

Country/entity	Pakistan Taliban
Region	Asia and Pacific Cross-regional
Agreement name	Srarogha Peace Agreement
Date	7 Feb 2005
Agreement status	Unilateral document
Interim arrangement	Yes

Agreement/conflict level Intrastate/intrastate conflict

India-Pakistan Conflict (1947 -) and the Pakistani Taliban (2001 -)

Two distinct contexts have generated agreements.

India-Pakistan Conflict (1947 -)

The roots of the India-Pakistan Conflict lay in the partition of the British Indian Empire following the end of World War II, and the creation of the predominately Muslim Dominion of Pakistan (now Pakistan and Bangladesh) and the Union of India in 1947. Fuelled by Hindu and Muslim nationalism, the political partition spurred the largest mass migration as minorities sought refuge among their communal majorities. Retaliatory violence on both sides led to the deaths of 200,000 to 500,000 people.

A few weeks following the partition, Pakistan sent tribal militias into the Princely State of Jammu and Kashmir, sparking the Indo-Pakistan War of 1947. Two other wars broke out in 1965 and in 1991, as well as a number of skirmishes over the Siachen Glacier. The conflict has seen less casualties since the announcement of a ceasefire in 2003, despite frequent violations by both sides. Public unrest remains sporadic and there has been occasional actions by Islamic militants. In addition, despite a decrease in human rights conditions by occupying forces on both sides, abuses are still documented.

Another dimension of the conflict developed in 1997, after Pakistan announced a successful nuclear test. Since then there has been a proliferation of treaties ensuring clear lines of communication in regards to nuclear testing and accidents to deter accidental escalation.

Pakistan-Afghanistan-US Conflict (2001 -)

Since the 2000s, the Afghanistan war had a noticeable spill-over effect to Pakistan. The Afghan Taliban maintain several strongholds in the western parts of Pakistan, especially in the Northwest Tribal Region. Native Islamist guerrilla outfits also remain active in the region and in 2007 they formed the umbrella organisation known as the Pakistan Taliban until it splintered into four different groups in 2014.

Close

India-Pakistan Conflict (1947 -) and the Pakistani Taliban (2001 -)

Stage Implementation/renegotiation

Conflict nature Government/territory

Peace process Pakistan-Taliban process

Parties Baitullah Mehsud [Commander of Tehrik-i-Taliban Pakistan];
21-member tribal committee and members of Jirga Mehsud Tribe; South Waziristan Agency.

Third parties	-
Description	Short agreement extending Shakai Agreement principles to the Taliban commander Baitullah Mehsud, forbidding the shelter and aid of foreign fighters, and providing for a hiatus on targeting government representatives and buildings in exchange for amnesty. The agreement is unilateral reflecting a cross Tribe agreement to accept the government's proposed terms.

Agreement document	PK_050207_Sra Rogha Agreement btw the Tribe Mehsud and the Government of Pakistan.pdf (opens in new tab) Download PDF
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Agreement document (original language)	PK_050207_Sra Rogha Agreement_UR.pdf (opens in new tab)
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Groups

Children/youth	No specific mention.
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Disabled persons	No specific mention.
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Elderly/age	No specific mention.
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Migrant workers	No specific mention.
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Racial/ethnic/national group	No specific mention.
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Religious groups	No specific mention.
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Indigenous people	No specific mention.
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Other groups	No specific mention.
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Refugees/displaced persons	No specific mention.
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Social class	No specific mention.
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Gender

Women, girls and gender No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

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 No specific mention.

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission	No specific mention.
Political parties reform	No specific mention.
Civil society	No specific mention.
Traditional/religious leaders	No specific mention.
Public administration	No specific mention.
Constitution	No specific mention.

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.

Human rights and equality

Human rights/RoL general	No specific mention.
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.

Rights related issues

Citizenship	No specific mention.
Democracy	No specific mention.
Detention procedures	No specific mention.
Media and communication	No specific mention.
Mobility/access	No specific mention.
Protection measures	No specific mention.
Other	No specific mention.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

Justice sector reform

Criminal justice and emergency law	<p>Justice sector reform→Criminal justice and emergency law→Delimitation of powers in Criminal Justice System</p> <p>Page 1, 4. Mehsud Tribe also agrees that if any person or a group unrelated to Baitullah's group is found suspect or guilty in Mehsud territory then the tribe will fulfill its legal obligation following its custom and hand them over to the government. The government would have the right to take legal action according to the FCR3.</p> <p>Page 1, 6. God forbid, in case of violation of this agreement, the local government has the right to proceed in accordance with the existing laws.</p>
State of emergency provisions	No specific mention.
Judiciary and courts	No specific mention.

Prisons and detention	No specific mention.
Traditional Laws	Page 1, 4. Mehsud Tribe also agrees that if any person or a group unrelated to Baitullah's group is found suspect or guilty in Mehsud territory then the tribe will fulfill its legal obligation following its custom and hand them over to the government. The government would have the right to take legal action according to the FCR3.

Socio-economic reconstruction

Development or socio-economic reconstruction	No specific mention.
National economic plan	No specific mention.
Natural resources	No specific mention.
International funds	No specific mention.
Business	No specific mention.
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.

Security sector

Security Guarantees	Page 1, 6. God forbid, in case of violation of this agreement, the local government has the right to proceed in accordance with the existing laws.
Ceasefire	Security sector→Ceasefire→General commitments Page 1, 2. Baitullah and his allies will neither open fire on government functionaries from their territory nor target government installations. Hence, they will not pose an obstacle to any development project.
Police	No specific mention.
Armed forces	No specific mention.
DDR	No specific mention.
Intelligence services	No specific mention.
Parastatal/rebel and opposition group forces	<p>[Summary] Baitullah Mehsud is a commander of the TTP [Tehrik-i-Taliban Pakistan]</p> <p>Page 1, 1. Baitullah and his allies will neither shelter nor assist any foreign militant in their territory.</p> <p>Page 1, 2. Baitullah and his allies will neither open fire on government functionaries from their territory nor target government installations. Hence, they will not pose an obstacle to any development project.</p> <p>Page 1, 3. Baitullah and his allies will be exempted from any legal proceedings that were required against them in the past in government's opinion. However, if any member or members of the group are found to be involved in sabotage or related activities in the future, they would be dealt with in accordance with the prevailing laws of FATA2 and if they are found in Mehsud territory, Mehsud tribe will be bound to hand them over to the government.</p>
Withdrawal of foreign forces	Page 1, 1. Baitullah and his allies will neither shelter nor assist any foreign militant in their territory.
Corruption	No specific mention.
Crime/organised crime	No specific mention.
Drugs	No specific mention.
Terrorism	No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon Transitional justice→Amnesty/pardon→Amnesty/pardon proper
Page 1, 3. Baitullah and his allies will be exempted from any legal proceedings that were required against them in the past in government's opinion. However, if any member or members of the group are found to be involved in sabotage or related activities in the future, they would be dealt with in accordance with the prevailing laws of FATA2 and if they are found in Mehsud territory, Mehsud tribe will be bound to hand them over to the government.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

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 1, 5. The political administration and the Tribe through mutual consultation and according to the prevailing conditions will try to solve together all unresolved issues that may arise in the future and that are not explicitly discussed in this agreement.
Related cases	No specific mention.
Source	On file with author. Sourced from FATA Tribal Affairs Office.
