns and far longer to reach many remote villages. In the NWFP too, despite having troops stationed in the vicinity of the earthquake-affected areas, the military was slow to take action.

At the 19 October donors conference in Geneva, \$580 million was promised, of which \$16 million was for immediate relief² and \$564 million for long-term reconstruction. At the donors conference in Islamabad on 19 November, \$6.5 billion was pledged (\$2.5 billion in grants and \$4 billion in loans), reflecting Western support for General Pervez Musharraf.³ However, many European donors also voiced concerns about transparency and accountability and demanded civilian participation and oversight, as did Musharraf's political opposition within and outside parliament.⁴ The military government replied that donor funds would be used in an accountable and transparent manner but rejected civilian control and parliamentary oversight of the process. Although it was willing to countenance the rescue and relief activities of jihadi groups, including the renamed versions of banned organisations, it has sidelined Pakistani secular NGOs and civil administration, raising worries that the jihadi groups will be unduly influential in reconstruction.

The military government was also slow to accept offers of assistance from India, which had the capacity to provide

timely help, particularly in the hardest hit and remote areas on Pakistan's side of the Line of Control (LOC). Pakistan even refused India's offer of emergency relief helicopters although they would have doubled the country's fleet. India, on its part, was slow to respond to Musharraf's 18 October proposal to allow Kashmiris to cross the LOC but finally agreed to permit this at five crossing points to allow access to humanitarian assistance and reunification of divided families.⁵ However, cross-border movement and relief were hampered by administrative constraints imposed by both sides – by India to prevent cross-LOC attacks of Pakistan-based jihadis and by Pakistani authorities concerned about Indian humanitarian assistance to the sensitive area.

Because of mutual mistrust, it appears that an opportunity to improve bilateral relations and advance the normalisation process has largely been lost.

III. RESPONDING TO THE EARTHQUAKE

A. RESCUE AND RELIEF

1. Disaster management preparedness

Thousands of civilian volunteers and hundreds of local NGOs responded promptly in the affected areas but the military government was slow to react. The absence of the necessary civilian infrastructure and systems to manage and mitigate the effects of a natural disaster was largely responsible for this inept response. No state institution had paid heed to seismic reports about the vulnerability of the region to severe earthquakes. A representative of an international humanitarian non-governmental organisation (INGO) in Pakistan said that "a possible natural disaster was a major priority for his organisation since 2005" because of the concentration of the population "in geographically unstable areas".⁶ In its 2003 report, the United Nations Development Programme (UNDP) concluded that "the situation strongly advocates the need for a disaster management structure, a comprehensive preparedness and mitigation strategy as well as a mitigation policy in order to better manage and coordinate activities of various line ministries and departments and civil society".⁷

¹ See <http://pakobserver.net/200511/18/news/topstories01.asp>.

² Amounts designated in dollars (\$) in this report are U.S. dollars.

³ Detailed information on international pledges are available on the Economic Affairs Division's website at: http://www.pakistan.gov.pk/donor/Status_Pledges.jsp.

⁴ Urging that a bipartisan parliamentary committee should supervise the relief funds, the opposition leader in the Senate (upper house of parliament), Mian Raza Rabbani of the Pakistan People's Party (PPP) also stressed that "for the sake of transparency, the government should immediately announce how many accounts are being maintained and the amount of money so far deposited and spent". "Government asked to open single account for relief fund", *Dawn*, 19 October 2005.

⁵ On 7 November 2005, India and Pakistan agreed to open five LOC crossings: at Nauseri-Tithwal; Rawalakot-Poonch; Tattapani-Mendhar; Chakoti-Uri and Hajipir-Uri.

⁶ Crisis Group interview, Islamabad, December 2005.

⁷ See <http://www.un.org.pk/undp/cpr/cpr-overview.htm>.

UNDP Assistant Resident Representative Zafar Iqbal confirmed that his organisation had prepared a disaster response management program and was concerned about the risks of a devastating earthquake in the region. Had the government responded to these concerns and suggestions and had a disaster management plan been in place the day the earthquake struck, the impact could have been minimised. Instead, "...the bodies didn't have the right orientation. Nobody was able to manage the right elements on time".⁸

2. Military response

The earthquake occurred at 08.50 Pakistan Standard Time. In many of the affected areas, the government failed to respond in the first critical 48 hours, when many lives could have been saved. In fact, the response came almost 72 hours later in some of the worst-hit areas. Despite its massive resources, the Pakistan army was clearly unprepared to cope with such a natural disaster. Its response was also shaped by institutional priorities and security concerns, such as assessing and responding to military casualties in AJK and securing the LOC. A rigid military chain of command hampered the rescue and relief process. In the absence of clear instructions from General Headquarters, army officers and troops were unwilling to act. Troops stationed in Kashmir reacted as if they were in a state of war, not faced with a natural disaster.

In the immediate aftermath of the earthquake, with many forward bases destroyed and hundreds of troops killed, the military's top priority was securing its positions in Kashmir. It rushed reinforcements to the area, deploying within the first two days two brigades along and near the LOC. A local journalist said:

Throughout the long journey [from Abbottabad in the NWFP to AJK's capital Muzaffarabad], I saw soldiers lined up on both sides of the road, fully armed and in military fatigues. I stopped a few times and asked them to reach out to people in distress. They said they did not have orders from their superiors to do so. The response was more fitting for a military attack by an enemy force rather than that of a force of nature.⁹

Where the military did respond, it was at times more a hindrance than help. In Mandian town in NWFP's Mansera district, for instance, armed soldiers in combat fatigues encircled the area, hampering instead of helping civilian volunteers who were trying to remove rubble and rescue survivors. It did not take long for the frustrated

crowd to express its anger, forcing the troops to leave.¹⁰ In Islamabad, the federal capital, where a residential high-rise building, the Margalla Towers, had collapsed, residents and relatives of people trapped in the rubble tried to retrieve bodies and survivors. But the first army contingents arrived hours later and were ill-equipped to help even though Islamabad is just minutes from the army's headquarters in Rawalpindi. The fully armed soldiers appeared far more ready to fight than to take humanitarian action.

While the military lacked the capacity to respond effectively, it insisted on controlling the process. On 10 October, the government created a Federal Relief Commission. Officially tasked with streamlining relief efforts with relevant ministries, provincial governments, and NGOs, and placed under the prime minister's secretariat, in practice the agency institutionalised the military's control over relief coordination, a role it is not well prepared for.¹¹ "It is not the military's role to lead such a response but it is something this military regime refuses to understand", said Ayub Tanoli of the Human Rights Commission of Pakistan (HRCP).¹²

"We had to cooperate on the ground with an institution which was logistically very effective but completely incapable of assessing needs properly and targeting humanitarian priorities", said one aid worker.¹³ Stressing that the military did not target the delivery of relief goods to the most affected areas, he added: "At the beginning, the military's strategy was to deliver and to assess needs at the same time. As a result, humanitarian coordination and needs assessment were poor".¹⁴ In fact, the military waited for almost three weeks before moving to an integrated humanitarian approach of providing survivors with shelter, food and medical supplies.

Rejecting opposition criticism of the military's inept response, the education minister and former Inter-Services Intelligence chief, Lt. General Javed Ashraf Qazi, passed the buck, emphasising that the army was not responsible for crisis management and disaster relief. "These functions are carried out by the civil administration", he told the National Assembly, the lower house of parliament.¹⁵ And yet, as international aid and relief

⁸ Crisis Group interview, Zafar Iqbal, Islamabad, December 2005.

⁹ Crisis Group interview, Abbottabad, NWFP, December 2005.

¹⁰ Crisis Group interviews at the PPP relief camp in Mansehra, NWFP, December 2005.

¹¹ The Federal Relief Commissioner, Major General Farooq Ahmed Khan, heads the organisation.

¹² Crisis Group interview, Ayub Khan Tanoli, HRCP Representative in Mansehra, NWFP, December 2005.

¹³ Crisis Group interview, international humanitarian worker, Islamabad, December 2005.

¹⁴ Crisis Group interview, Islamabad, December 2005.

¹⁵ Responding to objections why the army did not use its helicopters to provide relief and airlift the victims, the retired

organisations arrived, the army took control of every task the minister had said was outside its professional competence. All decision-making still remains in military hands; army officers retain all key roles, from aid management to distribution and liaising with the UN and foreign and local NGOs.

3. Marginalising civilians

Civilian agencies were sidelined in rescue and relief operations, and parliament was excluded from decision-making. A single official relief fund, the “President’s Relief Fund for Earthquake Victims 2005”, was established without parliament’s approval. There is no parliamentary oversight over donations channelled through this fund. Federal relief and reconstruction bodies were formed without consultation with either the national parliament or local and provincial governments. Rejecting several adjournment motions of the pro-democracy Alliance for the Restoration of Democracy (ARD),¹⁶ the government bypassed parliamentary approval even on major decisions such as NATO’s role in relief operations.¹⁷

Justifying the military-controlled process on the grounds that civilian authority had virtually collapsed in Pakistan-administered Kashmir and was incapable of meeting the task in NWFP, the military systematically sidelined civilian administrators, and, as a result, failed to use their expertise in assessing and meeting local needs.¹⁸ A former senior bureaucrat stressed that “the timely mobilisation of the civil administrations of the unaffected provinces in coordinating the systematic dispatch and...orderly onwards transportation of relief goods to the base camps in the affected areas would have averted unnecessary chaos”.¹⁹ An HRCP fact-finding mission concluded that the military was deliberately “marginalising the local civil administration, instead of involving it”.²⁰

general said, “gun-fitted helicopters could only be used in war”. “Disaster relief a civil job, says minister”, *Dawn*, 16 October 2005.

¹⁶ ARD includes the two national level moderate parties, the PPP and the Pakistan Muslim League Nawaz (PML-N).

¹⁷ “Senators criticise army’s control of relief efforts”, *Dawn*, 12 November 2005.

¹⁸ “The army is complaining that the provincial administration has not been efficient in NWFP, while NWFP’s provincial administration is complaining it doesn’t have the authority or sufficient resources to meet the challenge”. Crisis Group interview, UN official, Mansehra, December 2005.

¹⁹ Shamshad Ahmad Khan, “Lapses in crisis management”, *Dawn*, 27 October 2005.

²⁰ “Quake: Many Miles to Go: Fact-finding Mission to Earthquake affected Areas”, fact-finding mission, Human Rights Commission of Pakistan, Lahore, December 2005, p. 25.

President Musharraf’s political restructuring had made local government subservient to and dependent on the military-dominated centre.²¹ In NWFP, for instance, *nazims* (elected mayors) headed district coordination committees but army representatives who dictated, rather than participated in, decision-making marginalised their role. HRCP’s fact-finding team was told by a commanding officer that he had made the district *nazim* responsible for coordination meetings but kept “a check on him”.²² Even with their limited capacity, Union Councils, the lowest tier of local government, could have been a valuable resource for identifying local stakeholders and priorities but they were not consulted. The military also sidelined national NGOs such as the Edhi Foundation, which has a proven capacity for working countrywide. The representative of an international organisation, which had worked in NWFP since January 2005, said, “NGOs previously working in the region have created trustful ties [which] should have logically resulted in government support for their work on the ground”.²³ But the military-controlled centre appeared more interested in supporting its clients at the local and provincial levels.

By the selective distribution of state resources and authority, the military’s response exacerbated divisions at the local and provincial levels.²⁴ In NWFP, for instance, the *Baitul Maal* (treasury) of the provincial religious affairs ministry is tasked with distributing compensation money and relief goods. However, the department’s outreach and capacity is limited. Since the provincial government is often at odds with local elected bodies, coordination is also weak. Moreover, irregularities in distribution have caused discord resulting, for instance, in thousands of earthquake survivors in Balakot protesting against local corruption and political discrimination in the distribution of relief goods.²⁵

B. FROM RELIEF TO RECONSTRUCTION

The military government’s emergency and relief response will likely be duplicated in its reconstruction and rehabilitation policies. Established by General Musharraf on 12 October, the Earthquake Reconstruction and Rehabilitation Authority (ERRA) is tasked with overseeing those policies. Initially headed by Lt. General Mohammad

²¹ Crisis Group Asia Report N°77, *Devolution in Pakistan: Reform or Regression?*, 22 March 2004, p. 2.

²² “Quake: Many Miles to Go”, op. cit., p. 17.

²³ Crisis Group interview, Abbottabad, December 2005.

²⁴ Crisis Group Asia Briefing n°43, *Pakistan’s Local Polls: Shoring up Military Rule*, 22 November 2005.

²⁵ “Earthquake survivors’ rally”, *Dawn*, 20 January 2005.

Zubair²⁶ and now under a former privatisation minister, Altaf Saleem, the ERRA is formally a part of the prime minister's secretariat but in fact remains under the military's control, without meaningful civilian oversight or parliamentary purview.

1. Transparency and accountability

*"Accusations of corruption in the distribution of compensation and relief goods, of mismanagement, and lack of clear-cut policies point to the urgent need for an independently controlled system of monitoring" – Human Rights Commission of Pakistan's Fact-Finding Mission.*²⁷

The \$6.5 billion pledged at the November 2005 donors conference in Islamabad was \$1.4 billion more than the Asian Development Bank (ADB) and World Bank estimate for reconstruction. Given Pakistan's pervasive and institutionalised corruption, an effective mechanism for handling this money is essential.²⁸ Aid donors also fear they might end up subsidising the defence budget if their funds for reconstruction were diverted to the social sector and national social sector funding was thus freed for other purposes.²⁹ Accordingly, the UN has appointed a special adviser to cooperate with the government in an effort to ensure transparency and accountability.

Musharraf's political opposition called for creation of a watchdog body to monitor military-run relief activities.³⁰ It also demanded the establishment of a bipartisan parliamentary body to scrutinise the president's relief fund and supervise the federal relief and reconstruction agencies.³¹ A parliamentary committee created to monitor relief and reconstruction efforts, however, has only a consultative role. Rejecting the committee's terms of reference, the opposition Alliance for the Restoration of Democracy has refused to participate.

To allay donor concerns, the government set up a number of nominal bodies. In November 2005, an oversight

committee was established to provide transparency in the president's relief fund. But the committee, headed by the State Bank governor and composed mainly of former ministers, is neither neutral nor independent. The Special Directorate General Audit, constituted under the Auditor General of Pakistan and tasked with reviewing expenditures from public accounts, is also unlikely to hold military officials accountable.³² In any case, ERRA and its officials are protected by Section 11 of the ERRA charter, which states, "no suit, prosecution, [or] other legal proceedings shall lie against the Authority, the Council, the Board, the Chairperson, or any member, officer, advisers, experts or consultants in respect of anything done in good faith".³³

The need for transparency and accountability during the reconstruction phase is underscored by the problems in relief delivery. Earthquake survivors and credible independent observers such as the HRCP have identified several flaws. HRCP is particularly concerned about the implementation of two key policies: compensations for deaths and transitional shelter.³⁴ Incorrect data created problems in delivering compensation, and the policy itself was flawed. "While they [the authorities] are committed to compensate Rs.100,000 (\$1,700) per death, they're currently compensating only one death per family", said HRCP's Mansehra representative.³⁵

Assistance to help survivors rebuild their homes and lives was also marred by widespread local corruption and discrimination in distribution. In Kashmir, the opposition PPP party and the pro-independence Jammu Kashmir Liberation Front (JKLF) complained that their supporters were denied assistance.³⁶ In NWFP, the welfare wings of the Jamiat Ulema-e-Islam (JUI) and Jamaat-i-Islami (JI), the two major partners in the six-party Muttahida Majlis-e-Amal (MMA)-run government were the primary beneficiaries of provincial relief funds. For instance, NWFP senior minister and JI Provincial *Amir* (chief) Siraj-ul-Haq granted \$300,000 to the Al-Khidmat Trust,

²⁶ General Zubair was appointed head of the Infrastructure Monitoring Unit of the Planning Commission and will, therefore, control the most crucial aspect of reconstruction, rebuilding the infrastructure of the earthquake hit areas.

²⁷ "Quake: Many Miles to Go", op. cit., p. 9.

²⁸ Pakistan stood 144 out of 158 countries in Transparency International's 2005 "Corruption Perceptions Index", available at: http://www.transparency.org/policy_and_research/surveys_indices/cpi/2005.

²⁹ Farzana Sheikh, "Peace amid the ruins", *The World Today*, December 2005.

³⁰ Ahmed Rashid, "Pakistan earthquake revives civic power", BBC News, 16 November 2005.

³¹ "Government asked to open single account for relief fund", *Dawn*, 19 October 2005.

³² Previous audits of the military's activities by the Auditor General had little impact on military mismanagement. For instance, the special 1999 audit report on Okara military farms identified nine cases of mismanagement involving \$3.9 billion and recommended further investigations. The process was immediately stopped.

³³ ERRA's charter is available at www.reliefweb.int.

³⁴ "Transparency in compensation process sought", *Dawn*, 10 November 2005.

³⁵ Crisis Group interview, Ayub Khan Tanoli, HRCP representative, Mansehra, December 2005.

³⁶ JKLF supporters also complained of harassment by the military in Kashmir's Rawalakot district. "Quake: Many Miles to Go", op. cit., p. 26.

his party's welfare wing from the provincial treasury.³⁷ Bureaucratic rigidity also hampered the distribution of relief goods. In Garhi Habibullah, for instance, hundreds of survivors were denied relief goods because they failed to produce national identity cards.³⁸ Households headed by women were discriminated against while Afghan refugees, who lacked Pakistani identity cards, were largely overlooked.

The transitional shelter strategy was equally ill-conceived and poorly implemented. The government committed itself to providing free corrugated, galvanized iron (CGI) sheets for the construction of transitional shelters in regions higher than 5,000 feet.³⁹ While military engineers were asked to develop a need-based strategy through community involvement, they opted instead for house-by-house rebuilding. A UN official in Mansehra said, "needless to say, this creates problems of inequitable distribution".⁴⁰

2. Reconstruction and governance

At the November donors conference, the European Union (EU) had urged Pakistan to seek parliamentary approval for ERRA, a suggestion the government rejected, justifying its executive decision on the disaster's magnitude. UN agencies and international financial institutions appear to have accepted this explanation at face value. UNDP's Country Director in Pakistan, Haoliang Xu said that the "earthquake's response required extraordinary measures".⁴¹ He also accepted the decision to create special audit arrangements and procurement guidelines for ERRA as "an attempt to avoid bureaucratic bottlenecks and ensure the speedy execution of thousands of new projects".⁴² An ADB official agreed: "It would take years to award thousands of contracts under normal official procedures, which is why it has been decided that existing rules will not apply to projects undertaken by ERRA".⁴³ Concerns about the military-dominated process

explain, however, why many donors prefer to disburse their funds through multiple sources. While a number of Western donors will partly support reconstruction through ERRA, a substantial amount will remain with traditional project funding.⁴⁴

Reconstruction requires a bottom-up approach with stakeholders, particularly local communities, shaping the process. "We traditionally interact a lot with communities. If it is one of our concerns at the stage of the relief, it must be our first priority at the reconstruction stage", acknowledged an INGO representative.⁴⁵ But this would require a civilian as opposed to a military-dominated reconstruction process. "It's a methodological question: who really knows what the social good is and how it can be achieved?", Professor Rasul Baksh Rais explained.⁴⁶

The Pakistan government has agreed to the governance principles in the World Bank and ADB's 15 November 2005 "Preliminary Damage and Needs assessment",⁴⁷ as well as other documents prepared by the two institutions, which are meant to serve as the basic guidelines for reconstruction.⁴⁸ But ERRA's charter and functioning contradict these principles. Its officials are exempted from accountability, and its functioning reinforces military control of the process, undermining what should be the transition from military-led relief to civilian-administered reconstruction.

³⁷ Crisis Group interview, Ayub Khan Tanoli, HRCP Representative, Mansehra, December 2005.

³⁸ Intikhab Amir, "The challenge ahead", *Herald*, November 2005, p.80.

³⁹ Federal Relief Commission's website at: www.earthquakepakistan.com/Transitional_Shelter_Strategy.htm.

⁴⁰ The government's strategy contrasted with the UN approach, which was to provide emergency relief aimed at equitable distribution rather than concentrating resources on constructing semi-permanent dwellings. Since the army's shelter construction approach gives the impression that the government will help communities to rebuild, it has also undermined community mobilisation and increased local dependency on military largesse. Crisis Group interview, UN official, Mansehra, February 2005.

⁴¹ Amir, op.cit., p.82.

⁴² Ibid.

⁴³ Ibid.

⁴⁴ The European Commission will, for instance, finance a number of ERRA projects but also channel funds through traditional implementation partners such as UNDP and UNICEF.

⁴⁵ Crisis Group interview, Navaraja Gyawali, Country Director of Care International, Islamabad, December 2005.

⁴⁶ David Montero, "Pakistanis wary of army's next job", *Christian Science Monitor*, 8 December 2005.

⁴⁷ "Pakistan Earthquake 2005, Preliminary Damage and Needs Assessment", Asian Development Bank and the World Bank, 15 November 2005, p. 18.

⁴⁸ The World Bank and the Asian Development Bank centred their approach to reconstruction on six governance pillars: 1. People-centred solutions, highlighting, among other issues, a clear strategy for transition from military-led relief to civilian-administered recovery. 2. Restoration of responsibility to legally mandated institutions, including the need to return executive functions to the lowest level of mandated competent authority. 3. District and central strategic coordination and accountability, including accountability for assigning responsibilities at the national and provincial levels. 4. Competing demands to be managed through technical and policy choices. 5. Enhancement of local capacity as well as operational capacity in responding to planning, budgeting and implementation needs. 6. Accountability and enforcement of standards and norms, including zero tolerance by donors, government, and civil society of corruption, backed by extension of the Auditor General's jurisdiction to all relevant agencies.

The European Union's suggestion for parliamentary approval of ERRA and the Federal Relief Commission and decentralisation of decision-making should be supported by other donor nations, who should also demand an oversight role for parliament.⁴⁹

IV. THE ROLE OF THE INTERNATIONAL COMMUNITY

A. THE INTERNATIONAL COMMUNITY AND THE MILITARY

The international community's close cooperation with the military was understandable in the rescue and even the relief phases since the military was the only agency that could deliver logistically. According to a senior UN official, the military provided "key logistical support to the United Nations agencies, and facilitated, in most cases, the work of the NGOs".⁵⁰ The country director for Care International, Navaraja Gyawali said, "most humanitarian organisations would have been paralysed" without the military's logistical support. "We need the military helicopters, and the Pakistani army has made every logistical facility available to us".⁵¹

But the international community appears to have gone too far with its acceptance of a longer-term military role. As reconstruction begins, international agencies and NGOs should focus instead on establishing a closer working relationship with civilian institutions and building civilian capacity. Most international agencies have more experience working with fragile and failed states than one like Pakistan, whose military dominates the state and its institutions. The overly close working relationship they have established and maintained with the Pakistan army has given President Musharraf an opportunity to put a military face to their relief operations.⁵² By doing so, the high command hopes to regain the credibility lost by its ill-planned and poorly executed emergency response and also to project the military internationally as Pakistan's sole organised and effective institution.

Speaking to the media at the World Economic Forum in Davos, Musharraf said: "I can very proudly say that the world has learned how to handle a catastrophe, because I think we have done much better than other calamities around the world. Pakistan is being quoted as a textbook of how to handle major catastrophes".⁵³ And paying tribute to the army's rescue and relief operations, he said, "I take pride in being the leader of this army".⁵⁴

The earthquake offered an opportunity to help build the capacity of Pakistani and Kashmiri civil society and to address issues of governance and democratisation. Instead, as one representative stressed, "Our dependence on the military machinery could constrain this window of opportunity".⁵⁵ By collaborating so closely with the military, the international community has also lost some of the goodwill it gained through its relief operations with democratic Pakistani parties and civil society. While most Pakistanis and Kashmiris, for instance, lauded NATO's work, President Musharraf's decision to authorise the alliance's disaster relief mission without parliamentary discussion or approval was strongly condemned by many opposition parties who would otherwise have supported it.⁵⁶

Some international bodies, including UN agencies, believe collaboration with the military will pay dividends by providing opportunities to participate in the reconstruction process. As a result, they actively seek a close working relationship.⁵⁷ Unless international humanitarian agencies reduce their dependence, however, they risk undermining their operational effectiveness and their influence on decision-making during the reconstruction phase.

⁴⁹ Montero, op. cit.

⁵⁰ Crisis Group interview, Islamabad, December 2005.

⁵¹ Crisis Group interview, Islamabad, December 2005.

⁵² The U.S. military, which flew over 4,000 sorties, delivered more than twenty million pounds of humanitarian relief, treated some 30,000 patients, and cleared over 40,000 tons of debris, permitted its Pakistani counterparts to take the credit. Rear Admiral Michael Fever, Commander of the U.S. Disaster Assistance Relief Centre, said "the Pakistani Army provided extraordinary support". "U.S. to leave \$6 million equipment behind: relief forces pull out from 13th", *Dawn*, 5 February 2006.

⁵³ President Musharraf's interview with CNN International, 26 January 2006.

⁵⁴ "Kashmir runs in my blood: Musharraf", *The News*, 6 February 2006.

⁵⁵ Crisis Group interview, humanitarian representative, Islamabad, December 2005.

⁵⁶ While Senate opposition leader Raza Rabbani of the PPP criticised the government for approving NATO's mission "without ratification by parliament", NATO Secretary General Jaap de Hoop Scheffer, commenting on protests against NATO's involvement, said former prime minister and PPP leader Benazir Bhutto had written to him, "expressing strong support" for the alliance's role. Ahmed Hasan, "Senators criticise army's control of relief effort", op. cit.; Shadaba Islam, "Relief work done well: NATO", *Dawn*, 1 February 2006.

⁵⁷ Crisis Group interview, UN official, February 2006.

B. THE INTERNATIONAL COMMUNITY AND ISLAMIST ORGANISATIONS

Through their close cooperation with the military, some UN agencies and international humanitarian organisations have also established, by default, a working relationship with Islamist organisations, including in some instances banned jihadi groups.

With the military controlling the distribution channels of international relief goods, preferential access gave both Islamist parties and banned jihadi groups opportunities to win local support in the immediate aftermath and weeks following the earthquake. They also gained domestic and even international recognition for their humanitarian work. UN agencies and INGOs also largely initially overlooked major non-sectarian organisations. Said a UN official, “the UN was working blind. As a result they relied on a local partner with the best facilities: the army”. Many UN agencies, he added, “were only now discovering the vast network of secular NGOs”.⁵⁸

The International Organisation for Migration (IOM) supplies shelter and non-food items such as blankets to Islamist groups in Battagram and Balakot in NWFP. A camp manager of Al-Rasheed Trust, an organisation listed as terrorist by the UN, confirmed that his organisation’s refugee camps were among those that received UNHCR tents.⁵⁹ Local and Islamabad-based UNHCR representatives acknowledge that such relationships with jihadis are problematic but they attribute them to the difficulties they face in controlling the distribution of aid.⁶⁰ Although some senior international officials believe that engaging with the jihadi organisations would “help us win hearts and minds” by showing “a human face to these groups that we are here for humanitarian work and do not have an ulterior motive”,⁶¹ others are deeply concerned

about the political implications as well as security threats to their field workers.

Workers from the Jamaat-ud-Dawa (JD, the new name the jihadi Lashkar-e-Tayyaba gave itself after it was banned by Musharraf and listed as terrorist by the UN) have urged some female humanitarian staff workers to wear the veil. Pressured by Al-Rasheed Trust, one international NGO was forced to remove female staff from a jihadi-run camp. There is gender segregation, enforced prayers, and compulsory Islamic education at JD relief camps in Mansehra.⁶² UNICEF is particularly concerned about unmonitored madrasa “tent schools” in places like Battagram but believes that it is the government’s responsibility to act.⁶³

U.S. Ambassador Ryan C. Crocker has asked the government to monitor, and if necessary, stop jihadi groups from conducting relief work.⁶⁴ International humanitarian organisations should substitute their engagement with Islamist organisations, especially the jihadi variant, for partnerships with national secular and non-sectarian national organisations which have a proven capacity for working with local communities.

V. THE ISLAMIST ROLE

A. WHO’S WHO OF ISLAMIST ORGANISATIONS IN EARTHQUAKE RELIEF

For most analytical purposes Islamist groups around the world can be usefully divided: missionary groups that have no political agenda, organisations with a political agenda that eschew violence, and jihadi outfits that advance their political agenda through violent means.⁶⁵

⁵⁸ He added, however, that UN agencies and international NGOs still “showed very little interest in capacity building”. Crisis Group telephone interview, February 2006.

⁵⁹ At its Bassian refugee camp in Balakot, Al-Rasheed Trust, one of the recipients of UN assistance, intended “to set up a madrasa” to teach the survivors “the basics of Islamic education”. Crisis Group interview, Mohammad Arsheed, Al-Rasheed Trust camp manager, Bassian, December 2005.

⁶⁰ Crisis Group interview, UNHCR official, Mansehra, December 2005.

⁶¹ The quoted official, however, added that he had “put a stop” to his agency’s cooperation with banned Islamist groups once he was informed of it. Crisis Group interview, UN official, Islamabad, December 2005. Another UN official commented: “As long as they are capable [of doing the work], we will provide the essentials”, adding without further clarification that his agency differentiated between “warned and banned parties”. Crisis Group interviews, Battagram, December 2005.

⁶² “Religious education is a must from nine to eleven a.m.” at their camps, said two JD organisers. Ali Waqar, “Relieved from jihad, jihadis do relief work”, *Friday Times*, 6-12 January, p. 4.

⁶³ Crisis Group interview, UNICEF official, Battagram, December 2005.

⁶⁴ Mohammed Rizwan, “Western relief agencies fear harassment by jihadis”, *Daily Times*, 21 December 2005.

⁶⁵ Crisis Group has reported frequently on Islamists and Islamism and their relationship to a wide variety of political situations in the Middle East and North Africa, Central Asia, Afghanistan, South Asia and South East Asia. We treat Islamism as synonymous with “Islamic activism”, the active assertion and promotion of beliefs, prescriptions, laws, or policies that are held to be Islamic in character, but which in turn, in its Sunni manifestations, has three very different streams, with very different implications for policy-makers: political, which seeks political power and normally eschews violence; missionary, which pursues conversion (*al-da’wa*); and jihadi, which pursues

These distinctions are frequently not clear-cut in Pakistan, where, aside from some missionary groups that have no political agenda, many of the country's Islamic political movements, including its Islamic political parties, have generally maintained close links with jihadi organisations or even have jihadi wings. This difficulty in distinguishing between political and jihadi strains of Islamism in Pakistan has complicated efforts to find appropriate Islamic entities with which to work in response to the earthquake.

Pakistan has 58 religious political parties and 24 known militant groups. The religious political parties also have militant wings or maintain links with local and regional jihadi networks. The Jamiat Ulema-e-Islam (JUI) and the Jamaat-i-Islami (JI), major partners in the six-party ruling MMA alliance in NWFP and Balochistan, are two of the most prominent religious parties. Both have been involved with regional jihads, in Kashmir and Afghanistan, conducted at the military's behest. The JI's subsidiaries include the Hizbul Mujahidin, one of the most prominent jihadi organisations in Kashmir. Key al-Qaeda figures, including Khalid Sheikh Mohammad, have been apprehended at the homes of JI religious leaders and activists. The JUI was and remains a supporter of the Taliban, many of whom graduated from its madrasas. The JUI-Fazlur Rehman also draws its recruits from Jamiat-ul-Ansar (the renamed jihadi Harkatul Mujahidin, another prominent jihadi organisation in Kashmir), which maintains bases in the NWFP.⁶⁶ These two religious parties, which may be considered the chief patrons of the jihad in Pakistan, are involved in earthquake relief through their welfare wings, the JUI through Al Khair Trust and the JI through Al Khidmat Foundation.

Two of the most prominent jihadi organisations banned by the government under the Anti-Terrorism Law and listed as terrorist by the UN – Jaish-e Mohammad and Laskhar-e-Tayyaba – are conducting relief operations under changed names or through front organisations. Still others, such as Al-Rasheed Trust, were not banned but were placed on the Pakistan government's terror watch list and designated terrorist by the UN, are also active in relief.

1. Party-affiliated organisations

(a) *Al-Khair Trust*

It is the welfare wing of the Jamiat Ulema-e-Islam (JUI), which dominates the MMA government in the NWFP.

armed struggle. See Crisis Group Middle East/North Africa Report N°37, *Understanding Islamism*, 2 March 2005.

⁶⁶ See Crisis Group Asia Report N°95, *The State of Sectarianism in Pakistan*, 18 April 2005.

Maulana Aatur Rehman, JUI chief Fazlur Rehman's brother, heads Al-Khair's relief operations,⁶⁷ in which it represents the MMA provincial government. It draws its recruits from Jamiat-ul-Ansar (the renamed Harkatul Mujahidin), which has maintained jihadi bases in the NWFP districts of Mansehra and Kohistan since the early 1990s.⁶⁸ It has no previous history of humanitarian work in the NWFP or Kashmir but has been allocated land in Garhi Habibullah in NWFP to construct houses for survivors⁶⁹ and is building similar housing estates in the Punjab provincial capital, Lahore, and in Rawalpindi, the army headquarters.

(b) *JI's Relief Network*

The Jamaat-i-Islami (JI) is the most active of religious parties in the earthquake-hit areas and works through a number of subsidiaries. Led by Al-Khidmat Foundation, which also runs Islamic educational services in the relief camps, other JI subsidiaries include the Hizbul Mujahidin, one of the most prominent jihadi organisations in Kashmir, Pakistan Islamic Medical Association (PIMA), Islami Jamiat Talaba, the JI's student wing, and the Tanzeem al-Asataza (JI's teachers union). All these JI-backed organisations are connected through a central committee at party headquarters in Mansoor, Lahore. International relief organisations and local authorities consider the JI's relief network the most organised and efficient, but its jihadi links, through its militant wing, notably Hizbul Mujahidin, are evident.

2. Prominent jihadi groups using new identities or front organisations to conduct relief work

(a) *Al-Rasheed Trust*

Praised by the Pakistan government, including General Musharraf, for its relief work, Al-Rasheed Trust is a Deobandi organisation. It publishes two of the most widely read jihadi publications, *Islam*, a daily, and the weekly *Zarb-e-Momin*. The Trust is closely associated with Jaishe Mohammed, a Deobandi jihadi group active in Indian Kashmir. Banned by the Musharraf government in January 2002, the Jaish was renamed Khuddamul Islam.⁷⁰ Although the UN Security Council included Al-

⁶⁷ Fazlur Rehman is also opposition leader in the National Assembly, the upper house of the national parliament.

⁶⁸ Harkatul Mujahidin is on the UN Security Council's list of sanctioned organisations.

⁶⁹ "NWFP okays construction of earthquake-proof Balakot City", *The News*, 24 November 2005.

⁷⁰ Jaishe Mohammed is an offshoot of the jihadi Harkatul Mujahidin and Harkatul Ansar organisations. Its manpower comes from JUI madrasas and from Sipah Sahaba Pakistan, the Deobandi organisation which pioneered organised sectarian militancy and was banned by Musharraf in 2002.

Rasheed Trust on its list of sanctioned organisations for links to al-Qaeda, the government has not banned it but only placed it on the terrorist watch list.

The Trust's philosophy is reflected in a speech of its late founder, Mufti Rasheed Ahmed: "All those who believe in Allah must, as a part of their faith, participate in jihad ... anyone who denies this aspect of Islam, and has no inclination of participating in an armed struggle, is undoubtedly a *kafir* (disbeliever) and excluded from Islam".⁷¹

The Trust was one of the first groups to reach Balakot, the worst hit subdivision in the NWFP. Prior to the earthquake, it had a very limited presence in the earthquake hit areas. Relief workers call it the "darling of the military authorities".⁷²

(b) *Jamaat-ud-Dawa*

Singled out for praise by Musharraf for its swift response and sustained relief efforts during the first few weeks of the earthquake, Jamaat-ud-Dawa is the renamed Lashkar-e-Tayaba (LeT), which was declared a terrorist organisation and banned by his government in January 2002.⁷³ Headed by Hafiz Mohammad Saeed, JD belongs to the Ahle Hadith sect. It has been active in Indian Kashmir since the early 1990s and has a significant presence in Pakistan-administered Kashmir through its training camps. Most JD relief and rescue workers are neither Kashmiris nor Pashtuns. The JD field hospital in Muzaffarabad was initially headed by Dr Amir Aziz Khan, who was arrested in October 2002 for links to the Taliban and Osama bin Laden. Although he admitted meeting bin Laden, the charges were dropped.⁷⁴

(c) *Al-Safa Trust*

A relatively new name on the jihadi scene, and active from Abbotabad in the NWFP to the Line of Control in Kashmir, Al-Safa's parent organisation, the Al-Badr Al-Mujahidin, has had a significant presence in the non-Pashtu speaking areas of NWFP since 1989.⁷⁵ Unlike Jamaat-ud-Dawa and Jaishe Mohammed, which have

traditionally recruited their jihadis from other regions, Al-Badr's jihadis come from the earthquake-hit districts of the NWFP, especially Mansehra district. An Al-Badar banner in Mansehra proclaims that the organisation is the "custodian of the blood of 10,000 mujahidin".

(d) *Al-Rehmat Trust*

Although banned by the Musharraf government and on the list of UN-sanctioned organisations, Jaishe Mohammed is conducting relief work through Al-Rehmat Trust, a Karachi-based charity which had no presence in the earthquake-affected areas before October 2005.

(e) *Al-Akhtar Trust*

A Deobandi organisation, also on the UN list, Al-Akhtar Trust's head office is in Jamia Ashraful Madaris, a prominent Karachi madrasa. It raises funds for jihadi groups in Kashmir and Afghanistan, including the Taliban, and has close links with Harkatul Mujahidin and Harkatul Jihad-e-Islami.

B. JIHADI RELIEF ACTIVITY

Officials have identified as many as seventeen groups that have either been banned by the Musharraf government or placed on its terrorism watch-list but are involved in relief activities.⁷⁶ These jihadi groups openly operate relief camps, distribute relief goods and advertise their presence through banners and billboards at their camps and along the main streets of earthquake-affected cities.⁷⁷

The government stressed that help from any quarter was welcome at a time of dire need, when state institutions and agencies had been rendered non-functional by the magnitude of the disaster. However, the government went farther, portraying the jihadis as the prime contributors to relief work, ignoring the contributions of countless non-sectarian NGOs, charities and civilian volunteers. Interior Minister Aftab Ahmed Khan Sherpao, for instance, said, "they (the jihadis) are the lifeline of our rescue and relief work in Azad Kashmir right now".⁷⁸

On the other hand, a volunteer paramedic commented that:

⁷¹ At: http://www.allaahuakbar.net/jihaad/denial_of_jihad_is_kufr.htm.

⁷² Crisis Group interviews, Edhi and Sungi Foundation workers, Balakot, December 2005.

⁷³ LeT is on the UN list of sanctioned entities and was designated a foreign terrorist organisation by the U.S. in December 2001.

⁷⁴ Amir Mir, "'Militant' philanthropy", *Newsline*, November 2005.

⁷⁵ Al-Badr itself is an offshoot of the Hizbul Mujahidin, the first Kashmiri jihadi group, which is affiliated with the Jamaat-i-Islami.

⁷⁶ "Banned outfits active in relief", *The Nation*, 23 October 2005.

⁷⁷ The JD alone claimed to have mobilised 2,500 volunteers for relief work in NWFP and Kashmir. "Militant groups launch 'jihad' for earthquake relief", *Daily Times*, 14 October 2005.

⁷⁸ Mir, op. cit. See also "All assistance acceptable for people's sake: Musharraf", *The News*, 21 October 2005.

It is surprising that there has been so little media coverage of the work of Pakistan's largest humanitarian charity, the Edhi Foundation, which also has the most skilled workers and the largest ambulance service anywhere in the country. Relief has become a political game and only those organisations that are promoting the military's political agenda are projected by the media even if their actual contribution does not go beyond setting up camps and running public relations campaigns.⁷⁹

Jihadi groups could react quickly and remain active in the earthquake-hit areas for a number of reasons. Despite Musharraf's claims of banning militant outfits and dismantling their infrastructure, jihadi training camps and bases had remained intact in NWFP and AJK. Mansehra district had a particularly sophisticated jihadi infrastructure. "We know these mountains like the backs of our hands after more than a decade of fighting Indian rule in occupied Kashmir, but now we are engaged in a new holy war by helping victims of the earthquake", said a Jamaat-ud-Dawa volunteer in Balakot.⁸⁰

In AJK too, there was a widespread, well-entrenched and well-equipped jihadi network. In the initial post-earthquake phase, for instance, Jamaat-ud-Dawa was able to field 350 workers in Muzaffarabad despite its own losses. "Our workers were connected to one another through wireless systems, we had sixteen ambulances and motorboats, as well as mobile X-ray machines and operation theatres to treat our injured jihadis" and enough food "to feed 3,000 people daily during the first week", said Abu Muaz.⁸¹

If the jihadi organisations benefited from their regional networks and access to sophisticated technology, the religious parties, who are also sponsors of jihad, made their presence felt through their subsidiaries, including their welfare, educational and militant wings. Using local mosques and madrasas to network and coordinate their activities, the religious parties, especially the JUI, inducted professional volunteers countrywide, including doctors, students, lawyers, teachers and labour leaders, to expand their relief operations.

Local charitable donations, in cash and kind, as well as external assistance channelled through domestic religious organisations from among other sources the United Arab Emirates, Saudi Arabia and Malaysia, have benefited both the religious parties and their jihadi allies.⁸² Al-Rasheed

Trust, for instance, claims to receive support, through its media outlet *Islam*, from the Saudi Relief Centre.⁸³ JD officials also acknowledge that Saudi charities assist them.

Although the Muttahida Majlis-e-Amal runs the NWFP provincial government, it has preferred to work more with Islamist groups than through the provincial and local civilian administration and agencies. Using their official clout, the two dominant parties in the alliance, the JUI and the JJ, have favoured their subsidiaries, including welfare groups, as well as religious charities and front organisations of jihadi groups in the distribution of funds and relief goods.

Above all, jihadi groups have benefited from military patronage. Having served Pakistan's strategic interests in Kashmir and Afghanistan for more than two decades, they see themselves as extensions of the army. Nearly all jihadi NGO workers interviewed by Crisis Group claimed a close working relationship with local military commanders. Indeed, the army worked alongside the renamed Lashkar and Jaish in Kashmir.⁸⁴ An Al-Rasheed Trust organiser said that the Islamist groups had been "exemplified as the F-16s of the relief operations during meetings of the Pakistan army to report on relief work". And a senior army official admitted, "we have no written or verbal direction to stop these outfits' activities, which is why we are coordinating with them in relief work".⁸⁵

Fearing that the jihadis will become even more entrenched with the military's help, an HRCP official said, "the jihadi outfits will have enough funds to sustain their relief efforts well into the later stages of reconstruction, while some other NGOs won't have this capacity. So in the end, what will we be left with? The [jihadi] NGOs, of course".⁸⁶

C. IMPLICATIONS OF THE ISLAMIST RELIEF ROLE

Aware of Western, in particular U.S., concerns about the jihadi presence in NWFP and Kashmir, Musharraf declared: "We have warned them that if we see any single activity of their involvement in anything other than welfare, we are not only going to ban them but we are

⁷⁹ Crisis Group interview, Mohammed Rafique, Balakot, December 2005.

⁸⁰ Crisis Group interview, Abdul Hadi, December 2005.

⁸¹ Crisis Group interview, JD activist, Balakot, December 2005.

⁸² Benefiting from "donations and charitable assistance", said an NGO worker in Mansehra, the religious parties were

far better equipped to reach earthquake-hit communities than their moderate political adversaries. Crisis Group interview, Mansehra, December 2005.

⁸³ See, for example, *Islam*, 6 January 2006.

⁸⁴ "Musharraf's Islamist challenge", *Al-Ahram Weekly*, 10 November 2005.

⁸⁵ Waqar, op. cit., p.4.

⁸⁶ Crisis Group interview, Mansehra, December 2005.

going to get them out of that place". However, he also justified his government's inaction, saying, "but now since they are there, certainly we would not like them to stop, why should we not allow our own people who are going there and assisting those people, whether they are 'jihadis' or anybody".⁸⁷ The military government's willingness to countenance the presence of banned terrorist and extremist organisations counters its claims that their networks have been disbanded.⁸⁸

1. Sectarianism, education, jihadi recruits

The Islamist prominence in relief activities, whether through political or jihadi or even more strictly religious entities, will likely fuel political and social conflict within Pakistan. Although most Islamist groups are either Deobandi and Wahabi or modernists close to the Wahabi school of thought, they compete for public support. An upsurge of sectarianism is inevitable, given their ideological/ritualistic cleavages and militancy. The reconstruction of mosques and madrasas of their sects, for instance, is high on their agenda but most do not have a local base. This competition could, therefore, exacerbate sectarian conflict and tensions between the groups and local communities.

More insidious is the potentially long-term impact on the socio-political landscape of the region, which has been the epicentre of the Kashmir jihad. Almost all state-run schools in Pakistani-administered Kashmir and in the five affected NWFP districts were destroyed or badly damaged. Volunteers and non-sectarian NGOs are concerned that madrasas will replace them. A volunteer in Bedadi village in NWFP warned, "it is easier to set up a madrasa rather than rebuild a school".⁸⁹ The religious parties and jihadi organisations also intend to construct modern Islamic schools. Said Tehseenullah Khan of the National Research and Development Foundation, an organisation focusing on madrasa reform in NWFP said:

I'm afraid that the jihadi organisations' schools will replace the destroyed education network. Through their madrasas and schools, they will find a way to take the people and their children into confidence. Many children are now orphans. The earthquake-hit area is a fertile field for jihadis. It will be easy for the Islamic NGOs to first launch a mission of protection and then to recruit them in the medium

term. We feel that this is a very alarming situation. The government needs to address this issue, and education must be the top priority in the reconstruction efforts.⁹⁰

The Deobandi Wafaqul Madaris Al-Arabiya, Pakistan's largest union of madrasas, has established an earthquake relief fund to rebuild 1,500 mosques and 300 madrasas in AJK and NWFP.⁹¹ While the members of the madrasa union have been given a target of \$4.16 million, Al-Rasheed Trust's media organs, *Islam* and *Zarbe-Momin*, have run advertisements to raise additional funds.

Alongside the Deobandis, JI's Al-Khidmat Foundation is building modern Islamic schools and mosques, which would help spread the influence of its subsidiary, the Hizbul Mujahidin.⁹² In Battagram, the foundation has set up twenty tent schools, operating under the JI's student and teacher wings. Other religious organisations, such as Al-Huda Foundation and Iqra Foundation, are also focusing on the education sector, hoping to fill the vacuum created by the collapse of government schools.

Every religious organisation has announced, through mosque loudspeakers, banners and pamphlets, that it will adopt children orphaned by the earthquake, rather than leave them at the mercy of Western NGOs. Jihadi groups such as the Jamaat-ud-Dawa (JD) also see in this opportunities to gain new recruits. The JD, for instance, runs the Maaz bin Jabal complex in Rawalpindi where it intends, if allowed, to house orphans. Said Zafar Iqbal, head of the JD's education wing, "We have a large facility in our Muridke centre and 180 schools in Punjab. Children from the affected areas will also be shifted there to continue their studies. We hope to accommodate every affected student".⁹³

Although the government has banned the adoption of orphans and intends to house them in state-run institutions, the jihadi groups are bringing them as well as displaced children into their camps. Farhad Burney of the Ansar Burney Welfare Trust, a leading local humanitarian organisation, said, "we have heard from very reliable sources and seen with our own eyes that orphaned and lost children are being taken by jihadi organisations in northern

⁸⁷ President Pervez Musharraf's interview, *Financial Times*, 26 October 2005.

⁸⁸ Commenting on the presence of banned jihadi groups, the Federal Relief Commissioner, Major General Farooq Ahmed, said: "The government could not stop anyone from participating in rehabilitation activities", Mir, op. cit.

⁸⁹ Crisis Group interview in Bedadi, NWFP, December 2005.

⁹⁰ Crisis Group interview, Tehseenullah Khan, Islamabad, December 2005.

⁹¹ "Madrasas contribution to relief fund fixed", *Dawn*, 22 December 2005.

⁹² "Building the house of God comes first", said an Al Khidmat official, "then the houses of the people. People [are] happy to live in tarps so long as the house of God is built". Crisis Group interview, Battagram, December 2005.

⁹³ Crisis Group interview, Rawalpindi, December 2005.

Pakistan to be trained”.⁹⁴ During its family-tracing program, aimed at reuniting lost children with their families, an international NGO faced jihadi opposition. When it tried to persuade camp managers to reunite a child in a JD facility in Muzaffarabad with his mother, it was initially denied access. “It took us weeks of negotiation with Jamat-ud-Dawa to get the child released and reunited with the mother”.⁹⁵

2. Countering extremism

Both the Islamist political parties and their jihadi allies are understandably concerned about changed public perceptions of the West due to the relief work of NATO and Western NGOs. Survivors and the public at large favourably compared Western professionalism and efficiency to that of government agencies, particularly in the days following the earthquake when Pakistanis saw Western workers rescue survivors while their own military stood by. A counter-campaign by the Islamist organisations is now underway.

“We need to offset the impact that foreign NGOs are having on the minds of the people”, said an Al-Rasheed Trust camp manager in Mansehra.⁹⁶ “We welcome the whole world to carry out relief activities. But we cannot tolerate propagation of Western values and culture under the cover of relief work. Once their work is done, they ought to leave; otherwise the possibility of conflict with the local population and political organisations will increase”, warned Ehsanullah Waqas, JI’s provincial parliamentarian and coordinator of Al-Khidmat’s relief operations.⁹⁷

Castigating Christian relief agencies such as World Vision, a coordinator of an Al-Rasheed Trust camp in Balakot said, “their camps provide less relief and [put] stress more on schools. Every World Vision camp has a school. We welcome their relief programs but cannot tolerate promotion of Christianity among the trauma-stricken needy people. We will go wherever this NGO opens a camp and set up our own”.⁹⁸ Rejecting the criticism, World Vision Country Director Sigurd Hanson said: “There is no question that we are a faith-based organisation but we do not proselytise. If the Islamists or anyone is concerned about our activities, we have nothing to hide including

from the federal government, and we have complete transparency and accountability”.⁹⁹

To counter particularly jihadi propaganda and build upon the swell of public goodwill, the UN and Western donors and humanitarian organisations should reject government guidelines if they translate into assisting Islamist organisations and choose instead to work with secular political parties, local communities and secular NGOs in identifying the most appropriate reconstruction schemes. By focusing on education, a key demand of local communities, donors could also help prevent the affected areas from turning into fertile grounds for the spread of religious extremism. The involvement of local communities in school building projects would have the additional advantage of helping rebuild shattered lives.¹⁰⁰ To prevent especially jihadis from exploiting the most vulnerable segments of the affected population, particularly households headed by women, donors should consider micro-credit schemes and other means of sustainable income generation. Donors and influential actors such as the U.S. and the European Union should also urge Musharraf to end the practice of allowing banned jihadi organisations to operate under changed names.¹⁰¹

VI. REGIONAL IMPLICATIONS

There was a surge in terrorist activity in Jammu and Kashmir (J&K), attributed by Indian authorities to Lashkar-e-Tayyaba and other Pakistan-based, banned jihadi groups, in the earthquake’s wake, with 44 killed, including the J&K education minister, Ghulam Nabi Lone, the following fortnight. Indian forces claimed to have killed 46 militants, many in foiled attempts to cross over from Pakistan-administered Kashmir.¹⁰² Jihadi groups might have wanted to dispel the impression that the earthquake had damaged their organisational capacity.¹⁰³

⁹⁴ Dean Nelson, “Quake orphans “adopted” for jihad”, *The Sunday Times*, 13 November 2005. See also Jan McGirk, “Kashmir: the politics of an earthquake”, *openDemocracy.net*, 19 October 2005.

⁹⁵ Crisis Group interview, NGO official, Islamabad, December 2005.

⁹⁶ Crisis Group interview, Mansehra, December 2005.

⁹⁷ Crisis Group interview, Mansehra, December 2005.

⁹⁸ Crisis Group interview, Balakot, December 2005.

⁹⁹ Crisis Group interview, Islamabad, March 2006.

¹⁰⁰ Crisis Group interview, Abbas Rashid, Society for the Advancement of Education, Islamabad, February 2006.

¹⁰¹ Asked if JD was the same organisation as the Lashkar-e-Tayyaba, Musharraf said, “Well, it has linkages, but it’s not the same. It has linkages as long as it is there. It has not even been banned abroad. LeT is a banned organisation in the UN. This one is not banned”. CNN-IBN interview with Musharraf, 13 January 2006.

¹⁰² “Governor anguished over militant violence” *The Tribune Online*, at: <http://www.tribuneindia.com/2005/20051019/j&k.htm>

¹⁰³ The Jaish’s facilities at Bagh, Hizbul Mujahidin’s at Jangal-Mahal, Harkatul Mujahidin’s at Balakot and Batrasi and Al Badr’s at Oghi were damaged. Mir, op. cit.

This heightened violence, combined with the 29 October bombings 2005, which killed 62 people in New Delhi, and the jihadi presence in NWFP and AJK earthquake-hit areas¹⁰⁴ adversely affected India-Pakistan relations. Although the strained atmosphere did not derail the normalisation process, Islamabad and New Delhi's failure to respond promptly and to cooperate in extending relief to Kashmiri survivors fuelled local resentment.

In J&K, Kashmiris accused the Indian army of behaving like an "an occupying force".¹⁰⁵ In AJK, Kashmiris were far more critical of the Pakistan military's response, particularly in the immediate aftermath of the earthquake. Although thousands of troops were stationed in AJK, the Pakistan military tended to its own casualties and focused on shoring up defences along the LOC instead of rescuing survivors. The failure to consult local communities and the absence of a civilian disaster management infrastructure also adversely affected relief operations.

Musharraf's decision to decline an Indian offer of helicopters, which would have doubled his country's fleet for the emergency, was ill-advised as was India's initial reluctance to ease restrictions on cross-LOC movement which would have benefited remote villages on the Pakistani side that remained without aid for three weeks.¹⁰⁶ In Chakoti, for instance, survivors in outlying areas complained that they were "supplied by military helicopters after two weeks. The supplies are never enough. A large amount of people are wounded and haven't received any medical support".¹⁰⁷

India and Pakistan would have benefited by collaborating on humanitarian relief, thereby regaining the confidence of Kashmiris. Instead, even after they agreed to open five LOC crossings points to facilitate humanitarian relief, administrative constraints minimised their utility, including for the delivery of relief goods and reunification of divided families. India imposed constraints to prevent the misuse of the facility by jihadis, while Pakistan was as reluctant to open its side of the LOC to Indian humanitarian workers.

The earthquake presented the international community an opportunity, through humanitarian relief, to engage constructively in Kashmir. NATO's relief role, as noted, helped to counter anti-Western jihadi propaganda. In the

reconstruction phase, too, Western donor nations could win Kashmiri goodwill and counter jihadi influence, by involving communities in decision-making and rebuilding the health and educational infrastructure. At the same time, influential international players, particularly the U.S., should persuade President Musharraf to exclude jihadi organisations from reconstruction and rehabilitation not just in AJK but also in the jihadi recruitment grounds of the earthquake-hit regions of NWFP.

VII. CONCLUSION

The task of reconstructing homes, hospitals and schools and providing livelihood for millions of survivors in NWFP and Kashmir still lies ahead. Undoing the disaster produced by the October earthquake will take three to four years. And even that timeframe depends on a well-planned and implemented reconstruction policy.

Democratic parties have challenged the authority of military-controlled relief and reconstruction bodies, demanded civilian oversight for them and expressed concerns about the military's professional competence as well as the lack of governmental transparency and accountability. The opposition is also concerned that Musharraf intends to use the generous support of the international community to undermine already fragile civilian structures in the earthquake-hit areas and to strengthen the legitimacy of his military government internationally. These concerns are well-founded.

If the military retains its control over relief and insists on also dominating reconstruction, the entire process will be marred – from the determination of priorities to the implementation of projects. Moreover, military-controlled structures do not lend themselves to the transparency and accountability that is vital for any successful reconstruction process. Instead of strengthening civilian capacity, the military government has opted to sideline civilian administration and representative institutions. And its strategic priorities have translated into support for the relief role of Islamist organisations, including banned jihadi groups, helping them to strengthen their presence in NWFP and Kashmir and marginalising as a result moderate voices.

Through their close relationship with the military, the donor community, UN agencies and many INGOs have also inadvertently empowered Islamists, including jihadis; and by willingly working with military-controlled structures, they have lost an opportunity to ensure good governance and promote democratisation. If donor nations were to insist that local communities, civil society NGOs and national parliamentarians should shape and control the reconstruction phase, they could neutralise anti-

¹⁰⁴ By February 2006, for instance, 37 of 73 organised relief camps in and around Muzaffarabad were managed by various religious and jihadi organisations. Crisis Group interview, Islamabad, February 2006.

¹⁰⁵ Ravi Prasad, "Militancy and natural disaster in Kashmir", ISN Security Watch, 4 November 2005.

¹⁰⁶ McGirk, *op. cit.*

¹⁰⁷ Crisis Group interviews, earthquake survivors, Muzaffarabad and Chakoti, October 2005.

Western agendas and help make reconstruction and rehabilitation policy meaningful. If the billions of dollars pledged for reconstruction are not to be lost, donor states, including the U.S. and the European Union, UN agencies and INGOs must persuade the Musharraf government to create an independent oversight mechanism to shape reconstruction priorities and ensure transparency in the spending of funds.

- At the national level, major donors should work through a single overarching body, supplemented by country-specific accountability mechanisms. If a donor country is reluctant to join such an umbrella mechanism, it could participate as an observer. Common program standards should also be followed to ensure that reconstruction priorities are cost-effective.¹⁰⁸ The body should monitor the objectives and implementation of reconstruction policy in order to ensure that vital goals such as reviving the state-run education sector, reconstructing houses and providing and restoring livelihoods are met.
- At the local and provincial levels, the participation of survivors in accountability mechanisms should be ensured through elected monitoring committees in the affected areas, assisted by officials from relevant divisions of the local and provincial civil administrations. Elected representatives on these committees should be consulted on all major decisions related to policy as well as expenditures and have access to documentation on demand. Survivors, too, should have a voice in the committees and be free to question or seek clarification. The legal and regulatory framework for such a transparency mechanism, or “people’s audit”, is already in place in India.¹⁰⁹
- Civil society organisations should also have a role in informing government policy, monitoring public expenditures, and implementing reconstruction and rehabilitation projects. Donors should encourage the government to create mechanisms that would allow NGOs to participate effectively.

By pressing Musharraf to end his ties with banned jihadi organisations and exclude them from earthquake relief

and reconstruction, influential actors such as the U.S. and the European Union would also empower moderate Pakistani voices and promote regional peace. Turning a blind eye once again to Musharraf’s support for the jihadis would serve no purpose other than further to embolden radical forces that are capitalising on years of military rule.

Islamabad/Brussels, 15 March 2006

¹⁰⁸ Various international organisations have drawn up codes to govern their response to natural disasters. Major donors could, for instance, request that implementing partners be signatories to the Code of Conduct of the International Red Cross (www.ifrc.org) and have a demonstrated commitment to the principles enshrined in the Sphere Project Humanitarian Charter (www.sphereproject.org).

¹⁰⁹ Harsh Mander, “Securing Transparency and Rights in Disaster Response”, background paper, Transparency International India, April 2005, p. 5.



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