

**Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>**

|                                 |  |
|---------------------------------|--|
| Country/<br>entity              | Pakistan<br>Taliban  |
| Region                          | Asia and Pacific<br>Cross-regional   |
| Agreement<br>name               | Peace Agreement in North Waziristan (Miranshah Peace Accord)   |
| Date                            | 5 Sep 2006   |
| Agreement<br>status             | Multiparty signed/agreed   |
| Interim<br>arrangement          | Yes  |
| Agreement/<br>conflict<br>level | Intrastate/intrastate conflict ()  |
| Stage                           | Framework/substantive - partial  |
| Conflict<br>nature              | Inter-group  |
| Peace<br>process                | Pakistan-Taliban process   |
| Parties                         | Party No.1: The Political Agent North Waziristan representing the Governor of NWFP and the Federal government (of Pakistan)<br><br>Party No.2.: Tribal elders of North Waziristan of Utmanzai tribe.   |
| Third<br>parties                | -  |
| Description                     | Agreement between the North Waziristan governor and the Utmanzai Tribe in the FATA, agreeing to end fighting between government and tribal representatives, recognizing the destabilizing affect of the war in Afghanistan on the Taliban, and the connection between the Pashtun tribes and the Taliban. Agreement also calls for the withdrawal or complacency of all 'foreigners', meaning foreign fighters from the Caucasus, Arab World, etc. |

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Agreement  
document

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## Groups

|                     |   |
|---------------------|---|
| Children/<br>youth  | Groups→Children/youth→Rhetorical<br>Page 3-4, The Future<br>37. But it is not just the war against Talibans that has created the present impasse. There are other very important factors which have a bearing on the circumstances we find ourselves in. The Pukhtoos, being the prime target of the war on terror are completely marginalized and have to suffer humiliating pain and agony. They have had to witness the worst collateral damage during this war. Funeral congregations, wedding parties, prayer assemblies and innocent men, women and children have been the victim of bombs and missiles. The Pukhtoos have been denied a role in the political arrangement which has also pitched them against the government in Afghanistan besides the coalition forces. They consider the war not only a resistance against coalition forces but also a battle for their rights. |
| Disabled<br>persons | No specific mention.  |
| Elderly/age         | No specific mention.  |
| Migrant<br>workers  | No specific mention.  |



|                             |   |
|-----------------------------|---|
| Religious groups            | No specific mention.  |
| Indigenous people           | No specific mention.  |
| Other groups                | No specific mention.  |
| Refugees/ displaced persons | Groups→Refugees/displaced persons→Rhetorical Page 2, Situation after the Peace Accord<br>, 31. ...These are by no means ordinary achievements. But beyond measure are the achievements in socio-economic terms. Educational, commercial, agricultural and other activities have been resumed. Displaced people have returned to their homes. The sense of alienation has been replaced by an atmosphere of confidence. The people are now looking towards the future. |
| Social class                | No specific mention.  |

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## Gender

|                         |   |
|-------------------------|---|
| Women, girls and gender | Page 3-4, The Future<br>37. But it is not just the war against Talibans that has created the present impasse. There are other very important factors which have a bearing on the circumstances we find ourselves in. The Pukhtoos, being the prime target of the war on terror are completely marginalized and have to suffer humiliating pain and agony. They have had to witness the worst collateral damage during this war. Funeral congregations, wedding parties, prayer assemblies and innocent men, women and children have been the victim of bombs and missiles. The Pukhtoos have been denied a role in the political arrangement which has also pitched them against the government in Afghanistan besides the coalition forces. They consider the war not only a resistance against coalition forces but also a battle for their rights. |
| Men and boys            | No specific mention.  |
| LGBTI                   | No specific mention.  |
| Family                  | No specific mention.  |

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## State definition

|                           |  |
|---------------------------|--|
| Nature of state (general) | No specific mention.   |
| State configuration       | Page 3, The Future <sup>28</sup><br>33. Under the prevailing circumstances, peace deals, undertakings by the tribesmen and political and military actions in the tribal areas are measures which will have a salutary effect. These will help improve the situation in the FATA [Federal Autonomous Tribal Area] to a great extent. For a long term solution, however, we need to see where the real problem lies. Until and unless we address that, we would continue to grope in the dark and all attempts to achieve peace within our boundaries and beyond would remain elusive. |
| Self determination        | No specific mention.   |
| Referendum                | No specific mention.   |
| State symbols             | No specific mention.   |
| Independence/ secession   | No specific mention.   |
| Accession/ unification    | No specific mention.   |
| Border delimitation       | No specific mention.   |
| Cross-border provision    | Page 1, THE UTMANZAI TRIBESMEN: Party No.2 i.e. the elders of Utmanzai Tribe shall ensure that: <sup>28</sup><br>...2. The border with Afghanistan will not be crossed for any militant activity, however, for the purposes of trade / business and for meeting with the relatives across the border, there will be no restriction as per the existing customs/law (Easement Rights).  |

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## Governance

|  |  |
|--|--|
| Political institutions (new or reformed) | <p>Governance→Political institutions (new or reformed)→General references</p> <p>Page 1, THE UTMANZAI TRIBESMEN: Party No.2 i.e. the elders of Utmanzai Tribe shall ensure that:<sup>28</sup></p> <p>... 1. Parallel administration will not be established. The authority shall rest with the government of Pakistan. For solution of the problems, the Political Administration would be approached and that the Administration in collaboration with the Utmanzai Tribe would settle all problems in accordance with the provisions of the FCR (Frontier Crimes Regulation).</p> <p>Page 1, THE UTMANZAI TRIBESMEN: Party No.2 i.e. the elders of Utmanzai Tribe shall ensure that:<sup>28</sup></p> <p>... 3. No intrusion will be made in the districts adjoining North Waziristan nor will any kind of parallel administration be set up there.</p> <p>Page 2, MISCELLANEOUS</p> <p>a. In accordance with this agreement, a 10-member Committee would be constituted through mutual consultation. This Committee will comprise the religious clerics, tribal elders and members of the Political Administration. This committee would perform the following functions:</p> |
| Elections                                | No specific mention.   |
| Electoral commission                     | No specific mention.   |
| Political parties reform                 | No specific mention.   |
| Civil society                            | No specific mention.   |

Traditional/religious leaders Page 1, The agreement listed below is the decision of the grand jirga comprising tribal elders and religious clerics. The parties had, according to the tribal traditions and customs given “Wak” (authority) to the jirga. The Agreement given below was reached upon according to this “Wak” (authority). In accordance with the spirit of this peace agreement, the parties are bound to comply with the following terms and conditions:

Page 1, THE UTMANZAI TRIBESMEN: Party No.2 i.e. the elders of Utmanzai Tribe shall ensure that:

i) The law enforcement agencies/forces and government property shall not be attacked and that there shall be no target killing of any kind.

Page 2, MISCELLANEOUS

a. In accordance with this agreement, a 10-member Committee would be constituted through mutual consultation. This Committee will comprise the religious clerics, tribal elders and members of the Political Administration. This committee would perform the following functions:...

Public administration No specific mention.

Constitution No specific mention.

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## Power sharing

Political power sharing No specific mention.

Territorial power sharing No specific mention.

Economic power sharing No specific mention.

Military power sharing No specific mention.

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## Human rights and equality

Human rights/RoL general Page 2, Situation after the Peace Accord<sup>29</sup>  
31. There has been a marked improvement in North Waziristan Agency after the signing of the Peace Accord. Some of the main achievements are as follows:  
... b) Target killings of maliks, elders, and journalists have completely stopped. There has not been a single such occurrence within the Agency after the Peace Accord.  
c) Writ of the Government has been restored.

### Page 3-4, The Future

37. But it is not just the war against Talibans that has created the present impasse. There are other very important factors which have a bearing on the circumstances we find ourselves in. The Pukhtoos, being the prime target of the war on terror are completely marginalized and have to suffer humiliating pain and agony. They have had to witness the worst collateral damage during this war. Funeral congregations, wedding parties, prayer assemblies and innocent men, women and children have been the victim of bombs and missiles. The Pukhtoos have been denied a role in the political arrangement which has also pitched them against the government in Afghanistan besides the coalition forces. They consider the war not only a resistance against coalition forces but also a battle for their rights.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

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## Rights related issues

Citizenship No specific mention.



Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access Page 3-4, The Future  
38. Pukhtoos have never been subdued by the use of force. Their pride does not allow them to do so. Therefore, bombing them continuously, even for an indefinite period of time is not the solution. It is adding fuel to the fire of hatred against America, members of the coalition and the central government in Afghanistan. As a result their resistance has assumed the aura of a freedom movement against foreign occupation. It is attracting people of other nationalities as well to their fold who feel the same way. The war is no more against the Talibans. It has become a religiously motivated and emotionally supported mass indigenous uprising. The World has to revisit their strategy to deal with the issue and discard the present policy in favour of talks/negotiations.

Protection measures No specific mention.

Other No specific mention.

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## Rights institutions

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

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## Justice sector reform

|                                    |   |
|------------------------------------|---|
| Criminal justice and emergency law | No specific mention.  |
| State of emergency provisions      | No specific mention.  |
| Judiciary and courts               | No specific mention.  |
| Prisons and detention              | No specific mention.  |
| Traditional Laws                   | <p>Page 1, The agreement listed below is the decision of the grand jirga comprising tribal elders and religious clerics. The parties had, according to the tribal traditions and customs given “Wak” (authority) to the jirga. The Agreement given below was reached upon according to this “Wak” (authority). In accordance with the spirit of this peace agreement, the parties are bound to comply with the following terms and conditions:</p> <p>Page 1, THE UTMANZAI TRIBESMEN: Party No.2 i.e. the elders of Utmanzai Tribe shall ensure that:<sup>28</sup></p> <p>...2. The border with Afghanistan will not be crossed for any militant activity, however, for the purposes of trade / business and for meeting with the relatives across the border, there will be no restriction as per the existing customs/law (Easement Rights).</p> <p>Page 1, ... THE GOVERNMENT</p> <p>... b. The government will restore all tribal privileges.</p> |

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## Socio-economic reconstruction

|  |   |
|--|---|
| Development or socio-economic reconstruction | <p>Socio-economic reconstruction→Development or socio-economic reconstruction→Socio-economic development</p> <p>Page 2, Situation after the Peace Accord<sup>29</sup></p> <p>31. ...These are by no means ordinary achievements. But beyond measure are the achievements in socio-economic terms. Educational, commercial, agricultural and other activities have been resumed. Displaced people have returned to their homes. The sense of alienation has been replaced by an atmosphere of confidence. The people are now looking towards the future.</p> |
|--|---|

|                        |  |
|------------------------|--|
| National economic plan | No specific mention.   |
| Natural resources      | No specific mention.   |
| International funds    | No specific mention.   |
| Business               | <p>Page 1, THE UTMANZAI TRIBESMEN: Party No.2 i.e. the elders of Utmanzai Tribe shall ensure that:<sup>28</sup></p> <p>...2. The border with Afghanistan will not be crossed for any militant activity, however, for the purposes of trade / business and for meeting with the relatives across the border, there will be no restriction as per the existing customs/law (Easement Rights).</p> <p>Page 2, Situation after the Peace Accord<sup>28</sup></p> <p>31. ...These are by no means ordinary achievements. But beyond measure are the achievements in socio-economic terms. Educational, commercial, agricultural and other activities have been resumed. Displaced people have returned to their homes. The sense of alienation has been replaced by an atmosphere of confidence. The people are now looking towards the future.</p> |
| Taxation               | No specific mention.   |
| Banks                  | No specific mention.   |

## Land, property and environment

|                              |                      |
|------------------------------|----------------------|
| Land reform/ rights          | No specific mention. |
| Pastoralist/ nomadism rights | No specific mention. |
| Cultural heritage            | No specific mention. |

Environment No specific mention.

Water or  
riparian  
rights or  
access No specific mention.

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## Security sector

Security Guarantees Page 1, THE UTMANZAI TRIBESMEN: Party No.2 i.e. the elders of Utmanzai Tribe shall ensure that:<sup>28</sup>  
i) The law enforcement agencies/forces and government property shall not be attacked and that there shall be no target killing of any kind.

Page 2, ... THE GOVERNMENT  
c. The government will remove the newly established check posts on the roads (during operations) and would deploy “Khasadars” and “Levies” on the old check posts as per the past practice.

Page 2, Situation after the Peace Accord<sup>28</sup>  
31. There has been a marked improvement in North Waziristan Agency after the signing of the Peace Accord. Some of the main achievements are as follows:  
a) Attacks on government installations and government officials including the LEAs have completely ceased. People and government functionaries are now free to move and perform their routine duties.

Page 2, Situation after the Peace Accord<sup>28</sup>  
31. There has been a marked improvement in North Waziristan Agency after the signing of the Peace Accord. Some of the main achievements are as follows:  
... b) Target killings of maliks, elders, and journalists have completely stopped. There has not been a single such occurrence within the Agency after the Peace Accord.

Ceasefire No specific mention.

Police Page 1, THE UTMANZAI TRIBESMEN: Party No.2 i.e. the elders of Utmanzai Tribe shall ensure that:<sup>28</sup>  
i) The law enforcement agencies/forces and government property shall not be attacked and that there shall be no target killing of any kind.

|                       |   |
|-----------------------|---|
| Armed forces          | <p>Page 3, The Future<sup>28</sup></p> <p>33. Under the prevailing circumstances, peace deals, undertakings by the tribesmen and political and military actions in the tribal areas are measures which will have a salutary effect. These will help improve the situation in the FATA to a great extent. For a long term solution, however, we need to see where the real problem lies. Until and unless we address that, we would continue to grope in the dark and all attempts to achieve peace within our boundaries and beyond would remain elusive.</p> |
| DDR                   | No specific mention.  |
| Intelligence services | No specific mention.  |

Parastatal/  
rebel and  
opposition  
group  
forces

Page 1, THE UTMANZAI TRIBESMEN: Party No.2 i.e. the elders of Utmanzai Tribe shall ensure that:<sup>28</sup>

...2. The border with Afghanistan will not be crossed for any militant activity, however, for the purposes of trade / business and for meeting with the relatives across the border, there will be no restriction as per the existing customs/law (Easement Rights).

Page 3, The Future

36. Unfortunately, since 9/11, the Pukhtoon community is paying the price for the atrocities committed against the World Trade Centre in USA. The reason is not difficult to comprehend. Talibans who were accused of harbouring those who masterminded that plot are, in entirety, Pukhtoos. But not all Pukhtoos are Talibans. However, the wrath of the international coalition fell on the Pukhtoos indiscriminately thus making them the sole target of military operations by the international coalition. The initial resistance by the Talibans against the coalition attacks has very rapidly transformed into a Pukhtoon nationalist movement. It would therefore be naive to presume that the ethnic Pukhtoos who are living in FATA could remain indifferent. Resultantly, Pukhtoos in FATA were inexorably dragged into that war.

Page 3-4, The Future

37. But it is not just the war against Talibans that has created the present impasse. There are other very important factors which have a bearing on the circumstances we find ourselves in. The Pukhtoos, being the prime target of the war on terror are completely marginalized and have to suffer humiliating pain and agony. They have had to witness the worst collateral damage during this war. Funeral congregations, wedding parties, prayer assemblies and innocent men, women and children have been the victim of bombs and missiles. The Pukhtoos have been denied a role in the political arrangement which has also pitched them against the government in Afghanistan besides the coalition forces. They consider the war not only a resistance against coalition forces but also a battle for their rights.

Page 3-4, The Future

38. Pukhtoos have never been subdued by the use of force. Their pride does not allow them to do so. Therefore, bombing them continuously, even for an indefinite period of time is not the solution. It is adding fuel to the fire of hatred against America, members of the coalition and the central government in Afghanistan. As a result their resistance has assumed the aura of a freedom movement against foreign occupation. It is attracting people of other nationalities as well to their fold who feel the same way. The war is no more against the Talibans. It has become a religiously motivated and emotionally supported mass indigenous uprising. The World has to revisit their strategy to deal with the issue and discard the present policy in favour of talks/negotiations.

|                              |  |
|------------------------------|--|
| Withdrawal of foreign forces | Page 1, THE UTMANZAI TRIBESMEN: Party No.2 i.e. the elders of Utmanzai Tribe shall ensure that:<br>... v) All foreigners present in North Waziristan will leave Pakistan. Those who are unable to do so because of some compulsion, they would remain peaceful giving due regard to the law of the land and the peace agreement. Moreover, the above mentioned conditions of the Agreement will be equally applicable to them. |
| Corruption                   | No specific mention.   |
| Crime/ organised crime       | No specific mention.   |
| Drugs                        | No specific mention.   |

Terrorism Page 3, The Future

34. Pakistan shares a long border with Afghanistan and in case of FATA, as a unique feature, a number of tribes live on both sides. The pukhtoons on either side generally share the same culture/values and concessions. History shows us that it is the situation in Afghanistan that impacts our tribal areas adversely and not vice versa. If we retrace our steps from the first Afghan war down to the present imbroglio in Afghanistan, it will become crystal clear that the roots of the entire problem lie in Afghanistan and it is Afghanistan where we should really focus on if we wish to achieve a meaningful outcome of the war on terror.

Page 3, The Future

36. Unfortunately, since 9/11, the Pukhtoon community is paying the price for the atrocities committed against the World Trade Centre in USA. The reason is not difficult to comprehend. Taliban who were accused of harbouring those who masterminded that plot are, in entirety, Pukhtoons. But not all Pukhtoons are Taliban. However, the wrath of the international coalition fell on the Pukhtoons indiscriminately thus making them the sole target of military operations by the international coalition. The initial resistance by the Taliban against the coalition attacks has very rapidly transformed into a Pukhtoon nationalist movement. It would therefore be naive to presume that the ethnic Pukhtoons who are living in FATA could remain indifferent. Resultantly, Pukhtoons in FATA were inexorably dragged into that war.

Page 3-4, The Future

37. But it is not just the war against Taliban that has created the present impasse. There are other very important factors which have a bearing on the circumstances we find ourselves in. The Pukhtoons, being the prime target of the war on terror are completely marginalized and have to suffer humiliating pain and agony. They have had to witness the worst collateral damage during this war. Funeral congregations, wedding parties, prayer assemblies and innocent men, women and children have been the victim of bombs and missiles. The Pukhtoons have been denied a role in the political arrangement which has also pitched them against the government in Afghanistan besides the coalition forces. They consider the war not only a resistance against coalition forces but also a battle for their rights.

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## Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.



|                  |  |
|------------------|--|
| Courts           | <p>Transitional justice→Courts→National courts<br/> Page 2, MISCELLANEOUS<br/> ... b. If a person or group (local or foreign) fails to abide by the Peace Agreement and attempts to disrupt peace in Waziristan, action shall be taken against him/them.</p>   |
| Mechanism        | No specific mention.   |
| Prisoner release | <p>Page 1, ... THE GOVERNMENT<br/> a. All those arrested during the operations by the government would be released and they would not be re-arrested for the incidents of the past.</p>  |
| Vetting          | No specific mention.   |
| Victims          | <p>Page 3-4, The Future<br/> 37. But it is not just the war against Talibans that has created the present impasse. There are other very important factors which have a bearing on the circumstances we find ourselves in. The Pukhtoos, being the prime target of the war on terror are completely marginalized and have to suffer humiliating pain and agony. They have had to witness the worst collateral damage during this war. Funeral congregations, wedding parties, prayer assemblies and innocent men, women and children have been the victim of bombs and missiles. The Pukhtoos have been denied a role in the political arrangement which has also pitched them against the government in Afghanistan besides the coalition forces. They consider the war not only a resistance against coalition forces but also a battle for their rights.</p> |
| Missing persons  | No specific mention.   |
| Reparations      | <p>Transitional justice→Reparations→Material reparations<br/> Page 1, THE UTMANZAI TRIBESMEN: Party No.2 i.e. the elders of Utmanzai Tribe shall ensure that:<br/> ... vi) All government property in the shape of vehicles / weapons and wireless sets etc that fell in the hands of Party No.2 would be returned to the government.</p> <p>Page 2, ... THE GOVERNMENT<br/> ... d. The government will return all the vehicles and other equipment seized during the operations.</p>  |
| Reconciliation   | No specific mention.   |

## Implementation

UN signatory No specific mention.

Other international signatory No specific mention.

Referendum for agreement No specific mention.

International mission/force/similar No specific mention.

Enforcement mechanism Page 2, MISCELLANEOUS  
a. In accordance with this agreement, a 10-member Committee would be constituted through mutual consultation. This Committee will comprise the religious clerics, tribal elders and members of the Political Administration. This committee would perform the following functions:  
... ii) To monitor and ensure the implementation of the agreement.

Page 2, Situation after the Peace Accord<sup>28</sup>

... 32. It would be unjustified to expect that the Peace Accord will improve the situation overnight, although we have come back from the worst scenario. With time things will certainly improve further. There may be attempts to violate its sanctity but then there is a mechanism to deal with such eventualities. The Peace Accord will be implemented and monitored by a 15-member Joint (Tribal – Government) Implementation and Coordination Committee which is already in place. Government machinery such as the LEAs will be available to provide necessary support to this Committee. The return of peace has paved the way for the resumption of development activity. The International community should now step forward to win the hearts and minds of the people. A gesture of goodwill can do more than all the bombs put together. Behind the facade of an iron will, a tough demeanour and a fiery passion to guard and preserve his freedom, the tribesman, still has an extremely tender heart.

Related cases No specific mention.

Source 'Peace Agreement', The Tribal Times, 21 September 2011, <http://www.thetribaltimes.com/peace-agreement/>