



Centre for Peace and
Development Initiatives



Community Policing

Proceedings of a Consultative Workshop

Islamabad, 8–9 March 2010

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Center for Peace and Development Initiatives (CPDI) would welcome reproduction and dissemination of the contents of the report with due acknowledgments.

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ACRONYMS

ADR	Alternate Dispute Resolution
BHC	British High Commission
BRSP	Balochistan Rural Support Program
CPD	Center for Peace and Development
CPLC	Citizen Police Liaison Committee
CSO	Civil Society Organizations
DIGP	Deputy Inspector General Police
DPO	District Police Officer
FATA	Federally Administered Tribal Area
FAFEN	Free and Fair Election Network
GJTMA	Gender and Justice through Musalihat Anjuman
JPI	Just Peace International
LGO	Local Government Ordinance
MNA	Member National Assembly
MPA	Member Provincial Assembly
NWFP	North-West Frontier Province
NGO	Non-Governmental Organization
PO	Police Order
TAF	The Asia Foundation
TAC	Thana Aman Committees
UC	Union Council

EXECUTIVE SUMMARY

Consultative Workshop on Community Policing was held in Islamabad on 8th and 9th March 2010. The workshop was organized by Center for Peace and Development Initiatives (CPDI) in collaboration with The Asia Foundation (TAF). The Workshop was designed to sharing experiences about Community Policing and Dispute Resolution by the civil society and practicing police officers. The purpose was to come up with policy recommendations for future shape of policing and local governance laws in the areas of community policing and community-led alternative dispute resolution (ADR).

A total of eight technical sessions were held during the two days of the workshop. These sessions were based upon presentations on various pertinent areas on Community Policing and Community-led Dispute Resolution. The presentations were followed by in-depth discussions on the basis of questions raised by the participants. The participants included members of civil society organizations, members of Musalihat Anjumans/Committees and Community Police Liaison Committees (CPLCs), representatives of other donor-funded projects on Community Policing and ADR, serving Police Officers with hands-on experience of community Policing, representatives of government and donor agencies, bar and media.

During these deliberations, a consensus emerged on efficacy and relevance of community policing and community-led ADR strategies. It was argued that these strategies have assumed greater relevance in the light of peculiar security and public safety scenario of Pakistan. It was pointed out that there was an urgent need for addressing the legal and policy gaps in the working of Community ADR and Musalihati Committees. It was also proposed that continued support from donors and government shall be instrumental in ensuring the sustainability and ownership of these laudable initiatives for the larger advantage of common citizens. Last but not the least, there was an agreement that proceedings of the workshop may be presented to policy-makers during the on-going review of local governance and police reform framework in Pakistan.

DAY ONE - INAUGURAL SESSION

1.1 Welcome Address by Mr. Mukhtar Ahmad Ali, Executive Director, CPDI

In his inaugural address, the Executive Director of CPDI narrated the evolution of the notions of Community Policing, Alternate Dispute Resolution and Restorative Justice with a particular focus on its relevance in the present security situation in the country. He underscored the importance of having a critical assessment of the past experience of Community Police and Alternate Dispute Resolution techniques with a view to provide informed policy lessons and assessments. He was of the view that there was abundant evidence to prove the relevance of community policing for promotion of a culture of Alternate Dispute Resolution. He also highlighted the centrality of the question of legal and policy justifications for Community Policing and ADR which could decide the future of these concepts in the final analysis. He drew attention of the participants to the likely modifications which government may be contemplating in the existing local governance and police legislations in the country. He was of the view that workshop deliberations could enable policy-makers, practitioners and civil society activists in their efforts to re-configure policing institutions to become more responsive to communities' priorities and expectations.

1.2 Opening Remarks by Mr. Gareth Aicken, Country Representative, The Asia Foundation

Mr. Gareth Aicken, Country Representative, The Asia Foundation thanked the organizers and participants of the workshop on behalf of The Asia Foundation. He underscored the importance of listening to the views and sharing the experiences of field practitioners, working on different components of community policing and ADR. It was important to learn what worked and what did not work so that future implementation could be made more result-oriented and effective. He referred to various efforts

of The Asia Foundation which have been implemented for promoting an open and just Asia through its work in the thematic areas of Governance, Law and Civil Society. Reference was also made of the work which The Asia Foundation has previously and continues to do with FAFEN (Free and Fair Election Network) for enhanced accountability. He was of the view that the theme and context for this workshop gelled well with the mandate of The Asia Foundation in the areas of Peace, Justice and Security. Reference was also made to the recently-held workshop about the law and justice sector reform facilitated by The Asia Foundation. He was of the view that the prevailing security challenges and public safety crises in parts of NWFP and Balochistan have only highlighted the urgency of bridging the gap between communities and police. He also briefed the participants about the on-going ADR and community policing initiatives which are being funded by The Asia Foundation in NWFP and Balochistan.

Country Representative, TAF also specifically touched the theoretical underpinnings of the notion of Community Policing. He was of the view that it is more an approach than an action; a change of attitudes amongst communities as well as police. For Police, it is about becoming service oriented and for communities it is an exercise in alleviating distrust in police alongside enhancing support for police in its efforts for a secure and just society. He appreciated the marked success of Community



Mr. Gareth Aicken, Country Representative The Asia Foundation, highlighting the importance of workshop in inaugural session.

Policing and ADR initiatives in NWFP and Balochistan which was an evidence of philosophy of change that can be internalized through sustained engagement. It is through concerted efforts from Police, CSOs and citizens that a real change can be brought about for breaking status quo. He expressed the hope that workshop deliberations would facilitate this change of attitude amongst police as well as communities for the benefit of ordinary citizens leading to more secure and peaceful livelihood.

1.3 Remarks by Malik Naveed Khan, Inspector General of Police, NWFP



Mr. Malik Naveed Khan, IGP NWFP, having a discussion with participants after the inaugural session.

Inspector General of Police, NWFP congratulated The Asia Foundation and CPDI for holding this event of utmost relevance. He expressed the view that timing of the event could not have been more appropriate as most parts of NWFP are passing through unparalleled security challenges necessitating closest possible liaison between the public and police. The very notion of Community Policing (entailing an approach where police and communities work together to reduce crime and enhance harmony) may be the best answer for such security challenges. Although there could be different viewpoints on Community Policing with each having its own merits but the essence

of the notion lies in greater bonding between communities and police. It was in this context that Community Policing pilot was launched in NWFP through Standing Order institutionalizing Musalihat Committees during 2008. He clarified that Musalihat Committee established in NWFP has been established independent of Musalihat Anjuman provided under Local Government Ordinance 2001, which were not as effective as Musalihat Committee established under the aegis of Police. Particular care has been exercised to ensure that formation and working of Musalihat Committees in NWFP is kept thoroughly apolitical. This initiative was originally started in Hazara but later extended to other districts of the province. Encouraging

results were shown by this initiative from the very beginning. For instance, in Abbottabad, out of nearly 3000 applications made to Musalihati Committee, only 31 were subsequently converted into FIRs. Similarly, In Nowshera, Musalihati Committee reduced the number of registered cases by 25%. He expressed the view that these Committees were not against the law. During deliberations in these committees, the concerned parties are given an option to optionally go for mediation for amicable settlement of disputes. The real secret behind the effectiveness of these Committees is the fact that Musalihati Committee members get a lot of respect. It is on the basis of these facts that the initiative is being replicated in other districts.

IGP also drew attention of the participants to the other initiative being launched by NWFP police in recent months, titled 'Peace Committees in Swat'. Due to peculiar security circumstances in Swat, nobody came for recruitment in Police which in any case needed eleven years to materialize. It was in this context that NWFP Police started recruiting Community Police by framing Standing Orders providing for recruitment of special police officers. Under this initiative, Special Police Officers were recruited from within the communities who could stand up to Taliban. In two months, the Police has recruited 672 Special Police Officers in Swat District. The real advantage of this recruitment was manifold. Firstly, it sent a strong message to the Taliban regarding morale of the communities in the affected areas; secondly it gave strength and self confidence to the common people. Thirdly, it augmented morale of Police as force. After success of this model in Malakand, this is being replicated in Peshawar district on similar lines.

In the end, IGP briefed the participants about the notion of community policing which has many styles. There could be differences but indigenous Community Policing Model is a successful model. He expressed the view that policing is too serious a business to be left to Police alone. Public oversight is critical for police performance. The whole philosophy of Community Policing is predicated upon the philosophy that in addition to the crime, Police also needs to focus on the victims. Another important aspect where community policing could play vital role would be the impact of involvement of local youth in militancy. He argued that at present, a large number of terrorists are undergoing various stages of prosecution. Once these proceedings are complete, their rehabilitation shall be a real challenge. Rehabilitation of militants and review of Madressah Curricula is an imminent priority to be followed for public safety in NWFP. Community policing could also provide suitable solutions to these impending problems in NWFP.

SECOND SESSION

COMMUNITY POLICING:

Concepts, Background & Experience in Pakistan

2.1 “Community Policing - Contextualizing the Concept” by Mr. Kamran Adil, SP Cantt. Rawalpindi

The presentation was meant to introduce various categories of policing including Military and Professional Model to contextualize Community Policing Model as a separate and distinct entity. Peculiar features of Community Policing Model were brought about after an interactive session and effort was made to identify the relevance of Community Policing for the existing security situation in Pakistan. The speaker underscored the fact that community policing provides an opportunity whereby mutual respect between police and communities can be utilized for realizing public safety and security objectives in an efficient manner. He challenged the impression that community policing is only suited for peaceful situations. Community policing could be vital in restoring the lost confidence and dampened morale of communities as well as security personnel in situations of deteriorating security.



Mr. Kamran Adil, SP Cantt. Rawalpindi, presenting ‘Concept and Background of Community Policing’.

As a matter of fact, community policing also helps taking along people in implementing public safety policies in a mutually supportive manner.

The speaker also dilated upon the question of what exactly is meant by community policing. He was of the view that in designing community policing strategies, a clear distinction between Community-led ADR needed to be made out. This is important as 'community-based ADR does not necessarily require support of police but community policing does need full backing of police formations. Similarly, the primary objective of Community Policing in terms of crime prevention, social disorder control or suppression of militancy trends needs to be clearly recognized. Without such clarity, Community policing may often be reduced to a mere public relations exercise. The real test of effectiveness of any community policing strategy lies in its ability to bring community closer to the police through a mutually supportive relationship. In the end, a meaningful community Policing initiative should preferably include elements of community based crime prevention; re-orientation of police patrol in non-emergency situation; enhanced accountability and promotion of police oversight by common public.

There are several international models of community policing. Japanese Model of community policing through (KOBAN) is based on intimate interaction with common people in the locality. Similarly, Community Models of Policing also exist in Singapore as well as in some of the states of USA. UK has traditionally followed an armless model of policing for community policing. German Model of Community Policing did not make a great success. In India, Community Policing is done in the form of Friends of Police or Mohalla Committees while in Bangladesh, it is done through Community Policing Forums. In case of Pakistan, strong legal basis for Community Policing exist in Police Order 2002 through its preamble as well as through several provisions including Article 168 regarding CPLC.

2.2 Concept and Background of Community Policing, by Mr. Ahmad Chinoy, Chairman, Citizens Police Liaison Committee Experiences, Karachi

The speaker started with a brief background to community policing experience in Karachi. It was explained that there appeared to be some confusion regarding the exact definition or consequences of Community Policing in Pakistan. Much of the

misunderstanding about community policing stems from the misguided view that it is yet another community relations without real substance. The fact is that community policing does promote excellent police/community relations, but only a by-product of this new philosophy of policing stresses community involvement in combating crime and disorder. What has happened is that community policing has been confused with previous efforts that failed at their fundamental goals.

In Pakistan, the concept of community policing was introduced in the year 1989. It was when criminals were targeting businessmen or their relatives for ransom against their release from their captivity while the victims were not finding any recourse in the police. The former Governor of the province of Sindh, Justice (Retd) Fakhruddin G. Ibrahim hosted a reception for the businessmen of Karachi and floated the idea of establishing a Citizen-Police Liaison Committee (CPLC). The concept was to involve people from the business community who were the main target of the crime. Governor Ibrahim knew that the police does not have the capacity and resources to deal with the kidnapers alone without the participation of community. Responding to the highly volatile situation in the city with businessmen/ industrialists kidnapped almost every day for ransom, CPLC played dual role of providing solace to the victim families and technical support and guidance to the police to deal with the situation. The effectiveness of the excellent collaboration between the Police and CPLC can be envisaged from the fact that the success rate in tracking and arresting kidnapping for ransom cases went past 80%. But, unfortunately with the use of mobile phones by kidnapers, success rate has dropped down to 60%.

Besides professionally dealing with kidnapping, murder, extortion, dacoities and cases of terrorism, CPLC Karachi also maintains data of all crimes of last twenty years, a customized state of the art database of Stolen/ Snatched Vehicles, Mobile Phones and Geographic Information System based Spatial Crime Analysis. Regular crime patterns are developed and shared with Police on monthly basis to combat crime. Data of all prisoners lodged in Karachi jails is also maintained at CPLC. Recently we have initiated a project for the rehabilitation of prisons. Main features of the project include finger printing of all prisoners, crime history, ensure hygienic conditions in prisons, supply of hygienic and better quality food and improved facilities for visitors.

Additionally, CPLC Karachi has also initiated several neighborhood Care initiatives / Projects (CPLC-NC) in the following areas:-

- CPLC – NC PECHS Project
- CPLC – NC Seaview Project
- CPLC – NC Al-Hamra Project
- CPLC – NC Society Zone Project

CPLC-NC Projects cover a wide range of activities in the project area which can be grouped in the following major categories.

- Area Security
- Surveillance through cameras.
- Garbage Collection and Disposal
- Laying and maintenance of Water & Sewerage lines
- Maintenance of Street lights
- Maintenance of Roads
- Traffic Management Programme (managing around 4,000 vehicles during school hours with CPLC – NC Traffic Wardens)
- Recreational family Park
- Area Development, footpaths, tree plantation, etc.

With the introduction of CPLC – NC projects the rate of crime in all these areas has been drastically reduced and the residents of the area now feel extremely secure due to the constant patrolling / watch and presence of police personnel round the clock. Similarly the provision of civic amenities in these areas has also been improved to a great extent with excellent support of relevant agencies.

THIRD SESSION**Project Interventions for Community Policing:
Experiences and Lesson Learned****3.1 Presentation on Experiences and Lessons Learned through Interventions for Community Policing in Balochistan by Mr. Nasrullah Khan, Executive Director, Centre for Peace & Development, Quetta**

The project entailed capacity building of institutions for security and peace which was carried out through Thana Aman Committees and promotion of Community Based ADR. The project entered into partnership with Balochistan Rural Support Program, Taraqee Foundation, Center for Peace and Development, Quetta and The Asia Foundation. The project covered five districts in Balochistan including Quetta, Khuzdar, Ziarat, Pishin and LoraLai. Some of the project activities included Capacity Building of Civil Society Organizations on Alternate Dispute Resolution and Restorative Justice and strengthening of Public Safety Commissions and Citizen Police Liaison Committees in the project districts. A total of fifty Musalihat Anjuman (under BLGO 2001) were to be established through project assistance. For this purpose, partnership with UNDP's Gender Justice through Musalihat Anjuman (GJTMA) Project was undertaken. Additionally, eight CPLCs were established in eight districts while Thana Aman Committees were established in four Districts. Capacity Building of the members of Thana Aman Committees was ensured through frequent visits and collaborations with CPLCs in the project districts.

Activities of the project were strengthened by the GJTMA Project by UNDP through which Musalihat Anjuman had already been formed in many Union Councils of the project districts. Under this project, ten Musalihat Anjuman were selected in each of the district for provision of Capacity Building services for the members of these Musalihat Anjuman. Through the efforts of the project, Musalihat Anjuman and CPLCs are working in a mutually supportive manner where they both are present, and the project has produced positive results in a span of around twelve months.

In order to build upon the initial success of the project activities, it is essential that CPLCs and Community Policing initiatives under the project are sustained for peace and security. Similarly, it is also essential that capacity building of police on community policing is taken up as an on-going measure for transforming police culture.

Similar strengthening of Musalihat Anjumans, CPLCs and Thana Aman committees as a means for promoting Community-based ADR is also urgently needed. Last but not the least, it is also essential that success of CPLC and Community-based ADR is also replicated in other districts of the province.

3.2 Presentation on Experiences and Lessons Learned through Interventions for Community Policing in Balochistan by Mr. Nadir Gul Baraech, Chief Executive Officer, Balochistan Rural Support Programme (BRSP), Quetta and Mr. Amjad Rashid, Chief Executive Officer, Taraqee Foundation, Quetta

The speakers provided an overview of the community policing initiatives with specific reference to Balochistan. They highlighted the importance of the project in providing a vital opportunity to BRSP for eliciting Community Support for peace, security and law enforcement. The project activities actually built upon social mobilization and community organization expertise of BRSP for channeling it towards realization of the goals of improved public safety. The project has successfully



Mr. Nadir Gul Baraech, Presenting experiences and lessons learned through community policing project in Baluchistan.

bridged the gap between police and the common public. Speakers also highlighted the importance of the project theme as a means to addressing the larger question of violence and militancy in the province. The project provided a rare opportunity to local communities for getting together and work in collaboration with Police for achieving the objectives of peace and security for all. There was unanimity of views that the initial success of the project needed to be further strengthened through collaboration of the relevant government agencies as well as international development partners.

3.3 Comments by Senator Abdul Malik, Chair of the Session

The chair expressed the view that right now, Balochistan represented a crippled society where Government appears to have receded its authority to the so called, Sardars and Vaderas. He expressed the view that almost half of the crime committed in the province is committed through support and help of these Sardars. He also expressed dissatisfaction with the progress made towards fully implementing Police Order 2002 although over eight years had elapsed since its promulgation. He also highlighted the problem of non-availability of suitable candidates during recruitment of police officers and the staff. He cautioned the workshop participants against the possible negative fall out of community policing which could actually bring these institutions hostages to the local influential. He expressed the view that community participation for improved policing or ADR promotion may be undertaken without losing focus and insistence for essential institutional reforms within public safety organizations.



Mr. Ali Gohar, Rehbar Just Peace International, presenting experiences and lessons learned through ADR in NWFP.

FOURTH SESSION

Project Interventions for Community Policing: Experiences and Lesson Learned

4.1 Presentations on Experiences and lessons learned through interventions for Community Policing in NWFP by Mr. Ali Gohar, Rahbar, Just Peace International and Mr. Zaheer Khattak, Executive Director, United Rural Development Organization

The initiative is designed to provide training facilities for the members of Musalihat Anjuman/Committees in NWFP and supporting Community Policing in Balochistan. The project was initiated in Abbotabad and Peshawar. In the first phase, Musalihat Anjuman strengthening could not be undertaken in Peshawar. At present, the project is being implemented in seven districts and has produced many positive results. Mr. Naveed Tanoli of URDO shared the experiences of Musalihat Committee in Mansehra District and underscored the promise of the initiative. He expressed the view that any kind of appellate forum against the deliberations of Musalihat Committee could be very useful.

4.2 Presentations on Experience of Community Policing: Police perspective

4.2.1 Presentation by Mir Qasim Khan, SP Mardan

The speaker shared his experiences on Musalihat Committees which were constituted in Mardan district. It was explained that in Mardan, there are seventeen Police stations. Each of these Police Stations has a Musalihat Committee which comprised up-to thirty members representing each walk of life. All these members were selected through a transparent process and are above board in terms of personal character and credibility. Each Musalihat Committee has been given office and logistics support by the relevant Police Station. In addition to dispute resolution, these Musalihat Committees have also bridged the gap between the common citizens and the Police. These Committees helped in resolving around 370 cases in three month's time which also included fifteen murder cases and eighty-four disputes regarding property. Efforts of Musalihat Committees in resolving these disputes have also been appreciated by the local lawyers and media. Mr. Tauseef Haider (SP Peshawar Cantt.) also joined the discussion and expressed the view that Musalihat Committees produced positive results, primarily in the areas where strong tribal traditions existed. Police-led Musalihat Committee actually implemented the concept of traditional Jirga where many of its likely drawbacks and constraints have been removed or minimized through constant linkage with local Police. The project provided an evidence of how community participation systems could benefit from Police institutions for the benefit of common citizens. The initiative also succeeded in minimizing the level and incidence of political interference in the working of police. There was a consensus that the experience of Community Policing through Musalihat Committee could best succeed if it is primarily confined to a referral role and worked through an informal design. Ideally, such an initiative needed to have a provincial focal person or institution for ensuring consistency and quality assurance in the deliberations. Last but not the least, effective media coverage was essential for the success of the initiative.

4.2.2 Presentation by Mr. Farhan Mirza, DIG Quetta

The presenter narrated the experience of community policing in Okara District. He expressed the view that Musalihat Committee represented only one of the strategies for promoting Community Policing. He expressed the view that formalizing Musalihat Committee was not fully in consonance with the very spirit of ADR. He

was of the opinion that Community Policing was much broader a notion than Musalihat Committee, and was of the view that Musalihat Committee may actually result in enhancing the rate of non-registration or non-reporting of crimes. Police led ADR may be susceptible to inefficiency, elite capture and outright corruption, especially against the vulnerable sections of the society.

He explained Community Policing experiences in Okara which followed innovative approaches including Children Festivals which were used to educate and inculcate awareness through children for public safety and rule of law. In Okara, the notion of “Elders Gatherings” was also employed to elicit the support of local elders and influential in all issues pertaining to public safety and law and order. Under this initiative, elders were trained in each of the Union Councils by establishing “One Bethak” for providing a gathering place for elders. Similarly, a convention of Numberdars was also held for involving Numberdars in public security and safety matters all across the district and initiatives involving blood banks and computer trainings were also arranged by the Police for eliciting Community Support for improved Policing.

Community Policing in Rahim Yar Khan

Community Policing Model of Rahim Yar Khan was also discussed during the presentation. This model entailed formation of Community Groups/Committees which were supported by District Police in different Police Stations. These Committees were referred disputes for settlement before these are converted in FIRs. These Committees summoned the parties to the dispute through formal letters (something which was referred to as a controversial matter), and also supported local police in improved watch and ward and information sharing within the localities. District Police also arranged a range of citizen police liaison events including walks against crime, seminars, trainings and awareness events. The experiment served the purpose of facilitating the working of police, resolution of disputes besides bridging the trust gap between police and communities.

DAY TWO

FIFTH SESSION

Conflict Resolution, Alternative Dispute Resolution and Restorative Justice: Experiences of Mediation/Dispute Resolution Committees

5.1 Restorative Justice & Criminology: Role of Community Policing in Public Safety & Crime Prevention. Presentation by Mr. Fasihuddin, DIG Headquarter, Peshawar

The presentation was designed to provide a critical assessment of Community Policing and Musalihati Committee experiences in NWFP. The presenter provided an overview of criminology which comprises law, psychology and sociology. He argued that community Policing was essentially a form of decentralized policing as against traditional approaches to policing including zero tolerance, problem solving and traditional policing. Community Policing essentially broadens the horizon of policing from crime prevention to crime reduction. Ideally speaking, community policing should ultimately combine public confidence in policing with enhanced social accountability. Presentation also provided clear distinction between retributive and restorative justice for contextualizing the debate about Community ADR initiatives. The presentation provided interesting insights into community policing experience around the world. The presenter argued that community policing is already losing luster before it is fully started. As a consequence, countries and societies are moving from community policing to community cooperation for peace and security.

The presentation also assessed the community policing experience which has been experimented in NWFP through Musalihat Committee. The experiment was started in 2006 in Hazara Division where Police Station-based Musalihat Committee for dispute resolution was put in place. It is important to note that NWFP Experience of Musalihat Committee is provided cover through Standing Orders of IGP NWFP. However, presentation also informed that a draft law for regularizing working of Musalihat Committee in the province had not been accepted and cleared by Law Department which could cause legal complications for the working of these Committees. The project is being presently supported by The Asia Foundation. In NWFP other initiatives on Community Policing model have also been started including Special Police and Village Police. Both of these initiatives have been started through Standing Orders of IGP. Both of these represent good ideas but there are no resources to support and augment these ideas. Secondly, these Police initiatives have been challenged by HR activists before District Judiciary. All these realities underscore the importance of detailed and critical assessment of on-going models of community policing in NWFP if these are to have positive chances of sustainability and legal sanction. In this regard several issues would need to be addressed. For instance, the legality of the whole process of Musalihat Committees needs to be reviewed as to whether it is helping police or replacing police. Matters pertaining to cognizable or non cognizable offences or procedural fairness will need to be clearly spelled in the working of these innovative models. It was mentioned that in Hazara out of a total of 3804 applications submitted for registration of FIR, only 245 cases had FIR registered during one year. Similarly, between July and September 2008, a total of 2841 applications were received by Thana committees for FIR registration out of which 1300 cases were decided by these committees. Last but not the least, an analysis is required to ascertain as to whether or not the Police was competent to deal with all these issues through deliberations of Musalihat Committees. All these matters necessitate that Community Policing must only be adopted as a comprehensive strategy covering legal, procedural and social aspects if it has to survive as a sustainable and legally valid institutional arrangement.

5.2 Gender Justice through Musalihat Anjuman, Case Study of Delivering Justice at the Doorsteps by Mr. Hamid Afridi, National Project Manager, Gender Justice through Musalihat Anjuman Project by UNDP

Gender Justice through Musalihat Anjuman (GJTMA) Project aims to promote and safeguard the rights and lawful entitlements of the vulnerable sections of society by institutionalizing a community-based alternate Dispute Resolution mechanism in the form of Musalihat Anjuman. Government of Pakistan, with the assistance of UNDP is implementing this project in selected districts of the country in line with the provisions of LGO 2001. LGO 2001 provides for the constitution of Musalihat Anjuman at each Union Council as community-based ADR forums for disputes notified by the law. The project was developed on the basis of the findings of Social Audit of Violence against Women and aims to specifically look into issues of gender justice in Pakistan.

The utility of community-based ADR through Musalihat Anjuman is manifold. It is instrumental in reducing the pressure and backlog on the police and court systems. The mechanism of Musalihat Anjuman provides a readily available and inexpensive mechanism of dispute resolution whereby parties are not forced to spend money or time for settling their disputes through endless legal battles. Community-based ADR also facilitates amiable settlement of disputes for minimizing local animosities or enmities for peace and tranquility at the local levels. The effectiveness of the project has been duly recognized by the government with the result that all Provincial Governments have allocated own source funding for further expanding the initiative. The success of the model can also be judged from the fact that Musalihat Anjuman have been referred to in National Judicial Policy document as a means for operationalizing Community-led ADR.

SIXTH SESSION

Experiences of Public Oversight and Engaging Communities under Police Order 2002 and Local Government Ordinance 2001

6.1 Mr. Junaid, Deputy Chief, CPLC Faisalabad

CPLC Faisalabad was established in 2001 as a joint collaboration between local philanthropists and senior Police Officers in Faisalabad. The idea was basically predicated upon the successful CPLC model of Karachi and got ready recognition and support from local industrialists and civil society activists. Ever since its inception, CPLC Faisalabad has undertaken a comprehensive program for modernization of several police stations in Faisalabad City. Remarkable progress has also been achieved in establishment of Rescue 15 services at several places in Faisalabad. Other technical support initiatives undertaken by CPLC Faisalabad include installation of public security systems, improvement of traffic control systems, provision of latest equipment and transport as well as computerization of police records. Equally important are the steps undertaken by CPLC Faisalabad regarding a comprehensive system which has been put in place for redressal of public complaints involving police. Similarly, CPLC Faisalabad has also implemented comprehensive legal awareness program for sensitization of common citizens from time to time. Due to hectic efforts of CPLC and close collaboration of Police, a visible change in the perception of common citizens about police and policing services is already visible. Its efforts for making Faisalabad a crime-free society, elimination of police-public gap and up-gradation of police infrastructure have also been appreciated by government. It is for these reasons that CPLC Faisalabad is being cited as a model of replication for other CPLCs in the province.

6.2 Experience of Statutory Mechanisms of Police Oversight under Police Order 2002 by Mr. Asad Jamal, Advocate, Lahore High Court

The presentation provided an overview of police oversight mechanisms provided through Police Order 2002 as well as Punjab Local Government ordinance 2001. A detailed review of the oversight mechanisms covering Zila Nazim, District public Safety and Complaints Commission (DPS&CC) and Policing Plans was presented. Empirical evidence presented pointed to several lacunae and constraints in the working of DPS&CC including data reliability, response by police and implementa-

tion gaps which could have resulted in less than desired results from these statutory dispensations. Similarly, linkages between DPC&CC and the Provincial Government in terms of information sharing and policy recommendations were also found to be less than satisfactory. The presenter was of the view that several reasons may be cited for less than expected performance of DPS&CC. Firstly, the very scheme and structural construct of DPS&CC is not fully compatible with the ground realities and social attitudes of our people. In countries like UK or Japan, where these models have been essentially borrowed from, civil societies and common citizens exercise much greater power and voice which is not the case in our culture. Invariably, DPO and even their subordinates wield much greater powers than members of DPC&CC. At the end of the day, DPS&CC is only recommendatory body with very weak enforcement or implementation capacities.

The presentation also critically analyzed the police oversight mechanisms provided through Local Government Act 2001. These mechanisms included the direct supervisory system formalized through role of Zila Nazim viz-a-viz DPO as well as of elected house through the instrument of Policing Plan. It was argued that none of these two mechanisms had been effective in achieving the desired results for a host of reasons. Supervisory role of Zila Nazim in terms of LGO 2001 is very sketchy and missing on detailed procedures and systems. Similarly, very few DPOs actually presented their Annual Policing plans before the elected houses in recent years. Even where these were presented, lack of clarity on the larger scheme of LGO 2001 or Police Order 2002 amongst elected representatives hampered any meaningful contribution towards this critical policy document.

In summary, the presenter was of the view that public oversight mechanism over the performance of Police under the existing legal framework needed a major review and re-configuration. Experience of Community Policing in NWFP and Balochistan could therefore be useful in re-assigning any future role to community representatives for improved public safety through policing services.

6.3 Citizen Police Liaison: Importance of Public Safety & Oversight by Mr. Sharafuddin Memon, Former Chief, CPLC Karachi

The presentation provided a detailed account of how CPLC Karachi came into existence and the role played by CPLC in providing a credible, unbiased and thoroughly professional model of Community Policing that has stood the test of times.



Mr. I A Rehman, Secretary General HRCPC, discussing flaws in existing statutory framework for community policing.

It was the success of CPLC Karachi and the range of services provided by it to the citizens during very testing times that had convinced government to include the institution of CPLC as an integral part of Police Order 2002. He explained that CPLC Karachi was performing functions much beyond the scope of Community Policing due to its inherent strengths and peculiar situation in Karachi. CPLC Karachi has therefore a wide range of services including action against non-registration of FIRs, Maintenance and sharing of crimes data-base, helping and guiding victims of kidnapping for ransom etc. CPLC Karachi also facilitated in providing services for Community-led ADR in Karachi, provided community and parties themselves wanted to do it. Similarly, important strides were also made in the areas of putting in place a sustainable system of public service and community information facilities. Lastly, capacity building workshops for police, Neighborhood care models and facilities for provision of health and education for children of police functionaries have also been made available from the platform of CPLC Karachi in the recent years. Mention may also be made of the successes made by CPLC in handling kidnapping cases in collaboration with police and training families in dealing with kidnappers. It is this phenomenal transformation of CPLC Karachi from a victim help outfit to a modern, state of art and technically sound policing support and facilitation agency which indicates the possibilities of Community Policing initiatives.

6.4 Concluding Remarks by Mr. I A Rehman, Secretary General, Human Rights Commission of Pakistan

In his concluding remarks, Mr. I.A. Rehman appreciated the three presentations. He was of the view that two different themes have been discussed in this session. The earlier model of CPLC predates Police Order 2002 as it was launched as a co-operative effort to remove police constraints and public problems regarding policing services in Karachi. Police did not like this idea when it was started but CPLC transformed itself in a police helping entity and gained their confidence in due course of time. CPLC Karachi later expanded their mandate. Very importantly, CPLC Karachi avoided a collusion course which ultimately made it a success. It was this success of CPLC Karachi Model which resulted in its incorporation in Police Order 2002 although it was not part of its original design. The second question was the functioning of Public Safety Commissions which were provided as a major component of public oversight framework under Police Order 2002. A deeper reason for less than optimal working of DPS&CC is the socio-political context of our society where state would prefer to employ police as an instrument of coercion. In such a scenario, state, politicians (ruling elites) and police itself find a perverse incentive to defy any dispensation for accountability or functional transparency. This underlying consideration is the main reason resulting in defeating the goal of political insulation of police and its working as per democratic aspirations of common citizens. The presenter was of the view that this evil cycle may be broken in a number of ways. Firstly, the problem may be addressed by fully implementing and operationalizing the internal monitoring mechanism and provisions provided by Police order or other relevant laws. Second solution could be to create institution outside the police for ensuring supervision or accountability through such institutions such as Police Ombudsman. However, the problem in this case is the fact that even the external monitoring institutions (by dint of being the part of the predatory state apparatus) are also liable to be misused or abused. Third solution which has the potential to overcome both of the above-mentioned constraints is community policing. community policing basically takes control of police from government and empowers broad range of community stakeholders in ensuring police oversight. Since the biggest beneficiaries of community policing are the members of the community themselves, there is very rare possibility that police systems shall be misused for any perverse objectives.

It has to be realized that our society and state apparatus is not fully geared towards democratic traditions. Our culture does not accept people power but tends to subscribe to autocratic dispensations. In this backdrop, the public oversight provisions of Police order 2002 may, at best, be termed as vague, ambitious and removed from ground reality. Hence Public Safety commissions were provided at three different tiers and a linkage was developed with local government institutions. Additionally, the provisions of Police Order 2002 regarding Public Safety Commissions were never implemented in a sincere or comprehensive manner. Whether it was the selection of IGP or his tenure or the superintendence framework, departures and more and more amendments actually distorted the original scheme of Police Order 2002 while failing to produce any tangible results.

Attention of the workshop participants was also drawn towards the fact that Police Order 2002 is all set for a major restructuring in coming months. Almost all Provincial Governments are in an advanced stage of completing their in-house reviews and assessments of Police Order 2002 as well as Local Government Ordinance 2001. There could not be a more appropriate time to present a strong case for community Policing for addressing the failures of public oversight mechanisms provided under Police Order 2002. One of the important lessons of the recent year would be the no police oversight mechanism over police would work without active participation and sanction of the concerned citizens and communities. In other words, the notion of Community Policing shall need to be incorporated in any future design of police laws related to public oversight. Any public oversight system over police would need to be based upon the wishes, ownership and concerns of the ordinary citizens, articulated through civil society. Very importantly, it is heartening to know that drafters of new police laws are trying to dilute the discretionary powers of police functionaries where torture or human rights violation occur in the garb of investigation. It is vital that public oversight system over the working of police is developed independent of local political considerations or biases. A clear distinction needs to be made between public oversight over working of the police from police supervision which is essentially an internal monitoring system. What is critical is the fact that proposed police law lays down a workable, effective and prompt mechanism of oversight involving the communities. What is badly needed is the realization that rather than compelling ordinary citizens to approach superior judiciary for grievance redressal, some local mechanism (Police Ombudsman, District Judiciary) is designed to take care of public grievance against inefficiency or excesses by local police at their very doorsteps.



Mr. Iftikhar Tanoli, Mansehra Thana Musalihati Committee, explaining nature of cases and disputes taken up by Musalihati Committee.

SEVENTH SESSION

Civil society Perspective on Policing in Pakistan

7.1 Policing in Pakistan: Citizens' Perspective on Police Performance for Ensuring Public Safety by Members of Musalihati Committee in Hazara and Mansehra

The session was dedicated to receiving first hand feedback from community policing and Musalihati Committee members from NWFP. Since these are the real practitioners of the very notion of community policing, their feedback could be vital in further strengthening the early pilots. Several useful insights were received during the discussions in this session. Firstly, there was a near unanimous view amongst Musalihati Committee members that the arrangement provided an effective tool for amicable settlement of disputes without forcing the parties to be involved in lengthy litigation. Secondly, the mechanism also ensured that enmities and disputes are resolved in a manner that local peace and security are not allowed to deteriorate. Equally important was the realization that settlement of disputes through Musalihati Committee at the Thana level reduced the likely burden on police and

court systems. In addition to these benefits for the parties to the dispute, the arrangement of Musalihat Committees also played critical role in bridging the trust gap between local communities and the police. It was a mix of all these factors as well as a traditional acceptability for local level dispute resolution in NWFP that has resulted in such marked success of the pilots. Participants also drew attention to the fact that facilitation provided to Musalihat Committee through concerned police stations has actually prevented many of the shortcomings of traditional Jirga from creeping in the working of Musalihat Committees. Similarly, it was also appreciated that the joint platform provided by such community policing interventions went a long way in reviving the confidence and morale of the police and communities to fight the menace of terrorism in a more effective manner. The speakers also highlighted the importance of continuous support from government as well as international development partners for strengthening and replicating the Musalihat Committee initiatives through material and capacity building support.

7.2 Analysis of Initiatives for Improvement of Police Performance in Pakistan by Mr. Khatib Ahmad, Shehri, Karachi

The presentation discussed the relevance of various Community Policing initiatives for improved Police Performance with specific reference to CPLC Karachi. It was argued that success or otherwise of these initiatives had a direct linkage with the manner in which communities or their representatives are associated with such initiatives. In case of District Public Safety and Complaint Commissions, the experience of associating political representatives did not prove to be a success. If anything, involvement of elected representatives had actually left a big question mark on the credibility of these institutions. Similarly, there was also likelihood that Musalihat Committee comprising of members with political linkages or leanings may not play their roles in an objective or judicious manner. He forcefully cautioned against the politicization of Community Policing outfits including CPLCs and DPS&CC. He was of the view that success of CPLC Karachi was in a great measure a direct outcome of the fact that it had been kept meticulously apolitical. It was for this reason that it had delivered such remarkable results ever since its inception many years ago. One of the factors which was referred to in this regard was the role of civil society organizations and activists. It was argued that civil society organizations and citizenry itself should take up the responsibility of strengthening any Community Policing initiatives. On the one hand, this responsibility would re-

quire these organizations and individuals to support and facilitate police in performance of its mandated functions. On the other hand, it is also their responsibility to ensure that any Community Policing activities or systems are not allowed to be made hostage to any of the vested interests in the locality. He referred to the recent success of the lawyers' movement and the active role played in this by the civil society organizations. He was of the opinion that civil society organizations had a similar responsibility in ensuring rule of law when it came to working as watchdogs over the working of the police performance. He stressfully pleaded that any political interference venues would have to be plugged if police performance in terms of improved public safety and security has to be ensured.

7.3 Politics of Policing in Pakistan by Mr. Mukhtar Ahmad Ali, Executive Director, Center for Peace and Development Initiatives (CPDI)

The presentation by Executive Director, CPDI essentially analyzed the legal and operational framework, governing the working of police with a view to identify the appropriateness of Police Reform initiatives, implemented in recent years. He was of the view that the discourse leading to finalization of Police Order 2002 was, amongst other things, centered on two critical and inter-related themes. Firstly, there was a growing realization that Policing needed to be professionalized by a conscious effort to de-politicize it from all external influences. Related to this issue was a conscious effort to bring the police functioning answerable through a comprehensive system of internal and external checks and balances. The former was designed to ensure quality service delivery of policing services for ordinary citizens in a professional manner; the latter consideration was designed to guard against any chances of police excesses or violation of legal rights and entitlements of ordinary citizens. Police Order 2002 was hence introduced with high expectations that provisions covering District Public Safety Commissions, CPLCs, Police Complaints Authority and strong internal monitoring and accountability systems would address many of



Mr. Mukhtar Ahmad Ali,
Executive Director CPDI,
presenting 'Politics of Policing in Pakistan'

the maladies facing policing in Pakistan. After several years of implementation of Police Order 2002, there is a growing realization that many of these expectations have not materialized in form of tangible improvements for common citizens. While Police Order 2002 has been implemented across Pakistan, many of its provisions have only been implemented in a half-hearted and tentative manner. Investigation has been separated from watch and ward but necessary sophistication for carrying out scientific probes are still missing at the level of ordinary police stations. In many districts, DPS&CC have been notified on paper but there is hardly any evidence of their meaningful working or any positive impact. At best, these continue to be recommendatory bodies, depending upon the goodwill of DPOs for implementation of any of their recommendations. CPLCs as voluntary bodies have not yet been notified and where notified these have rarely performed their mandated functions including the capacity building of DPS&CC. There is hardly any mechanism which could provide access to common citizens of civil society activists to know how efficiently, resources have been or continue to be utilized by police. Lack of accountability and unwillingness to share essential public interest information is hardly conducive to fostering an atmosphere of mutual trust between communities and police.

All these issues assume added relevance when it is realized that another round of police and local governance reforms is on the anvil in the very near future. It is in this backdrop that lessons learned from recently implemented community policing initiatives are of immense value for policy-makers as well as for civil society organizations. There is an urgent case for a thorough and unbiased review of history of policing reforms with a view to identify what worked and what did not work. Such an informed analysis and wisdom generated from Community Policing initiatives can both be of great utility in agreeing on a final shape of police reforms in the country. Given the existing security and militancy challenges, policy-makers have no choice except for learning from past mistakes and come up with a model of professional, efficient, transparent and publicly accountable policing framework in Pakistan.



Mr. Kamal-ud-Din Tipu, DIG Islamabad Police, sharing his experiences on community policing

EIGHTH SESSION

Policing in a Democratic Setup: Proposed Changes and Implications for Public Safety and Conflict Resolution

8.1 Community Policing Experience in Islamabad Capital City Police: Presentation by Mr. Sajid Ahmad Kiyani, SP City Islamabad

Superintendent of Police, ICT Mr. Sajid Ahmad Kiyani gave a detailed account of some of the Community Policing Projects which have been implemented in Islamabad. Firstly, ICP Police established a dedicated Media Centre in Traffic Police office with the objective of facilitating and educating citizens on all matters related to traffic security and regulation. As part of this initiative, several awareness walks were also held involving students, youth, drivers etc. Secondly, Musalihat Committees were constituted in several of the police stations which provided Community Mediation services to the parties coming over for registration of FIRs etc. Due to hectic efforts of these Committees, many of the disputes involving private parties

were settled amicably without recourse to registration of FIRs. In addition to these initiatives, ICT police is presently developing several new initiatives including establishment of Music School that will be open to ordinary citizens in addition to the police functionaries. ICT police has already launched FM Radio Station based services besides coordinating public awareness campaigns for imparting legal awareness amongst ordinary citizens. All these initiatives are expected to improve the image and acceptability of police as an institution in the eyes of common citizens. Similarly, implementation of these initiatives would also lead to promotion of a culture of public accountability and transparency within police for the ultimate advantage of ordinary citizens.

8.2 Magistracy, Devolution, and Changes in Police Order: Finding Space for Community Policing by Mr. Kamal-ud-Din Tipu, DIG Islamabad Police

The presentation was designed to give a detailed and analytical assessment of the relevance and nature of Community Policing in Pakistan in the specific context of existing security situations in Pakistan. He was of the view that before proceeding further, community itself needed to be clear as to what it wants to achieve from community policing exercise for itself as well as for the police. Again, the fundamental question of what exactly formed the community is also extremely relevant. Does it imply elected representatives or civil society activists or academics or media or just the ordinary citizenry? It is only after replying this fundamental question that the contours of a comprehensive model of community policing can be finalized. Such a model would finally define whether community policing would be employed as a PR exercise for police or as an instrument for bridging the trust gap between police and ordinary societies. He also cautioned the participants about the social relevance of community policing model because at the end of the day, Community Policing tends to enhance discretion of the Police Officers. It is therefore important that essential institutional reforms within structures and functions of Police are carried out side by side community Policing initiatives so that enhanced discretions of Police officers are not allowed to impinge upon the rights and entitlements of the citizens. In all cases, Community Policing needed to strike a balance between community values and existing legal and criminal justice framework. Ideally it should address the asymmetrical power relations and not become hostage before the elite capture.

CONCLUDING SESSION

I Summary of the deliberations were presented by Syed Rizwan Mahboob (Rapporteur), which were held during the workshop on each of the objectives of the workshop

Objectives of the Workshop:

- Sharing Experiences/Lessons on Community Policing & Dispute Resolution (DR);
- Relevance of Community Policing to improved Public Safety & DR as per best practices;
- Relevance of existing legal framework (LGO 2001 & PO 2002) for Community Policing & DR & review efforts for institutionalizing CP;
- Provide platform to CS to share experiences on CP and DR and reflect on their positioning re peace & order through community engagement.

Objective 1: Sharing Experiences/Lessons on Community Policing & ADR Models presented in the workshop

- Community Policing & DR Models

- Musalihati Committee facilitated by Police for local level Dispute Resolution (NWFP);
- Broad Community involvement in Policing/ Public Safety-Children, Numberdar etc (Okara Model);
- CPLC Karachi & Faisalabad Model with broad or limited mandates covering policing, public safety & civic services issues ;
- Musalihati Anjuman under PLGO 2001
- All models of CP and DR are apolitical , police-supported & owned by local communities by choice & relevant for peculiar security situations

Objective 2: Relevance of Community Policing for improved Public Safety & Dispute Resolution

- Musalihati Jirga & CP models in Swat & Peshawar (Special & Community Police) helping post-conflict transition for safety, stability & credible state edifice ;
- Musalihati Jirga/Anjuman led ADR securing entitlements for vulnerable with no costs;
- Involving Lumberdars (Okara) in preventive policing ensured community-police partnership as a check on infiltration of militancy in neighborhood;
- Replicating CPLC KCH/FBD can bridge resource & technology gap for improved policing during conflict;
- Provides future contour for CPLC/PSC models

Objective 3: Relevance of existing legal framework for CP & DR (Local Government Ordinance 2001 and Police Order 2002)

- Enabling provisions for Community Policing subsumed in very preamble of Police Order 02;
- Dispute Resolution Framework well spelled out in LGO 2001 & other laws (CPC, SCMO etc);
- Reform efforts on CP and DR not necessarily based upon existing legal provisions
- Institutionalizing CP possible through
 - Existing F/Work though linking with CPLC/PSC
 - Ensuring new legal F/Work for CP (NWFP effort)

Objective 4: Sharing Civil Society Experience on Community Policing and Dispute Resolution and their positioning regarding peace and order.

- Community Policing & DR needs to be apolitical, community-led and have legal basis with streamlined procedures and systems;
- PSC, CPLC and Musalihat Anjuman need greater civil society ownership and oversight;
- CP and especially DR to ward against discrimination against vulnerable sections;
- Deeper Research to improve DR and CP framework on the basis of pilot experience;
- Future legislation on DR and CP to deepen CP and DR pilots through dialogue with CS.

II Concluding Remarks by Zubair Khurshid Bhatti, Director Programs, The Asia Foundation

Mr. Zubair Khurshid Bhatti, Director (Programs), The Asia Foundation thanked and congratulated the participants of the workshop for their meaningful participation in the event. He highlighted the centrality of the idea of Community Policing within the larger public safety and police reform dialogue which is presently underway in Pakistan. He was of the view that peculiar security situations witnessed in many parts of Pakistan asked for massive review of community-police equation as both needed to re-define their respective roles and responsibilities for safety and security in our societies. Without active support and involvement of local communities, police may not be able to handle the peculiar security and public safety challenges resulting from militancy in many parts of the country. Similarly, a closer liaison between communities and police would enhance the morale and confidence of the local communities as well as police functionaries to better face and fight extremism. He also thanked the participants for their valuable contribution and feedback regarding the actual experience of Community Policing and Musalihat Jirga based on actual implementation. The hands-on experience shared during the workshop could go a long way in informing the policy dialogue as well as final shape of Police Order and Local Government Act in the areas of public oversight over policing. He specially thanked the representatives from Police who traveled from various provinces to share their experiences during the workshop. Similarly, contribution of the civil society activists, reform champions and members of CPLC was also lauded. He reaf-

firmed the commitment of The Asia Foundation to continue support and assistance for further strengthening Community Policing dialogue and operation in Pakistan in the coming years.

III Vote of Thanks by Mr. Mukhtar Ahmad Ali, Executive Director

Mr. Mukhtar Ahmad Ali, Executive Director, Center for Peace and Development Initiatives (CPDI) closed the workshop proceedings on a vote of thanks for the organizers, international development partners and all participants for their valuable contribution during the workshop. He specially thanked the many Police Officers who made it to the workshop despite their challenging assignments. He was of the view that the commitment of Police officers, international development partners, civil society activists, media, lawyers and project practitioners was a manifestation of future promise of the concept of Community Policing. He expressed CPDI's strong commitment for promoting the ideals of accountability, transparency and responsive governance in Pakistan. It was in this context that CPDI has been and shall continue to support Community Policing and Community-led ADR initiatives in Pakistan.

POLICY RECOMMENDATIONS

- i. Experiments in various models of community policing and community ADR should be encouraged to identify best practices and to disseminate new ideas within the police force as long as no law is violated.
- ii. Statutory basis of well-developed and successful community policing initiatives may be explored without compromising inventiveness and flexibility.
- iii. Non-politicization of Citizen Police Liaison Committees or Musalihat Committee should be encouraged. Active role of civil society, community activists, and media needs to be encouraged in implementing existing and new models of Community Policing or Community ADR.
- iv. Working of Musalihat Committee through Standing Order by IGP or other police officials at local levels has worked well as of now. For future, the process may need to be codified through rules for wider acceptance and uniformity.
- v. Efforts should be made to reconcile Musalihat Committees working in NWFP and other parts of the country with the Musalihat Anjuman constituted under Local Government Ordinance 2001, without sacrificing flexibility, to properly embed the concept of Community-led Alternate Dispute Resolution.

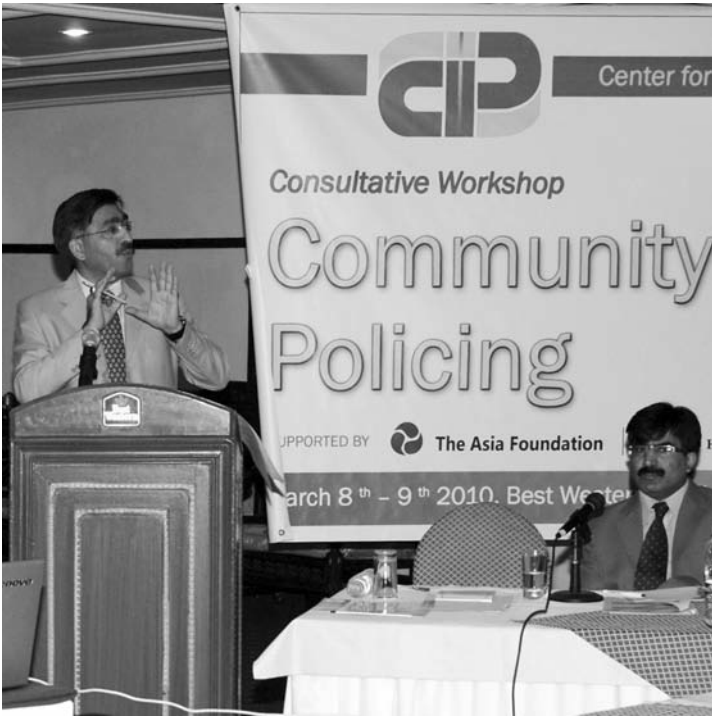
- vi. Quality Assurance of the deliberation of Musalihat Committee is not clearly laid down. A comprehensive and procedurally sound reference or validation system needs to be drawn so that the agreements reached through Musalihat Committee do not violate any law. Provincial Police needs to nominate a provincial focal person to coordinate and facilitate the working of thana level Musalihat Committee in accordance with law and rules etc.
- vii. Detailed research is needed to design reporting format, especially for data collection or reporting from Musalihat Committee in a uniform and regular manner. Clear responsibilities must be ascribed for handling and reporting this data in an unbiased and objective manner for informing policy dialogue in addition to judging the performance of Musalihat Committee.
- viii. Well defined and comprehensive systems for appointment of Musalihat Committee members and a detailed capacity building regime needs to be put in place. Such a capacity building framework must also cover the relevant police officers in the junior or middle ranks who would be directly working with these Musalihat Committees.
- ix. Sustainability of Musalihat Committees and other Community Policing institutions must be ensured by the government and other international development partners through support for such initiatives and capacity building. Particular attention should be given to training members for keeping important international and national legal considerations and implications in mind while resolving disputes.
- x. A detailed mechanism for sharing the experiences of Community Policing and ADR as well as identification of best and workable solutions must be chalked out. The lessons and experiences of Community Policing and Community ADR needs to be disseminated amongst civil society as well as Government. A detailed media strategy may also be developed for achieving this objective.

QUESTIONS RAISED BY PARTICIPANTS DURING WORKSHOP SESSIONS

1. Mr. Asad Jamal (lawyer) was of the opinion that proposed amendments in Police Order 2002 may not fully serve the purpose of putting in place an effective oversight mechanism. The idea of a dedicated Police Ombudsman may also be considered for this purpose.
2. Mr. Khatib Memon from Shehri, Karachi proposed that we should push for community role in public safety to avoid elite capture and politicization.
3. Mr. Nasir Naqvi (Journalist) was of the view that interference by elected representatives (MPA and MNA) in the working of Public Safety Commissions has hampered their functioning. A greater role for media and civil society organizations in Community Policing can solve this problem.
4. Mr. Sharafuddin Memon expressed view that role of CPLC needs to be strengthened so that it vets matters before these are taken up for disposal.
5. Representative of CPLC Faisalabad expressed the view that members of PS&PCC members could not stand their ground against the police officers. For this purpose, people of eminent and established social, academic and professional credentials should be elected for these institutions.

6. Malik Saleem Iqbal Advocate cautioned against duplication and unwanted interference in the affairs of police if layers after layers of supervision are added over working of police without a clear linkage and functional alignment.
7. Mr. Javed Khan, Provincial Project Manager, GJTMA project argued for a dedicated Police Ombudsman for ensuring police oversight and accountability.
8. Mr. Asad Jamal referred to the cumbersome mechanism given in Police order 2002 regarding accountability of police to common citizens. Incidences of supervisory duplication would need to be minimized to allow for functional independence of Police.
9. Mr. Dawood from Center for Peace and Development Balochistan proposed to strike a balance between political interference and constructive political processes for public oversight over police.
10. Mr. Sharafuddin Memon proposed to ensure political insulation of Community Policing institutions for improved delivery of policing services for common citizens.
11. Mr. Kamal (lawyer) stressed the need for transparency in budget making expenditure control in line with principles of freedom of information legislation.
12. Representative of The Asia Foundation cautioned against elite capture of Community Policing Outfits. He also asked for mechanisms for smooth operation of CPLCs in cities where industrialists or philanthropists may not be available to finance such initiatives.
13. Mr. Tariq Khan (Musaliyat Committee, Mardan) stressed for including restorative justice within mandate of Musaliyat Committees.
14. Mr. Mukhtar Ahmad recommended transparency in budget-making and expenditure processes of the police.

15. Ms Helena from Islamabad Police stressed that overall environment and culture in Islamabad Police have become more friendly for common citizens especially women.
16. Mr. Asif proposed to put in place a mechanism for charging the provisions of community policing service with a view to support police in meeting additional costs.
17. Mr. Ali (Rabta NGO) pointed out that resource dearth and internal pressure from police are generally cited as major impediments for Community Policing initiatives.
18. Mr. Farman from The Asia Foundation wanted to know about the possibilities of human rights violations and the role of Musalihat Committee in addressing these complaints.
19. Mr. Iftikhar Tanoli (Administrator of Mansehra Thana Musalihat Committee) explained the nature of cases and disputes taken up by Musalihat Committee. He was of the opinion that these Committees always follow jurisdictional provisions while taking up matters for deliberations.
20. Mr. Qasim (SP Mardan) pointed out that Musalihat Committee of the respective Thana do mediation in compoundable matters
21. Provincial Project Manager, GJTMA Balochistan explained that the committees only provide a platform for mediation; the Faisla is not ours but it is of the parties.



Mr. Fasihuddin, President Pakistan Society of Criminology, presenting 'Community Policing, Crime Prevention and Public Safety'.

LIST OF SPEAKERS DURING THE WORKSHOP

DAY 1

Welcome Address by Mr. Mukhtar Ahmad Ali, Executive Director, CPDI

Opening Remarks by Mr. Gareth Aicken, Country Representative, The Asia Foundation

Remarks by Malik Naveed Khan, Inspector General of Police, NWFP

2.1: “Community Policing- Contextualizing the Concept” by Mr. Kamran Adil, SP Cantt. Rawalpindi

2.2: Citizen Police Liaison Committee Experience, Karachi by Mr. Ahmad Chinoy.

3.1: Presentation on Experiences and Lessons Learned through Interventions for Community Policing in Balochistan by Mr. Nusrullah Khan, Executive Director, Centre for Peace & Development, Quetta:

3.2: Presentation on Experiences and Lessons Learned through Interventions for Community Policing in Balochistan by Mr. Nadir Gul Baraech, Chief Executive Officer, Balochistan Rural Support Programme (BRSP), Quetta and Mr. Amjad Rashid, Chief Executive Officer, Taraqee Foundation, Quetta,

3.3: Comments by Senator Abdul Malik, Senator and Chairman for the Session:

4.1: Presentations on Experiences and lessons learned through interventions for Community Policing in NWFP by Mr. Ali Gohar, Rahbar, Just Peace International and Mr. Zaheer Khattak, Executive Director, United Rural Development Organizations.

4.2.1: Presentation by Mir Qasim Khan, SP Mardan:

4.2.2: Presentation by Mr. Farhan Mirza, DIG Quetta.

DAY 2

5.1: Restorative Justice & Criminology: Role of Community Policing in Public Safety & crime Prevention. Presentation by Mr. Fasihuddin, DIG Headquarter, Peshawar

5.2: Gender Justice through Musalihat Anjuman, Case Study of Delivering Justice at the Doorsteps by Mr. Hamid Afridi, National Project Manager, Gender Justice through Musalihat Anjuman Project by UNDP.

6.1: Mr. Junaid, Deputy Chief, CPLC Faisalabad

6.2: Experience of Statutory Mechanisms of Police Oversight under Police Order 2002 by Mr. Asad Jamal, Advocate, Lahore High Court.

6.3: Citizen Police Liaison: Importance of Public Safety & Oversight by Mr. Shara-fuddin Memon, Ex Chief, CPLC Karachi

6.4: Concluding Remarks by Mr. I A Rehman

7.1: Policing in Pakistan: Citizens' Perspective on Police Performance for Ensuring Public Safety by Members of Musalihat Committee in Hazara and Mansehra

7.2: Analysis of Initiatives for Improvement Police Performance in Pakistan by Mr. Khatib Ahmad, Shehri, Karachi

7.3: Politics of Policing in Pakistan by Mr. Mukhtar Ahmad Ali, Executive Director, Center for Peace and Development Initiatives (CPDI).

8.1: Community Policing Experience in Islamabad Capital City Police: Presentation by Mr. Sajid Ahmad, SP City Islamabad

8.2: Magistracy, Devolution, and Changes in Police Order: Finding Space for Community Policing by Mr. Kamal-ud-Din Tipu, DIG Islamabad Police.

CONCEPT NOTE - WORKSHOP ON COMMUNITY POLICING

1 Background

In Pakistan, there have been various initiatives for establishing and strengthening community policing, alternative dispute resolution mechanisms and restorative justice. Such initiatives have either been a result of the vision and efforts by proactive officers or civil society activists; or came about in response to various statutory requirements. For instance, the Local Government Ordinance (LGO) 2001 and Police Order (PO) 2002 provided specific structures and institutions like Public Safety Commissions (PSCs), Citizens Police Liaison Committees (CPLCs), Union Public Safety Committees and Masalihati Anjumans (MAs) for the purpose of strengthening public oversight, improving police-community interaction and resolving disputes and conflicts by involving communities.

Communities and police officers have had varied experiences in relation to establishment and functioning of the above mentioned institutions in different parts of the country. While importance of community participation in policing is hardly denied, the form, mandate and effectiveness of relevant institutions under the existing legal framework has remained contentious and debatable among the stakeholders. On the other hand, there exist various examples of initiatives taken by police officers at various levels whereby communities have effectively engaged for specific goals and objectives.

The province of Balochistan offers a unique situation where police had a limited jurisdiction until a few years back; as most of the policing functions were being performed by Levies, which was a force recruited from relevant tribes to maintain order in the respective areas. In a way, Levies ensured strong oversight by and links and interaction with relevant communities. However, role of Levies has now been substantially reduced in view of the government's policy to convert all B areas into A areas where police would have full jurisdiction. Certain segments of society have opposed this development – a view which has not been given due consideration so far.

The debates on police reforms are largely concentrated on highlighting the best national/international or provincial practices, as little attention has been paid to document experiences, practices or reform initiatives at thana level. The importance of Thana in improving public safety conditions or their potential role in facilitating a shift towards concept and practice of restorative justice cannot be overemphasized. This is a place where communities are in direct contact with police and can contribute to the dispute resolution and effective policing. Furthermore, it has been argued that, in the face of insurgency or terrorist threats, police that works in close coordination with communities can deliver far better counter terrorism results¹. In this context, the importance of community policing is critical, given the state of conflict in FATA, NWFP, and Baluchistan.

Initiatives from government and civil society to strengthen these structures have been few. The Gender Justice through Masalihati Anjumans (GJTMA) was one such initiatives specifically focusing on MAs. As far as PSCs and CPLCs are concerned, no effective mechanism was developed by the successive governments to support these structures. Civil society engagement on PSCs or CPLCs and to strengthen these structures has also been low. One such attempt was made by The Asia Foundation (TAF) through Community Policing Project in Baluchistan. However, TAF had to withdraw the focus from PSCs and CPLCs due to numerous hindrances, and to support Union Council (UC) level non statutory CPLCs or Thana Aman Committees (TACs). Where possible, these have been established in police stations while in other UCs, these are completely community owned and community housed.

¹ A. Hassan, (2009), 'Police and Law Enforcement Reforms in Pakistan' by Institute of Social Policy and Understanding.

Much of what can be achieved in efforts towards institutionalizing community policing depends on how the police operationalizes the concepts and methodologies of community policing as well as how they are approached with and who approaches them. The nature and culture of the police force as it exists today is partly due to our colonial legacy and to a large extent successive governments' inability to re-structure the institution from the post colonial era till date. The reasons for the latter are many and well documented – ranging from vested interests of those in power and other influential politicians; to rent seeking at all levels to make up for low compensation regimes. Corruption has permeated all levels and ranks of the police force due to the absence of measures for public accountability. It is amid such intimidating odds requiring reforms at all levels that civil society organizations need to grapple with and engage at both the macro and micro levels.

Work at the macro level would include engagement at the broader structural level including policy making and institutional shifts through a reorientation of institutions. This raises serious points on the civil society organizations' capacities, their ability to leverage, and their positioning to effect such change. It also largely depends upon their resource limitations and donor priorities among other things.

Specific micro level initiatives however are more doable and there are many relevant examples locally and internationally. From the micro side, TAF as one of the CS organizations along with its partners is currently implementing two projects in Pakistan to institutionalize some key elements of community policing in selected target areas in Balochistan and NWFP. Initially with different foci the two interventions have converged in their approach and key objectives². Likewise there are a

² While the former was initially focused on establishing/operationalizing specific statutory bodies (DPSCs and CPLCs) envisioned under the Police Order 2002 along with strengthening bodies (MAs) under the LGO 2001, a mid project review revealed that there were indeed elements in the external environment that impeded attainment of these objectives - lack of political will and volatile conditions being primary amongst these. It was also realized that the project span was too short and the context (of Balochistan) too riddled with high level distrust of the police and volatile political conditions. Accordingly the project was approach was brought in line with the work underway in NWFP where the focus is also on establishing and strengthening mediation committees (musalihatee committees) housed in the police stations which are established and operationalized through partnerships between the police and local communities. The provision is invoked through a standing order of the IGP frontier and the committees consist of non-political, members who enjoy are formed under the supervision of the DPOs.

number of other initiatives from the CS (on-going and completed) which have focused on working towards promotion of community police partnership or awareness raising. These include GJTMA funded by UNDP, SHEHRI trainings of police in Human Rights, and awareness and policy advocacy initiatives by CPDI. Likewise efforts of individual police officers at implementing CP oriented initiatives in their area of posting have shown some remarkable results.

Owing to the diversity of experiences in different quarters and the fact that community policing prescribes ‘too much that is general and too little that is specific’ the current understanding of the philosophy is far from optimal. In view of the above background, there is a need to organize a workshop with the aim of sharing experiences, learning lessons, highlighting successful practices and informing relevant policy discourse. Such a workshop is proposed to be held in Islamabad with participation from across the country but especially from Balochistan and NWFP.

2 Objectives

The main objectives of the workshop were:

- To share the experiences and lesson learned from the initiatives taken by citizens and police across the country for community policing and dispute resolution.
- To explore relevance of community policing for improved public safety and dispute resolution in conflict situations in the light of good practices around the country.
- To understand the relevance of existing legal framework (e.g. LGO 2001 and PO 2002) for community policing and dispute resolution and to review the reform efforts to institutionalize CP partnership for crime control and overall peace and security
- To provide a platform to civil society to share their experiences and views on community policing and dispute resolution mechanisms and for them to understand and reflect on their positioning vis-à-vis the task of peace and order through communities’ engagement.
- To document the lessons learned and insights gathered through sharing and deliberations, and draw the attention of policy makers for appropriate policy actions.

3 PROGRAMME

Day 1 (March 8, 2010)

Registration		0915 – 0930
INAUGURAL SESSION : 0930 – 1030		
Welcome	Mr. Mukhtar Ahmad Ali Executive Director Center for Peace and Development Initiatives (CPDI)	0930 – 0940
Opening Remarks	Mr. Gareth Aicken Country Representative The Asia Foundation	0940 – 1000
Remarks by the Guest of Honour	Mr. Malik Naveed Khan Inspector General Police, NWFP	1000 – 1030
Tea Break 1030 - 1050		
SESSION 2 : 1050 – 1200		
Community Policing: Concepts, Background and Relevance in Pakistan		
Why Community Policing? Concept, Background and relevance in Pakistan	<ul style="list-style-type: none"> • Mr. Ahmad Chinoy Chairman Citizen Police Liaison Committee, Karachi • Mr. Kamran Adil SP Cant: Rawalpindi 	1050 – 1130
Q/A Session	All Participants	1130 – 1200
SESSION 3: 12:00 - 13:00		
Project Interventions for Community Policing: Experiences and Lesson Learned		
Presentation on Experiences and Lessons Learned through Interventions for Community Policing in Baluchistan	<ul style="list-style-type: none"> • Mr. Nasrullah Khan Executive Director, Center for Peace and Development (CPD) Quetta • Mr. Nadir Gul Barech, Chief Executive Officer Baluchistan Rural Support Programme (BRSP) • Mr. Amjad Rashid, Chief Executive Officer Taraqee Foundation 	1200 – 1230
Q/A Session	All Participants	1230 – 1250
Remarks by the Chair	Senator Dr. Abdul Malik	1250 – 1300

Lunch Break: 1300 – 1340

SESSION 3 Continue : 1340 – 1500

Project Interventions for Community Policing: Experiences and Lesson Learned

Presentations on Experiences and Lessons Learned through Interventions for Community Policing in NWFP	<ul style="list-style-type: none"> • Mr. Ali Gohar Rehbar Just Peace International (JPI) • Mr. Zaheer Khattak Executive Director United Rural Development Organisation (URDO) 	1340 – 1430
Q/A Session	All Participants	1430 – 1500
Tea Break 1500 – 1520		

SESSION 4 : 1520 - 1700

Police Initiatives for Community Policing

Presentations on Experiences on Community Policing: Police Perspective	<ul style="list-style-type: none"> • Mr. Mirza Faran Baig, DIG Quetta Experiences Related to Okara District • Mr. Tuseef Haider SP Cant Peshawar • Mr. Mir Qasim Khan, SP Mardan 	1520 – 1635
Q/A Session	All Participants	1635 – 1700

Day 2 (March 9, 2010)**SESSION 5 : 0930 – 1100****Conflict Resolution, Alternative Dispute Resolution and Restorative Justice:
Experiences of Mediation/Dispute Resolution Committees**

Restorative Justice and Criminology: Role of Community in Public Safety and Crime Prevention	Mr. Fasihuddin President Pakistan Society of Criminology	0930 – 1000
Gender justice through Musalihat Anjuman , Case study of Delivering Justice at the Doorstep	Mr. Hamid Afridi National Project Manager (NPM) Gender Justice Through Musalihat Anjuman (GJTMAP)	1000 – 1030
Q/A Session	All Participants	1030 – 1100

Tea Break: 1100 – 1120

SESSION 6: 1120 – 1300**Experiences of Public Oversight and Engaging Communities under
Police Order 2002 and Local Government Ordinance 2001**

Experiences of Statuary Mechanism of Public Oversight under Police Order 2002	Mr. Asad Jamal Advocate High Court	1120 – 1140
Critical Review of Existing Statuary Provisions for Public Oversight on Policing	Mr. Junaid Deputy Chief CPLC, Faisalabad	1140 – 1200
Citizens Police Liaison: Importance for Public Safety and Public Oversight	Mr. Sharfudin Memon Former Chairman Citizen Police Liaison Committee, Karachi	1200 – 1220
Q/A	All Participants	1220 – 1240
Remarks by the Chair	Mr. I. A. Rehman Director Human Rights Commission of Pakistan (HRCP)	1240 – 1300

Lunch Break: 1300 – 1345

SESSION 7: 1345 – 1515		
Civil Society Perspective on Policing in Pakistan		
Policing in Pakistan: Citizens' Perspective on Police Performance for Ensuring Public Safety	Mr. Ali Gohar Just Peace International, Peshawar	1345 – 1405
Analysis of Initiatives for Improvement Police Performance in Pakistan	Mr. Khatib Ahmed SHEHRI, Karachi	1405 – 1425
Politics of Policing in Pakistan	Mr. Mukhtar Ahmad Ali Center for Peace and Development Initiatives	1425 – 1445
Q/A	All Participants	1445 – 1515
Tea Break 1515 – 1530		
SESSION 8: 1530 – 1630		
Policing in a Democratic Setup: Proposed Changes and Implications for Public Safety and Conflict Resolution		
Magistracy, Devolution, and Changes in Police Order: Finding Space for Community Policing	Mr. Sajid Ahmad Kiyani SP Islamabad Capital Territory	1530 – 1600
Q/A	All Participants	1600 – 1620
Remarks by the Chair	Mr. Kamal-ud-Din Tipu Deputy Inspector General Police, Islamabad	1620 – 1630
CLOSING SESSION: 1630 – 1700		
Workshop Overview	Mr. Rizwan Mehboob Rapporteur of the Workshop	1630 – 1645
Closing Remarks	Mr. Zubair Bhatti The Asia Foundation	1645 – 1655
Vote of Thanks	Mr. Mukhtar Ahmad Ali Center for Peace and Development Initiatives	1655 – 1700

The Centre for Peace and Development Initiatives, Pakistan (CPDI-Pakistan) is an independent, non-partisan and a not-for-profit civil society organization working on issues of peace and development in Pakistan. It is registered UNDER SECTION 42 of the Companies Ordinance, 1984 (XLVII of 1984). It was established in September 2003 by a group of concerned citizens who realized that there was a need to approach the issues of peace and development in an integrated manner. The CPDI-Pakistan is a first initiative of its kind in Pakistan. It seeks to inform and influence public policies and civil society initiatives through research-based advocacy and capacity building in order to promote citizenship, build peace and achieve inclusive and sustainable development. Areas of special sectoral focus include promotion of peace and tolerance, rule of law, transparency and access to information, budget watch and Legislative Watch and Development.



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