

Border Management: Case Study of Torkhum Border, Pakistan

*J. Riaz Hussain**

Abstract: The Pakistani government has decided to enforce an effective border management mechanism in 2016 in an attempt to regulate various issues that had remained unregulated for a long period of time due to internal and external factors, such as transboundary ethnic bonds and foreign powers interferences in the region. This paper analyses border management in Torkhum city by assessing its impact on trade, security, and citizen-exchanges. The paper shows that the adoption of the new border management mechanism has not been smooth. The new regulations have led to widespread discontent in the population despite a reduction of incidents of militancy. This study indicates that the growing discontentment among the people dependent on the Torkhum border is condensing into political unity, resulting in greater alliance with the Pakistan Tahaffuz Movement. As a consequence, the influence of the central government is gradually being undermined, as evident from the hostility against the presence of the military in the area. The paper concludes with the view that the border management initiative at Torkham is a prudent and required step, which ought to be studied and developed further.

Keywords: Border, Pakistan, trade, security, citizens, refugees.

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Introduction

Poor border management among neighboring states often results in the emergence of complex issues and challenges. Pakistan has experienced such susceptibility after partition due to her porous borders. Distinct and isolated efforts to address challenges like trade, drug trafficking, smuggling, and other illegal activities have been in place. However, the unregulated movement of people and vehicles, perhaps the primary issue that accentuates the other issues, remained a challenge of immense proportions.¹ A conscious decision, therefore, was taken in June 2016 by Pakistan to manage her borders more methodically. The urgency of such a step emanated from an incessant need to strengthen counterterrorism efforts in the wake of a National Action Plan, and the first step was manifested in the government's resolve to strengthen the management of the Pakistan-Afghanistan border at Torkhum, where the immigration mechanism remained fragile in the past due to peculiar factors. The prevalent threats to Pakistani soil have been

1 Eric Davin and Nassim Majidi, "Study on Cross Border Population Movements between Afghanistan and Pakistan," Commissioned by the *Office of the United Nations High Commissioner for Refugees (UNCHR)*, Kabul, 2009, 13–25, <https://www.unhcr.org/en-lk/4ad448670.pdf> (accessed 20 March 2019).

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neutralized to a significant extent with the help of intelligence and military operations in militant hotspots, and a reasonably favorable environment allows the shift to an improved border management mechanism. This paper assesses whether the management system in place has yielded the expected dividends.

Statement of the Problem

The outcomes of the Torkhum border management initiative have not yet been examined and assessed sufficiently to date. This paper examines the situation at Torkhum, analyses the border management system, and it draws its conclusions by answering the following questions:

- i. What is the impact of Torkhum border management on trade?
- ii. How has this system shaped the Afghan refugee-related issues?
- iii. Has people to people contact been affected by the new border management?
- iv. How has terrorism been curbed in the light of this initiative?

Answering the questions above should help assess the efficacy of the border management initiative, and gauge its suitability for replication at other border areas in Pakistan.

Scope and Research Design

The fact that Pakistan has been plagued by various challenges emerging as a result of porous borders indicates that it is relevant to pay attention to the Torkhum Border Management initiative. The paper examines the effect of current arrangements on trade, the refugee problem, people to people contact as well as security issues. It banks upon previous studies and assesses the actual situation on the ground to generate a contemporary objective analysis of the situation from an institutional perspective of border management, rather than merely a legal or political one. The paper, however, restricts itself to the Torkhum border only for incisive inquiry, and refrains from taking into account measures at other porous hotspots around the Durand Line, or elsewhere.

Data have been gathered via detailed discussions and interviews with relevant authorities posted at the Torkhum border as well as officers who have remained involved in border management since 2016, ranging from administration, military, customs, immigration, and intelligence authorities. Informal discussions were held with citizens of both sides crossing the border as well as local custom clearing agents, political representatives and households divided by the border. Data were also obtained from government offices in Islamabad and Peshawar, including erstwhile Federally Administered Tribal Areas (FATA) and the Chief Minister Secretariat to check the veracity of data that had been obtained in person.

For an initial understanding of broader concepts revolving around border regions in Pakistan, this paper relies on the work of Mushtaq A. Kaw, who also deals with the

political and military issues related to Pakistan's border regions.² In order to understand the dynamics and to see how the current paper forms a different understanding of the discourse on the cross-border challenges, the insights of Iram Khalid are taken into account.³

For examination of security and terrorism-related issues on the border regions between Afghanistan and Pakistan, the paper analyses the insights of Peter Chalk in his case study on the border region in the book titled *Ungoverned Territories*.⁴ However, it should be noted that Chalk's paper lacks the cognizance of contemporary challenges, especially after 2007. For this reason, various other sources, including newspapers, journals, archives, reports, online interviews and articles, as well as documents from official sources are relied upon for a holistic understanding of the issues.⁵

The paper primarily relies on qualitative analysis while taking into account the importance of mixed-method approach. Secondary data is relied upon for analysis of the past evaluations of the border management mechanism while primary data is confined to on-site discussions, data collected from government offices and interviews. The analytical nature of the case study reflects the empirical as well as the critical spectrum of examination, which assists the formulation of sound conclusions based on both the assessment of the current situation as well as the data collected to support them. The method helps avoid normative traps to project the situation as it actually exists.

The first section of this paper provides an overview of the border management initiative. The second section deals specifically with trade issues related to transit, formal and informal trade. The third section is devoted to fundamental security issues from a border management perspective. The fourth section assesses the effects of border management on the perennial issue of citizen interaction, including the Afghan refugees and migration issues. Although examination of the situation before the border management initiative is also carried out where needed, the primary focus of the paper remains on the current situation. The paper concludes with an analysis of the border management at Torkhum and identifies vulnerabilities. This helps to identify locus for improvement of the current management structure and the possibility of its replication at other spots on the borders.

BORDER MANAGEMENT OVERVIEW

The study of borders is no longer a distinct political or geographical issue but has morphed

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- 2 Mushtaq A. Kaw, "Border Politics in South Asia: A Case Study of India, Pakistan and Afghanistan," *Eurasia Border Review* 01, no. 01 (2010), http://srch.slav.hokudai.ac.jp/publicn/eurasia_border_review/no1/contents.html (accessed 28 March 2019).
 - 3 Iram Khalid, "Confrontation at the Borders: Initiating Border Security Initiatives for Pakistan-Afghanistan Border Management," *Pakistan Vision* 19, no. 01 (June 2018), http://pu.edu.pk/images/journal/studies/PDF-FILES/Article_2_2018_07_12.pdf (accessed 24 February 2019).
 - 4 Peter Chalk *et.al.*, "Case Study: The Pakistani-Afghan Border Region," in *Ungoverned Territories: Understanding and Reducing Terrorism Risks*, ed. Peter Chalk (RAND Corporation, 2007) 44-69.
 - 5 First-hand interviews and discussions are referenced at appropriate places.

into a broad interdisciplinary field. Various domains that traverse while understanding borders include culture, politics, geography, space, threats, security, risk, conflict, cooperation, and resource management. The transformation of the border into an area of scholarship is dictated by the idea that there are individuals on the other side of the borders. Nevertheless, there has been reluctance on the part of scholars to develop a border theory. The primary reason is that it is difficult to have a general theory that would be valid in all situations because the individual borders are primarily defined by the contextual features as well as the inter-state balance of power and relations, which understandably are in a constant state of flux and change from time to time.⁶ Moreover, since borders emanate and converge on the social, cultural, economic and political fulcrum, their separation as a distinct object of study cannot be universalized.

Conceptual Complexity

The complexity in theorizing borders can be overcome by relational measures so that the model is conceptualized instead of being theoretically fixed. It is for this purpose that borders and their management need to be understood contextually while taking cognizance of discrete delineations, tangible or intangible, and peculiarities. As opposed to the traditional understanding of the borders, the contemporary impetus for sustainable economic growth puts greater emphasis on the importance of trade and security while achieving the goal of regional and global integration.

Globally, the archaic and highly bureaucratic processes related to border clearance by various authorities, including customs, are being denigrated for the reason that they are understood to be barriers to effective border management, further aggravated by the fact that the procedures in place can at times be highly cumbersome while delays and poor infrastructural apparatus increase the cost as a result of an inefficiency-yoke. In many countries, this has resulted not only in pervasive corruption while managing borders but has also deterred opportunities and investment. In developing countries, these issues assume greater proportions.⁷

The Need for Reforms

Governments, all over the globe, have been stirred into responding to the problems caused by inefficient border management and have undertaken various reforms to remove the barriers to effective governance of borders. While developed countries realize the importance of the security aspect, apart from traditional revenue collection, developing countries still have a greater need for methodical transformation to encompass the widening role of border management. It is apparent that there is a dearth of knowledge about recognized tools and guidelines of international best practices, which make it harder

6 It is difficult to have a single theory that, for example, explains the management principles of US-Mexico, Canada-US or EU borders.

7 Tom Doyle, "The Future of Border Management," in *Border Management Modernization* (Washington DC: The World Bank, 2011), 11-22.

for agencies other than customs authorities to devise indigenous yet effective blueprints for carrying out their business through a shared apparatus of border management. Recent literature on border management attempts to delineate concepts like coordinated border management, one-stop border posts and single-window operations but they are currently in a fledgling state to be adopted scientifically.

Pakistan-Afghanistan Border Account

Although the next section looks specifically at the border management at Torkhum, it is important to understand the dynamics of the border here so that better appreciation of the analysis is made. Political integration when it comes to the tribal areas of Pakistan remained quarantined and the areas have remained largely autonomous until the government announced their merger after the passage of the 25th constitutional amendment in 2018. Developmental efforts in the past often had been resisted as the Pashtun tribes were disinclined to adopt integration whole-heartedly and were cautious in sharing sovereignty with the state to a significant degree. Pakistan-Afghanistan border has exhibited immense historical influence on a global scale in varying centers of powers during different eras. The British understood well the cost of deployment of personnel to control the tribal region when the war on a global scale was already putting an extra burden on the financial resources of imperial adventures. Despite such compromise due to its importance as a buffer zone, the development work undertaken in the British period is manifested even today in the shape of roads and the transport network, as well as tunnels and posts in the difficult mountainous terrain of the border region.⁸ But unlike the system of political agents of the British, the US had to depend on the Pakistani state after independence. The United States understood the significance of the border areas against Soviet expansion. At the strategic level, the border was seen as a vital bridge between South and Central Asia as well as the Middle East and East Asia. Its significance from a security and military point of view remained potent both before and after the Cold War.

After independence, pronouncing a territorial division was essential for the recognition of Pakistan as a state, for a border that defined who was Pakistani and who was a citizen of Afghanistan. Determination by the Radcliffe Boundary Commission of 1947 of Pakistan and India was one measure while the Durand Line of 1893 intangibly continued to distinguish Pakistan and Afghanistan into two states.⁹ However, this division between Pakistan and Afghanistan never took into account the fact that the issues related to identity on both sides of the border could not be resolved by such an unnatural border that did not see the erection of any barriers or fences. The family and tribal ties, ethnicity, culture, and socio-economic structure of the border region did not envision the imposition of such demarcation. The risk of strict enforcement of territorial assertion was contained and limited by not meddling with the tribal affairs in the backdrop of the idea of Pashtunistan

8 Mohsin Raza Malik, "Integrating tribal areas," *Nation*, 30 May 2018.

9 Arwin Rahi, "Why the Duran Line Matters," *Diplomat*, 14 February 2014.

raised by Afghanistan that could trigger separatist movements in other provinces of Pakistan.¹⁰

Against the backdrop of the Soviet invasion and due to fear of further USSR expansion, the region faced a refugee crisis when over two million Afghans traversed the Durand Line and settled in tribal regions and in Khyber Pakhtunkhwa,¹¹ which put immense stress on fledgling infrastructural developments. According to certain estimates, in the eighties, these Afghan refugees comprised one-sixth of the total population of the province, making Peshawar the fourth most populous city.¹² The border management was further undermined when Pakistan saw herself supporting the resistance by Afghans against the Soviet invasion, which meant that the border remained open for all purposes. The opulence of foreign aid by the US, the proliferation of weapons and support for *Mujahedeen* provided a logic where strict border management seemed frictional to the developments at that moment in time, and a de facto license seemed to have been obtained for border transgression in the name of geopolitical concerns in the region.

Pakistan-Afghanistan Border Post-9/11

War on Terror continued to emphasize the centrality of the Pakistan-Afghanistan border. In the year 2010, the name of the North-Western Frontier Province was changed to Khyber Pakhtunkhwa, accepting the ethnicity of Pashtuns as the primary population of the area, with the recent merger of the erstwhile tribal areas in the province extending the ethnic encompassing further. Displacement of people in the wake of military operations in the former FATA added significantly to the discontentment among the local residents regarding state intervention. The consequence of militancy cleansing¹³ was that houses of the residents of tribal areas got destroyed, lives were lost, and their businesses and trade disrupted. They also lived under the fear of alien drones that made little distinction between the militants and other locals.¹⁴

Such anguish cannot be diluted on the presumption that the religious identity of the Pakistani population can distribute losses equally. The tribal culture's distinctiveness and perennial socio-economic structures have long defined their values excessively. Pashtuns are among the largest displaced population and their grievances have to be catered for, even when regulating the borders.¹⁵ The changing dynamics resulting from the measures taken, and the fact that the involvement of international actors after September 11 continues in

10 Ibid.

11 It was then called North West Frontier Province.

12 Aziz Amin Ahmadzai, "How Refugees Changed the Afghanistan-Pakistan Dynamic," *Diplomat*, 15 September 2016.

13 This was the consequence of military action taken by the state in phases to cleanse and hold tribal areas where militants from across the border found safe havens and settled by marrying locals to seek tribal support.

14 Umar Farooq, "In Pakistan's Tribal Areas, Collective Punishment Is the Law of the Land," *Nation*, 06 September 2017.

15 Shabnum Akhtar, "Rise of the Taliban and the US Intervention in Afghanistan," *IOSR Journal of Humanities and Social Science* 19, no.2 (August 2014): 44.

one way or another, are causes of concern. The establishment of courts to replace *Jirgas*, for example, has caused dissatisfaction already. Any new institutional system, including border management, must take into account the willingness of the locals.

The initiative by the government to fence a portion of the Durand Line addresses concerns to overcome the elusiveness of the border. The international forces could use leverage to settle an agreement on the Durand Line but for various strategic and military reasons, the decision continued to be deferred, even after Soviet withdrawal. The following sections examine the effects of border management at Torkhum and delve deeper into the issues related to the system in place.

Cross-Border Trade

Trade is an essential component of statecraft as it provides avenues of economic growth and encourages the utilisation of products and services by encouraging imports and exports. Pakistan has remained keen to ensure that Afghanistan, despite understandable difficulties, remains a productive neighbor through perennial efforts to remove aggravations that hamper trade. There have been various concerns regarding the issues that undermine healthy regulation of the trade essentials at the Torkhum border. Most of the duty-free exports to Afghanistan have often found their way back into the country to be sold at non-subsidized rates. In addition, the locals claim that the traditional routes and passages (still crossed on donkey-carts) have kept smuggling of goods intact, allegedly with the connivance of some of the personnel posted at the border.¹⁶ The new border management initiative caters to these problems by not only acknowledging these issues but by also setting deadlines for completion of various projects, aimed (among other things) at boosting and streamlining trade between Afghanistan and Pakistan.

Transit Trade

The Afghanistan Pakistan Transit Trade Agreement (APTTA) allows Afghanistan to use Pakistan's ports as well as exporting goods to other states through Pakistan, which allows access not only to the seaports or dry ports but also the use of roads to India. On the other hand, Pakistan is able to access the markets in Central Asia through Afghanistan in the light of the above treaty. The neglect in the strict implementation of the Afghan Transit Treaty (ATT) during the Soviet containment encouraged flourishing of the black market, which resulted in pilferage of resources to Afghanistan, much to the detriment of Pakistan's economy.¹⁷ According to Jhanmal, the worth of smuggled items in the year 2006 into Pakistan from Afghanistan was somewhere near 80 percent of the entire imports of Afghanistan. The Pakistani items that were smuggled found their way to Afghan markets, which according to the Afghan Chamber of Commerce and Industries had tripled after the

16 Discussion with President, Customs Clearance Agents Union at Torkhum Border on April 06, 2019.

17 S. Hussain *et al.*, "The Causes of Transit Related Pak-Afghan Cross Border Smuggling," *The Dialogue – Quarterly Research Journal*, 9, no.1 (2014): 40-42.

closure of the border between Pakistan and Afghanistan.¹⁸

Trade Volume

The following table presents the data regarding revenue from imports and exports, obtained from customs authorities at the Torkhum border in April 2019.¹⁹

*Tab. 1 - Year-Wise Revenue In Millions (Up to April 06, 2019)**

YEAR	IMPORTS	EXPORTS
2016-17	4574	8102
2017-18	6902	9412
2018-19*	5894	5741

It may be noticed that there is no significant change from the year 2016 to 2019, save the revenue decline in the last year. There are various reasons that have come to notice for such decline, including harsher measures to quarantine fruit imports from Afghanistan to check pest contamination. However, this also does not take into account the fact that informal trade and smuggling are never documented, and it is difficult to gauge the exact volume of revenue generated as a result.

Trade Discontentment

During detailed discussions with traders and clearing agents at the Torkhum border, the discontentment was widespread as they claimed that the volume of trade has been reduced more than five times as a result of the measures being taken by the states on both sides of the border. The claimed trade potential of ten billion dollars by the traders is largely unrealized so far. This is in stark contrast to the realities of the past where Pakistan boasted a trade surplus with Afghanistan.²⁰ There are various reasons that seem to indicate a growing distrust and loss of hope among the traders that governments on both sides of the borders are capable of returning to the prosperity of the past.

The most prominent factor seemed to be the slow clearance and delay in releasing vacant containers and vehicles. This has affected local business and people are increasingly becoming critical of the new border initiative due to the increasing cost of doing business, discouraging healthy revenue opportunities and the diversion of trade to other states. On the other side of the border, the Pakistan Afghanistan Chamber of Commerce states that 7000 containers stood stranded in December 2018 of which 5000 had to be routed for return through Iran while 2000 vehicles and containers were to return to Pakistan for movement to other terminals, along with immense delay and detention charges for which they seek exemption.²¹

There is also difficulty in adapting to the new system where there are various institutions

18 Z. Jhanmal, "Smuggling from Pakistan to Afghanistan Tripled," *Tolo News*, <https://www.tolonews.com/business/smuggling-pakistan-afghanistan-tripled> (accessed 25 March 2019).

19 Data collected from Deputy Director, Customs.

20 The realistic trade volume is projected around \$ 5 billion in most reports and statements by government.

21 "Pak-Afghan trade plummets to \$1.7 billion: PAJCCI," *Nation*, 16 April 2019.

performing their role. The increasing role of the National Logistic Cell (NLC) is also seen as interference by the traders and businessmen, who have been reported to assume the responsibility of all aspects of border management, even when other authorities like immigration and customs have cleared the Afghan nationals entering Pakistan.²²

The decision of the government to keep the Torkhum border open round the clock is aimed at boosting not only trade linkages but also to encourage people to people exchanges. The infrastructural shortage, however, is manifested in the lack of suitable and sufficient offices,²³ shortage of staff as well as security vulnerabilities in the light of security audits carried out. It is expected that opening the border round the clock is likely to raise the volume of trade from one and a half billion to three and a half billion dollars, provided that sufficient arrangements are in place from in the coming months. The government has created a task force exclusively for this purpose to guarantee that measures in place to ensure the aim of enhancing people to people contact and citizen exchanges are not undermined. Moreover, there are issues of land procurement near the border for new offices as well as poor cellular and IT connectivity in the areas that hinder automation of border management at a swifter pace. Overall, the management of the border, from a trade perspective, requires significant improvement.

Cross-Border Security Dynamics

As earlier discussed, Pashtuns are mostly concentrated on both sides of the Pakistan-Afghanistan border, divided by the Durand Line. After the partition of the subcontinent, and the departure of the British in 1947, Afghanistan's reluctance to accept the Durand Line as an international border has continued to manifest itself, despite the fact that it stands recognized by the UN.²⁴ The proliferation of religious seminaries (*madrassas*) during the Cold War saw increasing radicalization on both sides of the border, which continues to date.

The Security Landscape

After the Taliban ceased to hold the reins of the government in 2001, there was increased movement of extremists to Pakistan which acted as a catalyst to radicalize the Pashtun population immensely. While the militants operated in a different fashion, it was the year 2007 that saw the formation of Tehrik-e-Taliban in Pakistan, fortifying themselves in the tribal areas to hit their targets in Pakistan, as well as the US and the NATO personnel.²⁵

22 "Immigration staff at Torkham 'thrashed,'" *Dawn*, 13 January 2019.

23 These offices are required for not only the customs and border security staff but also for vital organisations like Intelligence Bureau, National Database and Registration Authority, Frontier Constabulary and Federal Investigation Agency (whose personnel deployed there shall have to work in three shifts for 24-7 service provision).

24 Ahmad Shayeq Qassem and H. M. Durand, "Pak-Afghan Relations: The Durand Line Issue," *Policy Perspectives* 5, no. 2 (2008), <http://www.jstor.org/stable/42909535> (accessed 16 April 2019).

25 Stanford University, "Tehrik-i-Taliban Pakistan: Mapping Militant Organizations," <https://web.stanford.edu/group/mappingmilitants/cgi-bin/groups/view/105> (accessed 20 March 2019).

It is important to note that Tehreek-e Taliban in Pakistan, despite being an independent organization, remained connected with the Taliban in some form in Pakistan, evidently in the shape of support shown, contoured further by tribal and ethnic support²⁶ as well as a connection with the Haqqani network.²⁷

Pakistan, after 9/11, has been a major ally in the War on Terror and has launched critical military operations in tribal areas and the border region so that Taliban elements could be flushed out or neutralized. Continual efforts were also made by Pakistan to explore possibilities of peaceful interventions to put an end to cross-border illegal and militant activities through dialogue as well, fully cognisant of the toll the operations took and added to the plight of residents (who suffered or stood internally displaced).²⁸ Various external factors indicated that a proper apparatus needed to be put in place.²⁹ The continual failures of peace initiatives, however, necessitated breaking inertia and taking measures to put an end to the gradual consolidation of militancy in the border areas. Operation Zarb e Azab targeted not only the local militants but others too that found safe haven in the border region between Afghanistan and Pakistan. These included fighters belonging to al-Qaeda, Islamic Movement of Uzbekistan, East Turkmenistan Islamic Movement, ISIS, and other fighters from foreign areas.

Militancy and Crime

The following tables indicate the incidents of security breach, which include militant activities as well as crime, from January 2018 to March 2019.³⁰

Tab. 2 - Militant Activity (01-01-2018 to 31-12-2018)

District	Suicide	Firing	Cross Border Assault	Target Killing	Terrorism Support	Explosive Material	Other	EFFECTIVE EXPLOSIVE							Total
								IED	Mine	Bomb	Hand Grenade	Missile	Rocket	Mortar	
Khyber	0	0	1	0	0	0	0	1	0	1	0	0	0	0	3
Total	0	0	1	0	0	0	0	1	0	1	0	0	0	0	3

26 Mehsuds, for example.

27 Thomas Joscelyn, "Global Jihadists Eulogize Jalaluddin Haqqani in Taliban Video," *The Long War Journal*. (December 2018), <https://www.longwarjournal.org/archives/2018/12/global-jihadists-eulogize-jalaluddin-haqqani-in-taliban-video.php> (accessed 21 March 2019).

28 Farhan Zahid, "The Successes and Failures of Pakistan's Operation Zarb-e-Azb," *Terrorism Monitor* 13, no. 14 (July 2015), <https://jamestown.org/program/the-successes-and-failures-of-pakistans-operation-zarb-e-azb/> (accessed 22 March 2019).

29 Drone attacks in tribal areas was one of such factors.

30 Data collected in person from relevant intelligence and law enforcement agencies in April, 2019.

Tab. 3 - Militant Activity (01-01-2019 to 31-03-2019)

District	Suicide	Firing	Cross Border Assault	Target Killing	Terrorism Support	Explosive Material	Other	EFFECTIVE EXPLOSIVE							Total
								IED	Mine	Bomb	Hand Grenade	Missile	Rocket	Mortar	
Khyber	0	0	0	0	0	1		1	0	0	0	1			3
Total	0	0	0	0	0	1	0	1	0	0	0	1	0	0	3

Tab. 4 - Criminal Activity (01-01-2018 to 31-12-2018)

District	Terrorism	Kidnapping	Robbery	Vehicle Hijacking	Extortion	Street Crime	Narcotics Trafficking	Human Trafficking	Murder	Smuggling (Other)	Attempt to Murder	Arms Smuggling	Money Laundering	Theft
Khyber	26	1	0	0	1	1	47	0	51	0	5	4	1	0
Total	26	1	0	0	1	1	47	0	51	0	5	4	1	0

Tab. 5 - Criminal Activity (01-01-2019 to 31-03-2019)

District	Terrorism	Kidnapping	Robbery	Vehicle Hijacking	Extortion	Street Crime	Narcotics Trafficking	Human Trafficking	Murder	Smuggling (Other)	Attempt to Murder	Arms Smuggling	Money Laundering	Theft
Khyber	3	0	0	0	2	0	7	0	8	0	1	1	0	0
Total	3	0	0	0	2	0	7	0	8	0	1	1	0	0

Fencing the Border

There are wide-ranging figures quoted in documents and newspapers as to how much the border has been fenced in the Khyber Pakhtunkhwa province between Afghanistan and Pakistan, with the figure that was consistently being quoted around 480 out of initial 900 kilometers, on both sides of the Torkhum gate. However, during discussions with relevant authorities, the total fence raised till April 2019 was around 600 kilometers, calculated on the basis of land adjustments with Afghanistan according to the logic of the terrain, as opposed to a presumed linear border. The data sufficiently indicates there has been very little militant and criminal activity after the border management, as opposed to the rampant militancy of the past.

Citizenry Flow and Exchanges

The volume of flow of people on a regular basis at the Torkhum border is immense. Around 14000, according to the border authorities at Torkhum, cross the border from both sides during a single shift of opening of about eight hours roughly. In addition, the number of visa tickets issued each day is calculated to be about 4000 by Pakistan's consulates and

the Embassy in Afghanistan. The work on 900 km length of the border regarding fencing is likely to keep the unchecked flow of people, including militants, in control, which is an essential arrangement to secure the flow and exchanges of the citizenry from both sides. From June to December 2018, the number of heavy vehicles that crossed the border from both sides was over 100,000, a huge volume by all standards, despite the fact that there were certain undulations in movement due to the suspension of the border in November 2018 as a result of a strike.³¹

The significance of effective border management at Torkhum is also highlighted by the fact that after the closing of the border as a result of militant attacks in February, the reopening of the border in March 2017 saw a movement of over 20000 people in just two days.³² As a result of the high risk due to mobility of the population in the Khyber tribal district, the border region has been termed as polio-endemic area, which is quite close to Peshawar.³³ Seriousness of the government to make people to people exchange safe is also evident from the fact that Pakistan devised a national emergency action plan to curb and eradicate transmission of the poliovirus as a result of which every person of any age crossing the Torkhum border would be administered the dose by the transit teams of both countries with effect from March 25, 2019.

Migration and Movement

As stated earlier, migration of Afghan nationals has been a process that began even before the toppling of the Afghan monarchy in the year 1973. Over time, the pattern of migration has shifted from being multidirectional and continuous (dictated by the cultural and commercial dependence between the Pakistan and Afghanistan border regions) to highly irregular and erratic as a result of militancy and insecurity. The Afghan refugee population had touched the huge figure of over six million in the year 1990, forty percent of the population of Afghanistan at that moment in time. As a result of intense measures, when national and international intervention assisted the return of nearly five million people to Afghanistan after the toppling of the Taliban regime in the year 2002, the number of refugees declined. Nevertheless, according to the UN, there were over one and a half million refugees residing in Pakistan in May 2016.³⁴ It may also be noted that the increasing population of Afghanistan and the instability in the country aggravated the situation further to make it difficult for Pakistan to tackle the influx of refugees. These challenges, emerging as a result of resource constraints³⁵ felt by Afghan refugees, also put unexpected stresses on Pakistan.

31 Irfan Syed Raza, "Pakistan to Keep Torkham Border Open Round the Clock," *Dawn*, 29 January 2019.

32 "More than 20,000 Cross into Afghanistan during Two-Day Pakistan Border Reopening", *Radio Free Afghanistan*, <https://www.rferl.org/a/afghanistan-20-000-people-border-pakistan-militant-attacks/28357937.html> (accessed 22 March 2019).

33 "Vaccination to Start at Torkham on 25th," *Dawn*, 18 March, 2019.

34 UNHCR, "Pakistan Factsheet, 2016," <http://reporting.unhcr.org/sites/default/files/UNHCR%20Pakistan%20Factsheet%20-%20MAY16.pdf> (accessed 18 March 2019).

35 According to World Bank, Pakistan's GDP was twice the size of Afghanistan in 2015.

Many argue that the actual reasons for Afghan refugees moving to Pakistan are not conflict and militancy. Instead, it is believed that the bleak prospect of reintegration and economic deficiencies in Afghanistan have resulted in failure to stop the inclination to migrate to neighboring states, especially Pakistan.³⁶ However, this analysis does not do justice to the precariousness resulting from insecurity, which in all probability, is one of the primary drivers of the refugee problem, facilitated to a large extent by previously lax border management in Pakistan, rendering migration an easy arrangement for livelihood in areas that seemed homely and welcoming.

Livelihood in Pakistan

Affordable and less expensive migrant labor got well utilized in Pakistan. The Afghan refugees soon adjusted themselves in certain distinct activities, which seemed to be reserved for skilled migrants, and invested a little capital in Pakistan from Afghanistan. Some of the typical trades included hand-woven carpets, cab drivers, masonry, restaurants, dry-fruit vendors, leather handicrafts, and fruit shops, among other things. It may be noted that the next generation of those who migrated to Pakistan and never went back has entered into the private and public sector in Pakistan according to certain sources.³⁷

Recently, there has been an increased impetus on asset mapping and imposing restrictions on the labor sector that is formed through migrants (including registered migrants). These restrictions are evident from the repeated intentions of the Pakistani state to ensure the return of the refugees to their home country through fixing schedules and deadlines.³⁸ However, this has been challenging because of the local catalysts in the shape of informal alliances as well as established smuggling passages that have remained intact due to tribal affinities of late. With little distance between the capitals of both states, the movement and journeys undertaken, despite being clandestine and risky, are rather less arduous. The Peshawar-Kabul Highway connecting the Torkhum border to Kabul (including 46 kilometers of Peshawar-Torkhum patch) further limits the entire journey to merely three hours.

Refugee ID Cards for Borders

Of the two main border crossings, Torkhum is one in the erstwhile Khyber Agency of FATA.³⁹ There are various systems in place that check the status of Afghan refugees who may have managed through appropriation and paper documentation to show their right to belong to the Pakistani state. Their record is checked through the National Database and Registration Authority (NADRA) database, especially if they are flagged for dual nationalities or when a relevant record is missing, including biometric details. It is a

36 United Nations Office on Drugs and Crime, "Corruption in Afghanistan: Bribery as Reported by the Victims, 2010," www.unodc.org/documents/data-and-analysis/Afghanistan/Afghanistan-corruption-survey2010-Eng.pdf (accessed 26 March 2019).

37 Official unpublished data collected from various departments, including NADRA.

38 D. Parvaz, "A Hard Winter: Afghan Refugees Return from Pakistan," *Al Jazeera*, 24 November 2016.

39 Khyber Tribal District.

given fact that surveillance, together with control of population mobility and proper documentation, can make effective borders.⁴⁰ However, with the new border management system in place, the movement of Afghans into Pakistan without proper immigration documents has been curtailed, with the exception of special cards given to students and patients in critical condition. The Proof of Registration cards given to registered refugees are being extended again and again on expiry, which needs to be looked into in the light of border management transformations. In addition, almost 900,000 citizenship cards or Afghan Citizenship Cards have been given to regulate the status of refugees but at the same time the political dynamics revolving around land ownership as well as businesses and trade shall manifest in complexities in the future.⁴¹

Border Movement Volume

Tab. 6 - Border Movement (01-01-2018 to 31-12-2018)

Agency	Afghans on valid documents		Pakistanis on valid documents		Afghans without documents		Total	
	Arrival	Depart	Arrival	Depart	Arrival	Depart	Arrival	Depart
Khyber Agency	1435132	1234547	59559	50261	0	0	1494691	1284808

Tab. 7 - Border Movement (01-01-2019 to 31-03-2019)

Agency	Afghans on valid documents		Pakistanis on valid documents		Afghans without documents		Total	
	Arrival	Depart	Arrival	Depart	Arrival	Depart	Arrival	Depart
Khyber Agency	366733	319982	13575	12432	0	0	380308	332414

The new border management has certainly regulated the movement and unchecked flow of citizens from both sides, though there are infrastructural and institutional difficulties that need to be streamlined for ease and rapid flow of nationals from both sides.

Conclusion

Border management at Torkhum has been the need of time after a period of long absence of any regulatory mechanism. It has helped to regulate the illegal movement of people at the border and has curtailed the menace of militancy and other security risks, significantly. The plan of the government to provide services round the clock is a welcoming step but until the issues related to infrastructural needs are met, the increase in staff alone will not help. During discussions with locals who lived on both sides of the border, it transpired that they have been negatively affected by border management. The number of students who used to travel to Pakistan for educational purposes has been significantly reduced. This is in addition to the academic losses Afghans near the border had suffered when schools were destroyed by militants. Moreover, the families now stand divided due to the fence. This has many dimensions as locals, who are already in a poverty trap and where female education is abysmally low, see the loss of free movement and inability to let the

40 Sanaa Alimia, "Performing the Afghanistan–Pakistan Border Through Refugee ID Cards Geopolitics." (2018), DOI: 10.1080/14650045.2018.1465046 (accessed 18 April 2019).

41 Mosharraf Zaidi, "Citizenship for Afghan Refugees," *News*, 18 September 2018.

cattle graze on the other side as issues of grave importance for that is what sustained their livelihood. It has been seen that trade, which was largely informal, has been affected. Formal trade too, due to delayed clearance, has been slowed down, which has added to discontentment locally.

The government needs to be sensitive to the feeling of abandonment that is increasing gradually among the Afghans that are or have been linked to the Torkhum border in one way or the other. This alienation not only provides space to other actors to undermine Pakistan but also undermines the softer diplomacy efforts. Presence and greater involvement of NLC and the presence of the military are often being criticized by the locals. They allege that they are maltreated, that they have to pay more for clearance at the border. There is also evidence of increasing support for the Pashtun Tahaffuz Movement in the area, which despite the relaxations given to them in meeting most of the demands, has the potential to cause unrest whether it is the allegation of missing persons or the right to be accepted as a distinct Pashtun identity. There might be forces that fan these feelings to undermine Pakistan but the issue needs tackling, especially at the border, so that the negative perceptions about military or government are neutralized and Afghan reservations, at least those emanating at borders, are alleviated.

On the whole, the border management at Torkhum was the need of the hour and is a right step in securing the integrity of the state. However, long-term strategic policies are required for the effectiveness of border management. Border management needs to be extended to other areas too, including Chaman, to curb the re-routing of traffic to other areas and to stop smuggling from various routes that still exist and are used clandestinely. Border management at Torkhum is in a fledgling state and, if the priorities are set right and sustained, there is no reason why it should not pay dividends by increasing formal trade, enhancing security and facilitating people to people contact. This shall also require diplomatic and political engagement with Afghanistan on a continued basis.

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