

“Reforming Khyber Pakhtunkhwa’s Police and Law Enforcement Infrastructure”

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ABSTRACT

The regional police force in Pakistan's Khyber Pakhtunkhwa province has dealt with the threat of terrorism well. The threat of terrorism needed to be realistically managed. The Khyber Pakhtunkhwa Police had received support from both the federal and provincial governments. To effectively confront terrorists, the Khyber Pakhtunkhwa Police Force had access to modern weaponry and equipment as well. The Khyber Pakhtunkhwa Police Force, with support from the Pakistani Army, was only able to prevent the terrorists from carrying out their activities because they acted quickly to block their networks and demolish their safe havens. They had to make a lot of sacrifices in order to complete this operation. If the military and police had not made the appropriate sacrifices when they were needed, the war on terror would have been a complete failure. The repercussions of the terrorist acts left an imprint on the public and the police, which had a mental and physical impact. It saw both positive and negative influences. Because of their careful planning in containing the threat of terrorism, the police play an important role that should never be underestimated. The police also disassociated extremists' close associates, which immediately reduced crime and posed issues for domestic security. Since the military typically plays the primary role in counterterrorism strategies and the police are only seen as supporting actors, the subject merits further scrutiny. Also, it is crucial to look into Pakistan's role in the fight against terrorism and the difficulties the police in Khyber Pakhtunkhwa face.

Key words: Khyber Pakhtunkhwa, Police, National Counter Terrorism Authority, Federally Administered Tribal Areas, Frontier Crimes Regulation, Dispute Resolution Councils, Police Assistant Line.

INTRODUCTION

The Black Coat (lawyers) revolution, which sought to reinstate the sovereign courts that General Musharraf had shut down in March 2007, and the assassination of Benazir Bhutto in December 2007 were the two key events that led to the holding of the elections in 2008. The Pakistan People's Party received a sympathy vote because the country has a soft spot in its heart on an emotional level. After winning the election in 2008, the Pakistan People's Party was expected to uphold the country's law and order system. The main casualty under the government was the law and order situation in the State, which was abandoned and treated lightly. 2017 saw the introduction of the comprehensive Police Act 2017 in Khyber Pakhtunkhwa. In order to address current difficulties, this legislation concentrated on creating a counterterrorism unit, fast action force, forensic labs, and active mobile unit.

LITERATURE REVIEW

When we studied the topic of terrorism and its concept, we learned that the State of Pakistan is already familiar with it. The religious Jihad Forces were to assist in battling the "Infidel Communist" of the Soviet Union (Malik, 2008). Training camps and Islamic schools/madrassas provided Mujahidin with the necessary instruction. These Islamic madrassas and training camps received assistance from the United Arab Emirates and Saudi Arabia; they are physically based in Pakistan and Afghanistan and are operating inside a framework provided by the United States (US) (Malik, 2005). Through these camps and madrassas, various terrorist organisations were able to establish themselves in Pakistan. These terrorists shook hands with several criminal gangs (Hussain, 2012). They disputed the State's dominance and made demands of the Pakistani government in accordance with their necessities (Rana, 2014). The relocation of Afghan refugees brought a number of problems with it, including an increase in human trafficking, drug dealing, and weapon smuggling, which in turn fueled the trade in illicit drugs, promoted the Kalashnikov way of life, and fueled the growth of small guns and light weapons (Dolan, 2011).

PERSPECTIVE FRAMEWORK

In "Making sense of Pakistan," one of the works examined, Farzana Sheikh emphasises that Pakistan has consistently suffered from subpar social, economic, and political strategies ever since attaining independence in 1947. One of the main reasons of terrorism in Pakistan has been this, and the military has benefited from circumstances like this. Based on who is in charge of the country, Pakistan has a bad reputation rather than serving as the protector of Islam as mandated by the father of the nation (Vitali, 2014). The goal of this research is to examine how

the Khyber Pakhtunkhwa Police contributes to anti-terrorism measures. As a result, the research will contribute to our understanding of the difficulties police encounter when implementing counterterrorism measures.

DISCUSSION

What difficulties does the Khyber Pakhtunkhwa Police face, and what changes are necessary now to make the police the best in Pakistan?

Seventy thousand men and women are currently engaged in Khyber Pakhtunkhwa's police force, which is charged with preserving peace and stability among the province's 26 million residents.

Police Department Organisational Chart

Khyber Pakhtunkhwa is divided into six areas, each of which is under the authority of a Regional Police Officer (RPO). The Central Police Office (CPO), which houses the police force's main offices, is located in Peshawar. The Khyber Pakhtunkhwa Act 2017, which is seen as a milestone in modernising the police department to suit modern security needs and difficulties, governs how the police force operates today. Under the Khyber Pakhtunkhwa 2017 Police Act, a corps of 6,000 trained "Elite force" members has been established for special operations and counterterrorism. The management of criminal investigations is the responsibility of the Khyber Pakhtunkhwa Bureau of Investigation, with assistance from four Deputy Inspector Generals of Police (DIGs) (Khan, 2014).

Police Duties and Methods of Operation

The Khyber Pakhtunkhwa police statute of 2017 stipulates that the police have the following obligations to the neighbourhood.

1. In the province, police should behave with decency and courtesy.
2. Police should support social harmony.
3. Police officers should defend those who are in danger of physical harm, particularly women, children, and minorities.

4. Police should protect locals' lives, property, and honour; 5. They should track down all criminals and punish them in accordance with their offences.

6. In Khyber Pakhtunkhwa, police should stop any anti-state acts or persons.

7. To plan or carry out covert or overt activities against dangerous, violent, and criminal persons.

Organization of Khyber Pakhtunkhwa Police

The headquarter of the Police is situated in Peshawar and includes a whole lot of important segments such as Brand of Legal Affairs, Brand of Inside Accountability, and Brand of Public Relation. The Police Establishment split into higher and lower ranks of police officers. Police Ranks of Higher levels include (a) Provincial Police Officer (Khyber Pakhtunkhwa Police Act, 2017)

REFORMS IN KHYBER PAKHTUNKHWA POLICE SECTOR

Khyber Pakhtunkhwa Police Act 2017 and provincial leadership has introduced following reforms in Khyber Pakhtunkhwa police department.

1. Directorate of Police Complaints

From the traditional era to the modern era, police personnel were seen as the rulers of the designated territory and their use of authority was virtually ever questioned. As a result, police officers frequently abused the political and security authority given to them. The police force is thought to be Pakistan's most corrupt institution, according to estimations (Pakistan corruption report, 2017).

In order to raise internal accountability, implement strict disciplinary measures, and encourage local community involvement in exposing corrupt police officials, the Khyber Pakhtunkhwa administration established the Directorate of Police Complaint under the Khyber Pakhtunkhwa Police Act 2017. In Khyber Pakhtunkhwa, 339 corrupt police officials lost their employment in 2017, while nearly 5000 of them were subjected to corruption prosecutions (PIPS Report, 2011).

2. Institutions for Police Training

The absence of sufficient training while employees are on the job is one of the problems with police efficiency. The Khyber Pakhtunkhwa government has therefore developed new police training institutions in order to enhance its human resources and organisational structure.

3. Agency for Combating Terrorism

According to Khalid (2017), Counter-terrorism is an institutional terminology that requires six key components;

1. Targets or strike patterns could be investigated and pinpointed using valid intelligence information
2. Creating forces with the sole purpose of removing the threat, if repulsion is impossible then halt to terminate any reported threat by any means possible.
3. Whenever terrorist activity is witnessed, the situation should be handled and contained immediately.
4. The environment should be friendly as it would allow better communication of information and allow reprisal operations on said intelligence once verified to further preempt any imminent threats.
5. In the whole operation, the role of the police is very important in taking action against terrorists and collective any kind of important information.
6. The contemporary role of the police is not suitable to police sufficient operational and technical leverage over the counterterrorism policy and where the police as a department is further distributed into forces that are purpose-built for rendering counter-terrorism services, the police department as a whole requires structural amendments to suit coming threats.

According to Cheema (2016), counterterrorism necessitates that all law enforcement institutions cooperate, are credible, and work together. If any institution is taken selectively, it will cause cracks in the counterterrorism framework and result in ambiguities that can tactically and strategically harm counterterrorism. For the past many years, Pakistani policy-making institutions have shown grave carelessness regarding the development of police capacity and the involvement of police in counterterrorism.

Meanwhile, the Pakistan Army has been tasked with combatting terrorism, which was not even their duty, due to the police's inadequate infrastructure and capacity (Special Report, 2010). In order to reduce militancy in Pakistan, the army adopted tough tactics and launched operations in two areas: the Federally Administered Tribal Agency (FATA), a region bordering Afghanistan that is governed by the Frontier Crimes Regulation (FCR) of 1901, and Swat, a city in Khyber Pakhtunkhwa that is part of the Malakand division, where the operation has been completed but the army is still present.

The government used Article 245 to operate in these two areas, therefore in regards to this, the army may be called upon to support civil authority if necessary (Rana, 2014). The military's considerable competence, which resulted from years of managing Afghan issues and the region's proximity to Afghanistan, was a major factor in the operation's beginning (Zant, 2015). But in early phases in FATA, the army had to suffer significant losses in terms of human life and infrastructure because it had not been trained for unconventional warfare (Hilali, 2005). According to the data, the army lost 350 men in 2009, but as it learned more about the nature of the conflict, the number of casualties dropped to 198 in 2013. (Perito, 2014).

Swat operation was named Operation Rah e Haq. The initial operation was initiated by the army in opposition to Tehreek-e-Nafaz-e-Shariat-e-Mohammadi (TNSM), an organization governed by Sufi Muhammad which was a great success for the army (Khan, 2012). Pakistan army initiated the second operation launched which was Operation Rah-e-Nijat (REH) to recapture the region Shangla. Initially, the terrorist activities showed the weakness of the police. Mullah Fazullah was the leader of the local Taliban's and the police being afraid of them started to join their ranks. Mullah Fazullah is now the head of Tehrik-i-Taliban Pakistan (TTP). However, police were supposed to manage the area after the operation was finished, but such a high-risk area could not be handled by the police so the army had to step into the situation and take charge. Moreover, some serious scandals were unveiled after the operations in Swat and FATA were successfully concluded. Army was considered a messiah by many and they were loved by the people, but few opposed the idea of the army handling public and political concerned issues. Normally, if the army is involved in counter-terrorist-related activities, they are usually not allowed to arrest or detain people but in Pakistan army was granted such permissions.

4. Policies being influenced by Political activities

Political intervention in the open and honest departments is the most obvious cause of any policy created with the country's best interests in mind failing miserably. In Pakistan, successive governments have used the police as a simple tool to repress opposition political parties for the sake of policy gains, while the army generals in charge have used the police to repress any disagreement with them. Corruption is destined to thrive in a nation where the police force, rather than upholding law and order, becomes a threat and risk to the safety of the citizens. Everyone is ready to not only decry corruption but also to promote it in order to line their own pockets and leave. Higher-ranking officials are chosen for their willingness to follow illegal commands, violate the law, and abuse other political threats.

In exchange, they are allowed to use any legal means, including corruption and looting the country with their allies and superiors, to satiate their unlawful desires. Only on the advice of political figures was it feasible to designate police in particular regions. Due to this, the younger staff members lost their ability to work honestly and started engaging in illicit activities

alongside their superiors. Internal accountability is impossible until a corrupt officer is in charge of a particular division, and as a result, corruption spreads among the police establishment's rank and file.

5. Professional Stifling in the Lower Ranks

In the State of Pakistan, the British system for the police force is still utilised (Michael, 2007). It was founded on the model of the Royal Irish Constabulary, whose primary goal was to control and dominate the populace rather than to perform any kind of public service (Abbas, 2011). In the end, those with limited or no literacy were promoted to lesser posts. 90% of those chosen were appointed as head constables or constables and recruited into the lower ranks (Khyber Pakhtunkhwa Police Department, 2018). The hearts of lower ranked employees lacked any desire for promotion. Also, they lacked the necessary background in policing experience (Abbas, 2013). They continued to work until the age of sixty, at which point they retired. They weren't at all like soldiers or anything of the sort. They continued to perform at the same level for almost ten years without any desire to get better. Even though there are certain high-ranking positions in the current police system, constables make up the majority of the workforce.

The members of other forces struggle professionally and are not eligible for selection or promotion inside the traditional police structure. Due to their extremely low salary, all police officers working under this kind of system can only experience frustration. As a result, they turn to bribery and other illicit measures to meet their demands. Employees are strongly motivated by the prospect of promotion to a higher level, according to an HR specialist. Police personnel who work in such a depressing and bleak workplace with no idea of promotion lack motivation. Such a dull system would only lead to police personnel abusing their authority and engaging in unlawful actions.

6. Mistreatment of Lesser Ranks

There is now no credible system in place, which simply serves to prolong any kind of reform. A credible system will ensure proper rewards and sanctions for those deserving and will function properly and adequately. Supposedly, a police officer's performance during the training programme and the feedback he receives annually from his supervisor should serve as the merit-based career advancement calculator. It is equally sad to see lower rank employees treated harshly by their superiors and, on the other hand, to see no disciplinary action taken against higher ranking police officers. Calculations show that there is an imbalance in the

amount of criticism the police department receives, with lower rank officers receiving more criticism overall.

For any official at the deputy superintendent level or higher, sanctions are either nonexistent or extremely uncommon. The Punjab police reprimanded close to 54,800 officers in a single year. While lower rank officers earned 34,061 punishments, 18,820 sub-inspector and assistant sub-inspector rank officers also received sanctions. Officers at the deputy superintendent level or higher were only disciplined 32 times in opposition to this (Police report, 2011). No senior police officers with the level of superintendent of police or higher received any discipline.

7. Political blackmail during the hiring process

Last but not least, the selection of rewards, positions, promotions, and training sites is based on the need to favour individuals, aggravating a system that is already riddled with problems. The foundation of this nepotism, which results in the disempowerment of trustworthy and honourable officers, is the awarding of undeserving promotions and appointments to higher positions. Also, officers who refuse to follow the unlawful commands of dishonest political figures are criticised. As a result, the officials who are reluctant to lose their posts accept nepotism. Because they desire to work for themselves rather than for the country, officers' interests are misaligned as a result. The recruitment of officials based on the recommendations of political leaders only renders police officers vulnerable to abuse, which corrupts them. To believe that police officers who make such a meagre salary would have any empathy for the public would be absurd.

8. Gothic Thought

When they started taking orders from its leadership, the nepotistic police department adopted a traditional and feudal mentality. The police officer who is promoted to a major rank through nepotism creates their own circle of privileges. While obeying his master's commands and disregarding norms and regulations, he continues to profit from the system and line his pockets.

9. Constitution-related Issues

Because of flaws in the pre-existing constitution's provisions, creating police reforms in the department is difficult. Since there have been several instances of martial law over the past 60 years, the police have received very little investment; the army did not place much value on the police sector. Although lack of funding is frequently cited as a barrier to reform, the actual problem is that government officials lack the motivation to make improvements to the police sector (Jami, 1997). Although sensible police department reform does not necessitate a large budget, political leaders do not want to promote any improvement to the police force. Hence,

political leaders must set the right priorities and federal and provincial leaders must be on the same page in order to establish a police force that can compete with those in Western nations. Pakistan's law and order situation has seen a significant evolution after the events of September 11, 2001, in the United States. If the police wish to advance, they should no longer submit to outdated customs.

10. Crime and Terrorism

Throughout the past few decades, the province's terrorist groups have altered their strategies to conduct their activities in conjunction with criminal organisations (Hussain, 2012). Due to a drop in sponsorship after the end of the Cold War, the majority of terrorist organisations were forced to hunt for material and financial backing elsewhere. In the wake of the 9/11 incident, there was even less room for terrorists to hide. The global "War on Terror," especially the constraints on the financial aid system for the terrorists, led to international terrorists becoming traditional criminals and joining criminal gangs (Hussain, 2012). As criminal organisations on the opposing side started looking for a security shield from terrorist organisations and started attacking police personnel, checkpoints, and vehicles, the large convergence of interests between the two groups pulled them together (Jamal, 2015).

11. Inadequate Collaboration

The lack of coordination and collaboration between police personnel and the local community is another issue that hinders the effectiveness of the police in Khyber Pakhtunkhwa. The police force is frequently seen as a corrupt organisation and blamed for serving its own interests. As a result, residents shun police officers or staff.

12. Absence of Advanced Weapons

There are numerous replica weapon businesses in Darra and Bannu. Seldom do these guns have a sale record or other proof of purchase, and they were frequently employed in unlawful and criminal actions (Khan, 2013). Yet, the police department's arsenal is not technologically modern enough to fulfil today's security standards.

13. Knowing how to fight Terrorists

Organizations like the military, intelligence agencies, and civil-military forces are in charge of giving the police force accurate information on a variety of offences while they are primarily in charge of upholding the rule of law. Yet, the police forces in Pakistan are under pressure to give up their major responsibility for the internal security of the nation and submit to

intelligence agencies, military Rangers, and border Guards. The nation's intelligence organisations and departments are led by retired army leaders. As a result, the political leaders look to the army chief to resolve important terrorism-related matters (the army chief is in charge of all operations initiated against terrorists and criminals).

Presently, Pakistan as a whole, and Khyber Pakhtunkhwa province in particular, suffer from the lack of an acceptable counter-terrorism work plan. What's even more concerning is that they don't care to develop a strategy. On October 22, 2008, Parliament Security proposed a fourteen-point resolution (Ghauri and Bilal, 2008). A committee of 17 members representing Parliament created a twenty-three page document pertaining to national security policy in support of the prior resolution. The resolution and its ensuing policy reflected the desires of the people of Pakistan. Unfortunately, the government had not paid any regard to these policies, and the relevant department had likewise discarded the policy.

The National Counter Terrorism Authority (NACTA) was established by the prime minister in 2009 with the primary goal of assisting counterterrorism initiatives (Zaheed, 2015). Tariq Pervez, who served as the Federal Investigation Agency's (FIA) previous director general, was an expert in dealing with terrorism-related matters. However immediately after the institute was established, it encountered a number of challenges that prevented it from developing a successful counterterrorism strategy. It was unexpected that the Minister of Interior was in charge of this bureau because traditionally, the Prime Minister handled institutions of this nature. The bureau eventually found itself in a non-operational state.

As a result, Pakistan currently has no effective counterterrorism strategy at its disposal. The National Anti Terrorism Authority's (NACTA) history reveals Pakistan's inept political elite. Keeping in mind that one of the main responsibilities assigned to the officer of the station house and his subordinates is the role of police in counterterrorism Updated Khyber Pakhtunkhwa police SOPs document significant issues and train police officers to be sensitive to terrorist activity that they may encounter while performing their routine duties. The funding of the Tehrik-i-Taliban of Pakistan and other terrorist organisations is publicly linked to organised crime, the engagement of criminals for financial gain, extortion, and drug trafficking (Rana, 2014). As a result, the police have always sought to build law and security in the province, and their strategies and policies have evolved through time to meet changing security needs and modern problems, but the road to reforming the police department into new models is still long. Without the support of the local population, political figures, and security services, these reforms cannot be implemented.

14. Miscellaneous changes

A forensic science lab is set to be finished in Swat to examine the crime scene evidence and aid the criminal investigation. The lab is furnished with high-tech equipment and research tools. The mobile squads are equipped and trained to look into terrorism-related and homicide-related situations. To maintain officers' allegiance to the department, improved police wages, the availability of constabularies, direct entry to the Police Command through the Internal Command Access Line, and expedited assistance of officials during the Commission on Public Service were all implemented. Further measures to enhance the efficiency of the police department in Khyber Pakhtunkhwa include the establishment of Help desks run by women, DRCs inside police stations, the PAL (Police Assistant Line), online FIR registration, and the Police Assistant Line.

The perception of the Khyber Pakhtunkhwa Police, which is positioned as a modernizer for police dependability and answerability of the department of public service, has improved, despite the slow progress of these police reforms. The Police of Khyber Pakhtunkhwa face a significant task in dealing with Tehrik-i-Taliban Pakistan (TTP) response despite having made notable advancements in organised crime. Inspector General Police (IGP), the highest ranking police officer, is not given complete autonomy. Politicians assign their own blue-eyed cops to carry out their jobs. A report claims that, on average, the Inspector General of Police (IGP) of each province has not held office for longer than eight months. Yet, for some time now, particularly in Khyber Pakhtunkhwa, the highest police officials have been performing their duty. Similarly, lower level police officers are not given enough time to put rules into effect. The consistency of tenure is used as a barometer for an officer's success. According to the British police Act of 1996, the London Metropolitan Police Commissioner is appointed for a five-year term. So that the officer is given an uninterrupted tenure; this lowers the likelihood of political manipulation because the officer will feel secure with a definite term. Long-term counterterrorism strategies in Pakistan can only be successful if the police chief is given the flexibility to carry them out.

CONCLUSION AND ANALYSIS

Despite the Khyber Pakhtunkhwa administration's multiple tactics, the Police department continues to struggle with peacekeeping operations because of serious administrative, financial, and infrastructure issues. In addition, the statute of 1861, a creation of the British era and designed to address the sociopolitical climate of the time, has been a source of authority

for the police in the historical sphere. Pakistan needs new laws in the twenty-first century to keep up with the times. Lawmakers must give bringing new policing laws their entire focus. There are many police-related laws in each province. While Sindh and Baluchistan are still governed by colonial-era legislation, Punjab and Khyber Pakhtunkhwa are benefiting from updated versions of the 2002 police order. The amount of transparency and accountability for police has decreased due to the lack of contemporary regulations governing policing.

The Khyber Pakhtunkhwa government is assisting Punjab Police in launching the first-ever Online FIR in the history of police work. It is a positive development that the Khyber Pakhtunkhwa and Sindh police are offering the option of filing a First Information Report (FIR) online. To combat terrorism, the country will need to enact contemporary legislation and utilise cutting-edge technology. Further measures to enhance the efficiency of the police department in Khyber Pakhtunkhwa include the establishment of Help desks run by women, DRCs inside police stations, the PAL (Police Assistant Line), online FIR registration, and the Police Assistant Line. The perception of the Khyber Pakhtunkhwa Police, which is positioned as a modernizer for police dependability and answerability of the department of public service, has improved, despite the slow progress of these police reforms.

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