

The Business

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A tense election

Democrat Party candidate Joe Biden at last succeeded in occupying the White House for the next four years following the 2020 US tense presidential elections. He has finally been declared winner in a deeply divided United States of America where his rival, Donald Trump, refused to concede defeat, filing purportedly frivolous lawsuits to challenge the credibility of the vote. Although his senior adviser and son-in-law Jared Kushner is said to have approached him for accepting the election results.

Some commentators have even tried to draw parallels between the present-day and the civil war-hit US of the 1860s. Such comparisons appear to be largely unrealistic owing to a variety of historic reasons and facts, including the vastly different roles the then Republican President Abraham Lincoln and the current White House incumbent Donald Trump played during their respective tenures, the fact, however, remains that the sole world superpower remained sharply divided under the presidency of Trump since his victory against Democrat Party candidate Hillary Clinton in the 2016 election. The protests by Republicans over the credibility of election results after Trump leveled vote fraud charges in the midst of vote counts against the Democrats without any evidence are a case in point.

The election results must have come as a shock for the proponents of the "Russiagate". Russian President Vladimir Putin's silence over Biden's victory is, therefore, quite meaningful. It is, however, interesting to note that Trump has always described Democrat Party "a party of leftists", although Biden, who owes his electoral success to various reasons, is known as a downright rightist in a party that was likely to nominate 'radical' leftist Bernie Sanders had there been no support from former President Barack Obama to the former Vice President. What is also interesting to note is that with Biden's victory the US appears to be an increasingly left-leaning country unlike Russia which, under Putin, is hell-bent upon destroying all symbols of Marxism and Leninism, although it is the successor state to the then Soviet Union. There is little or no doubt about the fact that Trump, who started a trade war with China to "fix an unfair relationship" between world's two largest economies, had successfully planted his flag in the global politics from the Middle East to North Korea. His actions are likely to have a lasting impact on the Arabian Peninsula, Syria, Iran and Afghanistan in particular, although he failed to accomplish much. His offer to mediate between Pakistan and India over Kashmir was the reflection of one of his tasks that remained unaccomplished.

Envisioning a sustainable Afghan peace process — I

DR HUMA BAQAI

After many decades, there is hope in the air. It is no coincidence that the intra-Afghan negotiations began closely on the heels of the 19th anniversary of 9/11 attacks. The current negotiations have brought the Afghan government and the Taliban under the same roof, offer promise after ages. The Afghan War, apart from being a huge drain on the US taxpayers' money, has been mired in controversies, for which there has been little accountability. The American counter-insurgency measures have not delivered on the ground. In fact, their continuing reluctance to engage with the Taliban at a time when they were far less formidable has stretched the war for many years. The Taliban in Afghanistan have become a fait accompli; hence, all the stakeholders including a reluctant India have had to accept the idea of talking to them.

Prime Minister Imran Khan, always a very strong advocate of political solution for Afghanistan, tweeted, "Enjoyed meeting Dr. Abdullah Abdullah, Chair HCNR [High Council for National Reconciliation] of Afghanistan. We had a very interesting conversation: theme being, the past is an invaluable teacher to learn from but not to live in. We must look forward towards the future. I wish him all the success in his mission." This tweet came at the conclusion of a very productive visit of top Afghan peace officials' departure from Islamabad, after a three-day visit in September 2020.

The visit had both very good optics and substance. This was Dr. Abdullah Abdullah's first visit to Pakistan in his capacity as chairman of the HCNR. The visit happened after 12 long years. He is no

stranger to Pakistan. He is a man who has always taken out time to meet all track 11/1.5 delegations that visited Kabul. He had also practiced medicine in Peshawar. However, he is not exactly known for having a soft corner for Pakistan. In fact, on many an occasion his bias in favour of India was very obvious. However, Dr. Abdullah Abdullah that Pakistan saw and heard in Islamabad this time was a different man. His statements about commitment to the process where he talks about "seizing the moment", are both comforting and encouraging. The process has regional and global support, and the indigenous reciprocity has improved. The commitment to the peace process is showcased by the Taliban and Afghan peace negotiators, by agreeing to a code of conduct to safeguard against the risk of any breakdown in talks. The two sides with the US' support drew up nineteen ground rules that their negotiator should observe during the talks.

A senior western diplomat rightly pointed out that firing up of code of conduct was extremely crucial as it ensures that both sides are willing to continue talks despite an escalation in violence on the ground. Previously, this could have proven to be the biggest impediment to progress. On February 29, 2020, the United States and the Taliban signed a peace deal. The deal's main objective was to find a political solution to the conflict and wind down a 20-year war in Afghanistan.

The first round of negotiations excluded the Afghan government, although the elements of the peace deal needed action from the Kabul government. It was initially rejected by President Ghani. It took a lot of covert nudging and overt arm twisting, especially by the United

States including threats of financial cut-off that finally led to the intra Afghan dialogue between the Taliban and the Afghan government. A lot of commentators, who only see this from the US election lens, see it as Trump's attempt for a politically palatable exit from the US' longest armed conflict, reinforced by his recent statement that troops will be back by Christmas.

However, if the peace process agreement is to be salvaged, and eventually have peace dividend in the shape of sustainable peace on the ground, some very contentious issues need to be addressed. The most obvious being the Taliban fragmentation and lack of trust and respect between Taliban and the Afghan government. The continued reliance of the Taliban on violence on the ground to be able to negotiate from a position of power does not help the situation either.

One of the conditions laid by the Americans for the Taliban to become a part of the political solution in Afghanistan was to ensure Afghan land will not be used against American interests, read, Al-Qaeda and the Islamic State, will not be allowed to operate from Afghanistan. This is a concern which resonates with all the regional/peripheral powers also. A massively reduced US security contingent, which is a Taliban condition, would make monitoring very difficult.

The presence of the Islamic State, Al-Qaeda, and the Taliban to be able to simultaneously operate in Afghanistan would pose an unsurmountable threat to the process and eventual settlement. Dr. Abdullah Abdullah in his historic visit to Islamabad also made the historic commitment to not let the Afghanistan land be used

against any state. This is a tall commitment, also impossible to fulfill on the ground, until and unless all factions are onboard and the security intelligence infrastructure is beefed up enough to deliver on the ground.

The backdrop of these major strategic concerns are the issues of women and child rights, freedom of expression, role of Islam and Taliban in the constitutional and democratic framework of the country. Zalmay Khalilzad, US Special Representative for Afghanistan Reconciliation at the State Department, while acknowledging the positive role of Prime Minister Imran Khan and Chief of the Army Staff General Qamar Javed Bajwa, hinted at seeking an agreement between Afghanistan and Pakistan adjunct to internal peace. He further added the countries would "agree that their territory will be allowed to be used against the other by e groups that would undermine the security other."

Khalilzad was also of the opinion that he saw economic dividends, which would be transformative for the region should Kabul and Taliban reach a deal and peace comes to Afghanistan. The reality on the ground is that then unfortunate rise in violent incidents on both Pak-Afghan border. ISPR also reported that the "violent incidents on both sides of Pak border" is meant to derail the Afghanistan peace process, vowing that both countries will and spoilers of peace. The Afghan peace process has both partners in peace, and partners in crime.

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MUHAMMAD NADEEM BHATTI

The National Accountability Bureau (NAB) is a sovereign and constitutionally established federal institution responsible to make efforts against corruption and produce critical national economic intelligence evaluation against economic terrorism to the Government of Pakistan. Currently headed by Justice (Retd) Javed Iqbal, it is empowered to take on any mandatory prevention and awareness in addition to impose its operations against the economic terrorism and financial crimes. Its sphere of operation has been expanded and extended since it was established on November 16, 1999.

The constitution of Pakistan has granted NAB to launch investigations, manage inquiries, and issue arrest warrants against the person suspected in financial mismanagement, terrorism, and corruption. Its powers have been expanded to bearing inquiry at a higher level by the Article 270AA of the Constitution of the country. With its chief headquarters situated in Islamabad, it has four offices in provinces of country. Under the chairmanship of honourable Justice (Retd) Javed Iqbal, NAB has recovered Rs.71 billion by September 2019. It has inducted a large number of officers and managed their Investigation training at COMSATS Uni-

versity Islamabad. The officers, after successful completion of the nine months job training were posted to different bureaus within the country in 2013. Also, NAB employees are consistently kept up to date with new training programs in financial crimes. But time does not remain the same as there are various challenges currently faced by NAB, including a slow judicial process, difficulty in collecting prosecutable evidence since the majority of the country's public record is not electronically recorded or integrated into a central database.

The institution (NAB) has been criticized by the Supreme Court of Pakistan for its mismanagement. Justice Jawad S. Khawaja of the Supreme Court criticized the institution for its practice of plea bargaining & described it as "institutionalized corruption."

As the judgment points out; the bureau seems unwilling in proceeding against people on one side of the political divide even in respect of financial fraud of massive proportion while those on the other side are being arrested without providing any sufficient cause. He (Justice Khawaja) stated that some NAB officials warn dominating suspects before arrest to allow them sufficient time to escape. As far as the performance of NAB Lahore is concerned, under the prime supervision of Shehzad Saleem (Director General NAB Lahore), it has recovered around Rs.16bn through plea bargain from October 2017 to October 2020. In these three years, 33,911 complaints were received with an increase of 220 percent per year. 58,790 people got relief due to their tremendous efforts. 78 percent of the culprits got the right punishments. Also, 655 persons got arrested with an increase of 160 percent per year.

An amendment in the National Accountability Bureau (NAB) law, through a presidential ordinance, has been done. The amendment not only fastens the powers of the NAB but also provides relief to dissatisfied businessmen, bureaucrats, and public office holders giving them rest from

so-called harassment by the hands of the Bureau. It means that NAB will be able to catch only politicians – most probably unelected people from the opposition parties & no one else until has clear evidence against them. Many are questioning it while this amendment is being praised and welcomed mostly by those in the government. According to the amendment, the NAB Ordinance will no longer apply to matters (of persons and transactions) concerning federal or provincial taxation or imports. After the notification of this amendment, "all pending inquiries and investigations were transferred to the respective authorities or departments which administer the relevant laws of taxation, levies or imposts in question. The NAB will also not be able to take any action against any holder of public office, until or unless it is shown that the holder has materially benefited by gaining an asset which is out of portion to his known sources of income, or where such material benefit cannot be sensibly accounted for, and there is proof to confirm such material benefit. The government believed that the changes shall safeguard innocent civil servants and public office holders by stopping NAB from playing to the gallery as in actuality, these changes do not reduce the power but put the authority within legal control. Political parties in the Opposition claim that these amendments have been made to favor specific people in the government. According to them; rather than making such amendments, the government should eradicate NAB given its failure and political victimization.

After keeping in prison for 9 months, the supreme court of Pakistan has given the orders to release Mir Shakil-ur-Rahman on bail. The bail was approved by a bench consisting of honourable Justice Yahya Afridi and honourable Justice Qazi Amin under the supervision of honourable Justice Mushir Alam. The NAB has failed to prove its trial in Supreme Court and Meer got the bail. The question that arises here is; who will compensate about keeping him in

prison for nine long months.

The other question is Mir Shakilur Rehman is the owner of an effective institute and the head of fourth pillar of state that's call journalism and journalistic organizations all over the country protested for his releasebut, if NAB captures a common man than who will go to supreme court for his bail? The Supreme Court bar association should raise this important issue in Supreme Court and should ban this NAB law that is totally against human rights.

By the remarks of Justice S. Khawaja, I came to know that the ongoing issues in NAB. The matter of concern is that the National Accountability Bureau is a reputed institution that was created for the betterment of the system. It has been doing a tremendous job since its creation. But from the past few years, any government elected for five years considers it as a part of its political party. They use the institution for their benefits and they take revenge on their rival politicians. The whole situation has become mice and cats. It is understood that after completing the tenure, today's political party in power will be in opposition at that time and they will have to go through the same revenge as they are taking now. By doing this, politicians have forgotten their real take which is to serve the people do better for the country as well. Politicians should not take revenge by using NAB by taking things personally. The politics should stay at its limit and that will be in favor of everyone. The world is going too far in the field of technology. It is the need of the hour that the honorable chief justice of Pakistan (Justice Gulzar Ahmed) take notice of the situation & NAB should be given under the prime supervision of the Supreme Court of Pakistan so that the country can make productive progress in every field. The role of Supreme Court is highly appreciable in such these types of cases.

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Dangerous divisions

KAMILA HYAT

The US election has shown us how dangerous a divided country can be. It has also highlighted the risks that are posed when a leader, in this case Donald Trump, openly speaks out for racists, fascists and others who hold extreme views.

The fact that Trump did so over four years appears to have encouraged people who hold such beliefs to come out in the open. Their prejudices, hidden for years under layers of deception and political correctness, have come out in the emergence of groups which believe in extremism of various kinds, and in some cases, also violence. They include the all white, all male Proud Boys, which Trump mentioned in one of his debate speeches, as well as a mixture of neo Nazis, skinheads, fascists and even remnants of the Ku Klux Klan.

The challenge for Joe Biden will be to knit back the country again and bring it together. Whether he can do so is difficult to say. It will take time. It will take patience, it will take effort and perhaps it will take another decade or so of change and the gradual return to older norms.

Trump's example brings us back to our own country. Our prime minister has openly praised Trump as a man who behaves spontaneously and is direct. Imran Khan has said that Trump and he share common traits. This is all very well, but it is also frightening. We ask because there have been analysts who say that the Tiger Force created by Imran is a kind of a potential militia.

But, of course, the problem of division goes far beyond the existence of extremist groups. These have existed for years in the US and include organisations such as the National Alliance founded in the 1970s by William Pierce, whose son later renounced the group and closed it down after entering the compound it had made its base. There is always a danger that such groups can gain a stronger and stronger hold in Pakistan, where some already exist.

The real issue, however, is that of divided nations. The US today is divided – on the basis of race, on the basis of belief, on the basis of loyalty, and on the basis of the colour blue or red, representing Democrats or Republicans. But there are also other divides based around gender, belief, and ways of life. Pakistan is not starkly different. Our political reality has become completely disjointed with no real ability to hold together, or to work as a unit, for the sake of the country and its people. Democratically elected governments are after all expected to work for the people. So are other lead-

ers from other parties, who may not be a part of government, but are a part of parliament.

In our situation, we see openly expressed hatred between the PTI and the PML-N. The PPP has sometimes swung in its position from one way to the other, making it a little unclear precisely what Bilawal Bhutto means when he makes his speeches. And we have hatred in Karachi, between parties with influence in that troubled city. The challenge for leaders must be to bring our country together and make a more harmonious federation. This is not an easy task; the reality that we saw in the US where riots broke out soon after the poll was opened, even if there were limited ones, shows us how important it is to prevent a complete divide between political groups and forces. They must be able to sit together, defend their views, but at least be able to talk.

At the present moment, we are not at this point. There is no possibility that the main parties would be ready to sit together and discuss the problems with the country, which at the present time are many in number. The dangers range from inflation, which has literally put food beyond the reach of millions of people in the country, to the Covid virus and incoming problems, such as smog created by environmental pollution and climate change, which has greatly affected farmers.

We also have divides between the people and the government. There was no logical reason at all for the Punjab government and its police to act so violently against farmers who had chosen to protest peacefully in Lahore and raise their demands for higher prices for the items they sold, or a deduction in the prices of fertilisers, pesticides, and other equipment they needed to produce the food and other items we used on a daily basis. The attack with water cannons, teargas and batons, which resulted in the death of at least one farmer was completely unnecessary. But we have seen precisely such violence against students and social activists, as well as other groups before. Even teachers and nurses have been attacked as have junior doctors.

We need to create more tolerance harmony, and a greater willingness to accept different points of view. We also need to learn from America and develop the capacity to be able to talk, no matter what differences may exist. Until this happens, there can be no real hope of a future which is without violence and without unrest.

The task of our prime minister and his team must be to create this situation so that people can learn to live in a place which offers them safety, security and tolerance all humans need no matter where they live and what they do.