

Prison Breaks in Pakistan: An Analysis of Al-Qaeda Strategy

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ABSTRACT

A number of prison break attacks have been staged by the Al-Qaeda and its associated network of organizations in Iraq, Syria, Afghanistan, Yemen and Pakistan since 2002. This article attempts to analyse the Al-Qaeda's strategy of breaking prisons in Pakistan during the years 2004-2015. The article studies prison break attacks (both successful and attempted) in order to analyse the micro as well as macro level strategic moves by the Al-Qaeda amid prevailing ground conditions. A number of key factors are instrumental for the Al-Qaeda and its affiliated groups in strategizing prison breaks in Pakistan. While examining the Al-Qaeda's prison break strategy from macro and micro level perspectives, it is evident that dilapidated Pakistani criminal justice system and state apparatus emboldened the Al-Qaeda to adopt such tactics and strategizing in a successful manner at varying degrees.

Introduction

Roughly 10.1 million prisoners both convicted and under trial are incarcerated in prisons and correctional facilities all over the world.¹ Prison breaks are not very uncommon in the

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1 US State Department Report on International Prison Conditions, <http://www.state.gov/j/drl/rls/209944.htm>

developing world. Overcrowded prisons with limited or no sanitation facilities, unsafe prison conditions, poor quality of food and unsafe drinking water and lack of legal support mechanism are some of the common features of the prisons of the developing countries. In many cases organized criminal gangs are formed in prisons. Terrorist organizations also take advantage of the dilapidated prison conditions. Besides indoctrinating prisoners for the purpose of recruitment, Islamist terrorist organizations also capitalized on inadequate security measures for breaking the prisons and freeing the inmates belonging to these organizations. Breaking prisons, for the rescuing of the high profile incarcerated leaders remains part of Al-Qaeda's broader strategy. Scores of prison break incidents have been reported in the last 10 years indicate prison breaks as a regular feature in countries such as Pakistan, Afghanistan, Iraq and Yemen. Data indicate that prison breaks and prison break attempts in these countries have certain similarities. This article ventures to analyse the Al-Qaeda's strategy for reinvigorating itself by launching successful and attempted prison breaks.

Al-Qaeda and Prison Breaks

The Al-Qaeda works as a functionary organization. It apparently acts as a terrorist university that provides financial support and technical assistance in perpetrating terrorist attacks to Islamist terrorist cells orbiting around it. It provides them training, finances and direction in order to help accelerate their activities and execute intended plans.

During the Afghan War of 1979-89, Osama Bin Laden's mentor and principal jihadi ideologue of Al-Qaeda Abdullah Yousaf Azzam sent few of his Arab warriors to actual battlefields. They had a restrictive role of supporting the Afghan Mujahedin with their finances, logistics (Beit ul Ansar/guest houses in Peshawar) and arranging medical treatment facilities for the wounded. In modern times, Al-Qaeda, which is the successor organisation to Azzam's

Maktab ul Khidmat wal Mujahedeen-e-Arabiya, has assumed the similar role.

The unique Al-Qaeda character which makes it more or less a terrorist university or consultancy has made security strategists' job much more difficult to curb its activities. On the other hand, Al-Qaeda's strategists like Abu Musab al-Suri, Ayman al-Zawahiri, Saif al-Adal, Abu Mohammad al-Muqadisi and Obaid al-Qurashi are writing jihadi manuals; devising tactical and strategic plans.

Al-Qaeda's specific prison break operations are usually conducted to free high value prisoners and bring them back into their fold for various strategic and tactical reasons. In such scenarios, Al-Qaeda's Military Shura gives a go-ahead for the prison break operations. In an interview with the author, a former Jaish-e-Mohammad (JeM) member in Pakistan, explained Al-Qaeda's *modus operandi* in this regard. He had attended training at an Al-Qaeda-run terrorist camp in Afghanistan during the Taliban-ruled Afghanistan (1996-2001). He described Al-Qaeda's ambitions and focus during such training on prison break techniques to rescue high profile rank and file of Al-Qaeda. Such highly specialized courses also focused on assassinations, counter intelligence, counter interrogation, bomb making and kidnapping. Proper planning and mock drills for prison breaks are taught during such trainings². Rescuing the incarcerated Al-Qaeda members is considered a religious and moral duty. Similarly, most of the kidnappings whether high profile or general are conducted for rescuing the imprisoned 'brothers', whereas accumulating the ransom during the same event is considered secondary as it is necessary for bankrolling the organizations structure and financing other terrorist operations.

Al-Qaeda's focus on rescuing fellow jihadists could be assessed from the interview of Mohammad al-Zawahiri, the brother of Al-Qaeda Emir Ayman al-Zawahiri, with CNN after

2 Interview with former Jaish-e-Mohammad activist in Islamabad June 1, 2018.

he was released from prison by Egypt's Muslim Brotherhood government in March 2012. When asked about any means for reaching the truce with the West, he proposed the four important steps before any such thing could happen:

1. US to stop interfering in Muslim education
2. US to end the war on Islam
3. US and West to stop intervening in Muslim lands
4. US to release all Islamist prisoners³

The Al-Qaeda's interest in releasing its prisoners is paramount and showcased in one of the four pre-negotiation clauses. A document captured by the US Navy Seals during Operation Neptune Spear to kill Osama bin Laden, discusses about Al-Qaeda's Plan for Pakistan. One of the key points in this document justifies jihad against the Pakistani regime due to the arrest of Al-Qaeda's leaders and rank and file in Pakistan. It is stated in that document that "Given the emergency situation following the collapse of Islamic Emirate, the displacement of Mujahidin from Afghanistan, their arrest in Pakistan and throughout the whole world, Mujahidin passed through a very weak period that required sufficient time to reorganize. Therefore, they were not in a position at all to open a new front."⁴

Al-Qaeda Franchises

The Al-Qaeda is considered to have varied range of presence in more than 60 countries through its satellites and franchised groups. In most of the cases, the Al-Qaeda's franchise groups who have pledged allegiance or Bayah to Emir of Al-Qaeda are involved in prison breaks. Scores of successful prisons have been broken by Al-Qaeda's Yemen

3 Nic Robertson, "Exclusive: Al-Qaeda leader's brother offers peace plan", CNN International, September 11, 2012, <http://edition.cnn.com/2012/09/10/world/meast/zawahiri-peace-plan/>

4 The Bin Laden Book Shelf, "Jihad in Pakistan", letter released by Directorate of National Intelligence captured during Operation Neptune Spear, May 2011, <https://www.dni.gov/files/documents/ubl2016/english/Jihad%20in%20Pakistan.pdf>

affiliate the Ansar al-Sharia in which high profile terrorists such as Fahad Qoso (USS Cole planner) and others were freed alongside hundreds of other Islamists. In Pakistan, the Al-Qaeda-linked Tehreek-e-Taliban Pakistan (TTP) after initial success in Dera Ismail Khan district prison break even formed a separate unit the Ansar-e-Aseeran for planning and executing prison break operations. Similarly, the Al-Qaeda was more successful in Afghanistan and Iraq in freeing a large number of prisoners belonging to the organization.

Pakistan and the Strategy of Al-Qaeda's Military Wing

Pakistan hitherto remains the most important country for the Al-Qaeda. The Al-Qaeda was born in Pakistan in the aftermath of Afghan War in 1988. Pakistan is the central of Al-Qaeda's strategy because of the following reasons explained in a letter captured during Operation Neptune Spear and later released by the Directorate of National Intelligence (DNI). These points highlight the importance of Pakistan in Al-Qaeda's policy for prison breaks:

1. Afghanistan and Pakistan are not two fronts, but one;
2. Pakistan is not just Pakistan, but it is the Indian Subcontinent;
3. Pakistan has been fragmented;
4. The ideology of Pakistan has defeated itself from the moment it participated in the war against terrorism;
5. Pakistan will continue its cursed role in the War on Terror⁵.

After a brief sabbatical in Sudan in early 1990s, the Al Qaeda had located itself in Pakistan's backyard i.e. Afghanistan. Taliban sheltered terrorists and outsourced their training policy to the Al-Qaeda which in return opened up scores of terrorist training camps from Herat to Kabul. A wide range of Islamist militants from all over the world received training in those camps. A large number was from Pakistan. It was during training that the Al-Qaeda developed a special liaison with Pakistani Islamist terrorist

5 The Bin Laden Book Shelf, "Jihad in Pakistan".

organizations. With the commencement of Global War on Terror (GWOT) in October 2001, the Pakistani Islamist terrorist groups helped provide safe havens to the Al-Qaeda's on-the-run high value operatives. Other groups involved in linking with and supporting the Al-Qaeda were the Harkat ul Jihad-e-Islam (HuJI), the Lashkar-e-Jhangvi (LeJ), the Jaish-e-Mohammad (JeM) and later a conglomerate of tribal jihadi militias termed as the Tehreek-e-Taliban Pakistan (TTP). Altogether these organizations helped survive and re-establish the Al-Qaeda Core or the Al-Qaeda Central in Pakistan while it was on-the-run after the US invasion of Afghanistan in October 2001. The semi-autonomous and lawless tribal areas of Pakistan became the new hub of Al-Qaeda and scores of international terrorist plots were planned and executed from there. Several factors disturbed the situation (to be discussed later) allowing the Al-Qaeda to configure its policy on incarcerated prisoners. The TTP in this regard formed a specialized unit for freeing the Al-Qaeda linked inmates. This unit was called the Ansar al-Aseer (Supporters of the Prisoners).

Ansar al-Aseer (Supporters of the Prisoners)

The Ansar al-Aseer was established with an object of freeing Islamist militants belonging to the Al-Qaeda and the Taliban, languishing in Pakistani prisons. The Ansar al-Aseer is one major step the TTP has taken following the Al-Qaeda guidelines. Adnan Rashid, freed in Bannu prison break heads the unit. Adnan, a former airman by profession in Pakistan Air Force had remained involved in planning and execution of assassination attempt on the life of former President General Pervez Musharaf in 2003. Few people in Pakistani jihad scene have managed to ascend in the jihadi ranks as quickly as Adnan Rashid. He embraced radical Islam while interacting with Islamists involved in proselytization at mosques of Air Force bases. An ethnic Pashtun by origin, Rashid was born in 1980 in Chota Lahore subdivision of impoverished Swabi district of Khyber-Pakhtunkhwa province. With not many employment opportunities available in Swabi district, Rashid joined PAF

in 1997 as Airman. Around 100 miles North of Islamabad Capital Territory, and once a calm and peaceful district Swabi fell to the TTP March in March 2009 only to be retaken by Pakistan Army during Operation Rah-e-Rast in 2009. Rashid was by then serving his long prison term for masterminding terrorist strike against General Musharraf.

Rashid's distinction in jihadi circles of Pakistan is his will to set in motion tactics for freeing thousands of Taliban prisoners in Pakistani prison. Ansar al-Aseer is one major step he has taken to execute the desired plan.

Adnan was arrested and convicted to death sentence but rescued by the TTP in a grand prison break operation at the Bannu Central Prison, in district Bannu, Khyber-Pakhtunkhwa province in April 2012.

Adnan clearly stated his agenda in a statement:

The first and foremost aim of the Ansar is to make possible your release by all means. The second aim is to take care of you in jail, provide for your families, fulfil your needs and necessities and arrange finances for your trials. The third purpose is to take revenge against the enemies. You should send us the names and addresses of those serving in the Police, ISI, Army as well as those jail wardens, officers and their aides and spies, plus the names of those who dared to harass your families and your old parents and those who still treat you inhumanely. We, the militants, promise you that we will take revenge on them. We also warn Pakistani security forces and intelligence agencies against harassing the families of the jihadi prisoners.⁶

He interacted with the Islamist militants belonging to Lashkar-e-Jhangvi (Amjad Farooqi group) for perpetrating the attacks in December 2003. Rashid was arrested after one of the most concerted investigation involving almost all police and intelligence agencies in Pakistan. He was tried and convicted by a Field General Court Martial and sentenced to death. Later on, he was freed in a prison break in 2012.

6 Farhan Zahid, "Pakistan's Prison Break Expert: A Profile of Adnan Rashid and His Group Ansar Al Aseer", *Militant Leadership Monitor*, V, no. 10 (October 2014).

Adnan Rashid is now closely linked to the Islamist militants of Islamic Movement of Uzbekistan (IMU), the Emirat-e-Kaukav, and the TTP, all linked to the Al-Qaeda Core and based in tribal areas of Pakistan. The establishment of Ansar al-Aseer is in a way a joint venture to serve a greater jihadi purpose. It appears that Rashid's jihadi contacts have grown during his eight years in prison. His first-hand knowledge of dilapidated state of Prison Department is proving an asset for all jihadi organizations operating in Pakistan.

The establishment of Ansar al-Aseer is believed to be an Al-Qaeda endeavour to provide an impetus to the Al-Qaeda-linked groups in Pakistan to maximize their efforts to further weaken the already feeble writ of the law. Another attempt may have been to utilize Rashid's former Air Force background to launch new wave of the Fidayen attacks at Air Force bases. The Air Force and Naval Bases are most sought-after targets of the Pakistani Islamist militants as the Air Force is more damaging than Army. There have been two terrorist strikes against the Kamra Air Force Base in Attock district of Punjab a province and then on the Mehran Base and other military installations during 2004-2015. Recently, the Al-Qaeda and TTP-linked Islamist terrorists have been able to attack the Minhas Air Force Base near Attock district (three attacks: 2007, 2008, 2012) 40 km North of Islamabad, the PNS Mehran Air Base, Karachi (2011), the Samungli Air Force Base Quetta (2014), and the Air Force Base Khalid, Quetta (2014). After each attack, the TTP and its associated wings accepted responsibility.

Uzbek-Germans associated with the IMU have even developed a website in German language for disseminating information about the Ansar al-Aseer.⁷ In fact, the Ansar serves a bigger purpose and the interests of all jihadi groups in Pakistan. The advent of Ansar on Pakistani jihad map has suddenly changed the whole picture.

7 Zahid, "Pakistan's Prison Break Expert:"/

The jihadis in Pakistan doubly benefit from terrorist attacks on Naval and Air Force installations. Firstly, by destroying the critically important military equipment (aircrafts, reconnaissance planes, helicopters, and fighter jets) during these attacks, they reduce the capabilities of Pakistani defence forces which they cannot do otherwise; secondly such terrorist attacks at strategically significant and highly sensitive installations can pave the way for conspiracy theories across Pakistani society. Most common theories regarding the terrorist attacks on Air Force Bases divert the blame away from the terrorists by stating that the US, India or Israel are behind such attacks to undermine the capabilities of Pakistani military. Such theories keep on spreading, despite the fact that the TTP and the IMU's media outlets (Umar Media and Jundullah Studio) openly proclaim the responsibility of such attacks.

The freeing of Islamist militants is disheartening for law enforcement agencies whose investigating officers arrest the culprits after long and lengthy investigations.

Adnan Rashid-led Ansar al-Aseer may plan future prison breaks to free Islamist terrorists from Pakistani prisons. Despite the enhanced security measures taken by all four provincial governments and federal governments to improve the security of prisons, the system is blinking red concerning the future attacks by Rashid and his band of followers.

The security of urban area prisons may have improved after security beef ups, but the rural districts and their far-flung prisons could still become target of Ansar al-Aseer. There is only one maximum-security prison in Pakistan i.e. Faisalabad Central Prison. As such, most of the 81 prisons all over Pakistan are at risk. The threat emanating from the Ansar al-Aseer is not as severe as the TTP attacks on Pakistani cities and military installations but success of Rashid's agenda could cause far more difficulties for security officials in Pakistan. There has been unconfirmed news of his death during military operation. Security forces during the ongoing military Operation Zarb-e-Azb have tried hard to

eliminate Adnan Rashid as his presence has become unbearable and frustrating for law enforcement and intelligence bodies with hitherto no results.

Prison Breaks in Pakistan

The Al-Qaeda's affiliated Islamist violent non-state actors have been able to execute two successful major prison break operations in Pakistan and have also made two significant attempts since 2012 as detailed below.

Bannu Prison Break, 2012

It was in the wee hours of April 14, 2012 that more than 200 heavily armed militants of the TTP in a convoy of around 20 4-by-4 vehicles entered the vicinity of Bannu district (100 miles North of Islamabad Capital Territory) of Pakistan's troubled Khyber-Pakhtunkhwa province from adjacent tribal district. They had designs very different from a conventional terrorist attack on a military or civil installation. Rather they came in to rescue their colleagues incarcerated in Bannu Prison. The prison guards were lightly-armed and ill-trained to fight such big invasion in the early hours of morning. They were soon overwhelmed and Islamist militants entered the prison premises and released the 384 inmates, most of whom belonged to the notorious TTP. All the possibilities in the plan were thoroughly chalked out and it was executed at such a time when a large number of dangerous prisoners were just shifted from neighbouring Lakki Marwat and Kohat districts prisons to Bannu prison as these two prisons were converted into a rehabilitation centers by Pakistani military operating against the terrorists in tribal areas. According to the details released later, at least 20 of the escaped militants were facing death sentences.

Rehman Malik, the then Federal Minister of Interior, claimed that the primary purpose of prison break was to free Adnan Rashid. A police officer disclosed that the Islamist militants when entered the premises of the prison asked about "Where is Adnan?" Another officer said that the Taliban militants were speaking different languages and later jihadi

literature in Arabic and English languages were recovered from the cell of Adnan Rashid⁸ Inside help was considered likely in the incident but no details were disclosed by the government. The Inspector General of Prisons, Arshad Majeed did not rule out the possibility of inside help. He said, "It is possible that the attackers had help from the inside. We cannot confirm that but we are investigating to see what happened." A Taliban commander confirmed the inside help, "We had maps of the area and we had complete maps and plans of the jail as well, all I have to say is we have people who support us in Bannu. It was with their support that this operation was successful."⁹

The TTP celebrated the prison break a a great victory. According to the TTP spokesperson:

The purpose was to free some of our men. We attacked with 150 *Fidaeen* (suicide bombers) and took over the area for more than two hours.¹⁰

The main purpose of the operation was to free Adnan Rashid, a death row prisoner for his role in assassination attempts on the life of former president General Pervez Musharaf in 2004. Twenty other convicted terrorists facing death sentences were also rescued besides hundreds of other Islamist terrorists languishing in the Bannu Prison. The Al-Qaeda and TTP had been able to score a great victory.

Dera Ismail Khan Prison Break, 2013

After his successful rescue in Bannu prison break operation Rashid established Ansar al-Aseer. He planned and executed the prison break at Dera Ismail Khan District in

8 "Prison Break: Taliban attack Bannu jail, nearly 400 inmates escape", *Express Tribune*, April 15, 2012, <http://tribune.com.pk/story/365064/prison-break-militants-attack-bannu-jail-over-900-inmates-freed/>

9 "Was Bannu jailbreak an inside job?", *Dawn*, April 16, 2012, <http://www.dawn.com/news/710990/was-bannu-jailbreak-an-inside-job>

10 Fida Adeel, Zulfiqar Ali, and Iftikhar Firdous, "Prison Break: Taliban attack Bannu jail, nearly 400 inmates escape", *Express Tribune*, April 15, 2012, <http://tribune.com.pk/story/365064/prison-break-militants-attack-bannu-jail-over-900-inmates-freed/>

Khyber-Pakhtunkhwa province in July 2013. Rashid himself spearheaded the operation involving some 100 Islamist militants. The jailbreak resulted in escape of 230¹¹ hardcore Islamist terrorists. The gun battle between the attackers and prison guards also consumed the lives of 5 militants and 6 prison department guards, 2 prisoners and 4 other staffers.¹² According to a prison department officer, the district prison was holding up to 5000 prisoners including some 300 militants. Around 60-70 entered the premises after breaching the first lines of defence and the rest fired rockets from the outside after destroying a police armoured vehicle parked at the front gate.¹³ The attackers also rigged the prison with explosives camouflaged in booby traps which kept on exploding as one local residents said, "I could count over 30 explosions and it continued after that." Khyber-Pakhtunkhwa police's Bomb Disposal Unit defused 28 time bombs, four remote-control IEDs, a suicide jacket, and recovered five rockets and eight grenades during the search operation which attackers left behind.

Prison Break Attempt in Karachi, 2014

Karachi, Pakistan's financial capital has one of the country's oldest prisons, which is also one of the most dilapidated one. The Central Prison houses more than 5,500 inmates with some 100 hard core Islamist terrorists from the TTP, Haqqani Network, Lashkar-e-Jhangvi, and Jundullah.

In a major attempt to set free the Islamist terrorist inmates in the Karachi Central Prison, an elaborate plan was made in October 2014. According to the details, a 45 meters long tunnel was dug which was just short of 10 meters from the

11 "230 prisoners escape in TTP's DI Khan jail attack", *Express Tribune*, July 30, 2013, <https://tribune.com.pk/story/583919/230-prisoners-escape-in-ttpps-di-khan-jail-attack/>

12 "Taliban free 243 prisoners in DI Khan jailbreak", *The News International*, July 31, 2013, <https://www.thenews.com.pk/archive/print/632110-taliban-free-243-prisoners-in-di-khan-jailbreak>

13 "230 prisoners escape in TTP's DI Khan jailbreak", *Express Tribune*, July 30, 2013, <http://tribune.com.pk/story/583919/230-prisoners-escape-in-ttpps-di-khan-jail-attack/>

planned exit site. The law enforcement agencies were tipped off by residents of local area near the prison as the terrorists had bought a house in the prison neighbourhood. According to an official spokesperson of paramilitary force i.e., Pakistan Rangers, the attempt was aimed at rescuing high value targets being held at Karachi prison. Two men involved in digging the tunnel were arrested by the law enforcement officials.¹⁴ The Rangers official did not reveal the identities of those high value prisoners. According to a spokesperson of the paramilitary force, "Nearly 45-metre tunnel had already been dug from an underground water tank at the house towards a dry well inside the jail boundary, and was just 10 metres short of its target when the Rangers conducted the raid based on information provided by intelligence agencies."¹⁵

Prison Break Attempt in Hyderabad, 2016

Two local commanders of the Al-Qaeda-affiliated Lashkar-e-Jhangvi (LeJ) were arrested in a major operation by law enforcement departments in Karachi in February 2016. The arrested Islamist terrorists were planning for Hyderabad prison break in order to free Ahmad Omar Saeed Shaikh, waiting for the execution of his death sentence for the kidnapping and beheading of the *Wall Street Journal's* correspondent Daniel Pearl in 2002.¹⁶ The prison had a population of 2500 inmates of which 57 were high profile terrorists.¹⁷

14 "Rangers foil bid to break into Karachi's Central jail", *Dawn*, October 13, 2014, <http://www.dawn.com/news/1137695>

15 Faraz Khan, "Karachi jailbreak averted: Terrorists' bid to tunnel into jail foiled", *Express Tribune*, October 14, 2014, <http://tribune.com.pk/story/774990/karachi-jailbreak-averted-terrorists-bid-to-tunnel-into-jail-foiled/>

16 "All terrorist groups working in collusion to launch attacks: Bajwa", *Express Tribune*, February 12, 2016, <http://tribune.com.pk/story/1045422/more-work-left-to-be-done-to-clear-karachi-of-militants-says-dg-ispr/>

17 Z Ali, "Security loopholes: Prison break thwarted but Hyderabad jail still vulnerable", *Express Tribune*, February 29, 2016, <http://tribune.com.pk/story/1056648/security-loopholes-prison-break-thwarted-but-hyd-jail-still-vulnerable/>

As further details emerged that in the first week of February the Karachi police in collaboration with the paramilitary force Sindh Rangers arrested 97 Islamist terrorists of the Lashkar-e-Jhangvi and Al-Qaeda. The operation was considered as one of the biggest of its kind. Most of the arrested terrorists belonged to the Al-Qaeda-linked anti-Shia Lashkar-e-Jhangvi (LeJ) and wanted in high profile terrorist attacks such as Mehran Naval Base attack 2011, Karachi Air Port attack 2014, Kamra Airbase attack, Daniel Pearl assassination 2002 and Sukkur attack 2012. Two local commanders of the LeJ i.e., Naeem Bokhari, and Sabir Khan have been taken into custody. A local chief of the Al-Qaeda in Indian Subcontinent (AQIS) Farooq Bhatti alias Musanna was also arrested during the operation.

All the arrests were made after the Hyderabad prison break plan was foiled. As the government spokesperson said that the Islamist terrorists were planning for Hyderabad prison break in order to rescue Ahmad Omar Saeed Shaikh, waiting for the execution of his death sentence for the kidnapping and beheading of the *Wall Street Journal's* correspondent Daniel Pearl in 2002. A prison department constable involved in providing necessary details to the terrorist cell was also arrested. In April 2020, Sindh High Court reviewed his appeal and sentenced him for only kidnapping the slain journalist. He had already completed his term of seven years' imprisonment therefore he was set free. Despite that the Sindh government had issued detention orders on preventive grounds.

The biggest success for the law enforcement forces was the arrest of Naeem Bokhari, Emir of one of the LeJ's many decentralized cells and one of the founders of this violent sectarian group.¹⁸ He had a head money of Rs 5 million.¹⁹

18 For details on Lashkar-e-Jhangvi and its cells please see Farhan Zahid, *The Al-Qaeda Network in Pakistan* (Islamabad: Narrative, 2015).

19 Salis bin Perwaiz, "New Red Book edition containing names of 73 terrorists issued", *News International*, Jan 21, 2016, <http://www.thenews.com.pk/print/92548-New-Red-Book-edition-containing-names-of-73-terrorists-issued>

The Federal Investigations Agency (FIA)'s Red Book of most wanted terrorist described him as "dangerous terrorist and bomb making expert."²⁰ According to the Director General ISPR—the official mouthpiece of Pakistani military—Naeem Bokhari was involved in masterminding the terrorist attacks on the Pakistan Naval Base Mehran in Karachi, Kamra Airbase in Attock, and attack on the Sukhar office of a security agency. He also aided Ahmad Omar Saeed Shaikh for Daniel Pearl's kidnapping and beheading.²¹

Rationalizing the Prison Break Strategy of Al-Qaeda

Prison break strategy of the Al Qaeda can be explained at two levels, macro and micro, as discussed below.

At Macro Level

The Al Qaeda adopted this strategy mainly because of two factors. First, they faced leadership crisis after their top leaders were killed during drone attacks and they felt the need to bring back their imprisoned leaders to revive the organization. Second, the weak writ of state in countries like Pakistan also encouraged them to operationalize their prison break strategy.

Leadership Crisis amid Drone Strikes

Audrey Kurth Cronin in her research on *How Terrorism Ends* focuses heavily on the use of decapitation. Hence, depriving or removing operational leaders of terrorist organizations in targeted killings could yield results and may reverse the momentum of the organization's terrorist activities.²² Cronin cited the examples of Peruvian terrorist organization Shining Path, Sri Lankan LTTE, targeted killings of Chechen Islamist

20 Federal Investigations Agency, <http://www.fia.gov.pk/en/terrorist.pdf>

21 Syed Arafeen, "The profile of a terrorist: Naeem Bukhari", *Geo News*, Feb 15, 2016, <https://www.geo.tv/latest/101119-The-profile-of-a-terrorist-NaeemBukhari>

22 Audrey Kurth Cronin, "No Silver Bullets: Explaining Research on How Terrorism Ends", *CTC Sentinel*, April 3, 2010, <https://www.ctc.usma.edu/posts/no-silver-bullets-explaining-research-on-how-terrorism-ends>

leaders by Russian security forces and Israeli targeting of Hamas and PLO leadership in the recent past.

In his policy speech on counter terrorism on May 24, 2013, the then US President Barak Obama had vowed to continue the 'just war using drones'²³ and defended the use of drones in Pakistan, Afghanistan, Somalia and Yemen. He once again applauded the role of US counter terrorism experts and investigators. He said, "Over the years, they [drones] have taken countless terrorists off the battlefield. They have disrupted plots. They've thwarted attacks. They have saved American lives."²⁴

On May 23, a car carrying the Supreme leader of Afghan Taliban Mullah Akhter Mansour was hit by a Hellfire missile fired from a US drone. The Emir of Taliban was swiftly eliminated. President Obama defended the use of targeted assassination and termed the strike "an important milestone" which "removed the leader of an organization that has continued to plot against and unleash attacks on American and coalition forces."²⁵ Though certainly against the use of Guantanamo Bay since his first election campaign President Obama also categorically described the incarcerated prisoners at the Bay as "the meanest, nastiest killers in the world",²⁶ which showcased his reluctance to dismantle the use of Naval Base for detaining the world's most dangerous terrorists. The US president is also equipped with the Authorized Use of Military Force (AUMF) as Congress on September 14, 2001 delegated the powers to use US Air Force and granted President's office full authority to use all

23 "Barak Obama defends 'just war' using drones", *BBC News*, May 24, 2013, <http://www.bbc.com/news/world-us-canada-22638533>

24 Statement by the President after Briefing at the National Counter Terrorism Centre, The White House, December 17, 2015, <https://www.whitehouse.gov/the-press-office/2015/12/17/statement-president-after-briefing-national-counterterrorism-center>

25 Gardiner Harris, "Obama says Mullah Mansour, Taliban leader, was killed in US strike", *New York Times*, May 23, 2016, http://www.nytimes.com/2016/05/24/world/asia/obama-mullah-mansour-taliban-killed.html?_r=0

26 <http://www.bbc.com/news/world-us-canada-22638533>

'necessary and appropriate force' for those planning and executing terrorist plots against the US citizens.²⁷ The Obama administration's reliance of drone strikes displays a policy shift from counter insurgency measure to a greater focus on counter terrorism measures.

The most lethal counter terrorism practice is indeed drone strikes. As many as 64²⁸ Al-Qaeda top leaders and high value targets have been killed in 403 drone strikes since 2004 in Pakistan. Apart from top leaders an estimated 3032 Islamist terrorists are also killed.²⁹ The Obama administration (2008-2016) so widely and effectively relied on the use of drone strikes that a policy guideline paper was issued to further calibrate the use of drone keeping in view certain conditions. Like the previous Bush administration the Obama administration continued relying on Authorized Use of Military Force (AUMF). The administration interpreted the use of drone strikes as a matter of policy.³⁰

The US Special Forces collected a plethora of letters, and other documents during the Operation Neptune Spear conducted on May 2, 2011 in Abbottabad, Pakistan. According to documents released by the Combating Terrorism Center (CTC) at West Point, the Al-Qaeda's slain Emir was much worried about the security of Al-Qaeda leaders and rank and files because of drone strikes and in one letter addressed to his right hand man Attiya Abdul Rehman, he directed him to evacuate the Mujahedeen from

27 See Text of Authorized Use of Military Force,
<https://www.fas.org/sqp/crs/natsec/RS22357.pdf>

28 Please see drone strikes data at New America Foundation,
<http://securitydata.newamerica.net/drones/leaders-killed.html?country=Pakistan>

29 "Drone Wars Pakistan: Analysis", New America Foundation,
<http://securitydata.newamerica.net/drones/pakistan-analysis.html>

30 Text of U.S. Policy Standards and Procedures for the Use of Force in Counterterrorism Operations Outside the United States and Areas of Active Hostilities
https://www.whitehouse.gov/sites/default/files/uploads/2013.05.23_fact_sheet_on_ppg.pdf

Pakistani tribal areas Federally Administered Tribal Areas (FATA). He wrote:

I insist on the brothers quickly leaving Waziristan for Afghanistan and Pakistan, and they should enter Afghanistan in small groups, they also should be advised how vital it is they take security precautions in Afghanistan, as well as Pakistan, and remind them of the harm that could befall every [sic] mujahidin from the carelessness of a few.³¹

In another letter released earlier by CTC, a worried Bin Laden wrote:

Regarding the brothers in Waziristan in general, whoever can keep a low profile and take the necessary precautions, should stay in the area and those who cannot do so, their first option is to go to Nuristan in Kunar [sic], Ghazni or Zabul. I am leaning toward getting most of the brothers out of the area.³²

The consistent and terribly effective use of drone strikes has definitely put the Al-Qaeda and its affiliates on a back foot. Apart from the the Islamist terrorists dying in drone strikes, there was a large number that fled to Syria and Iraq to join a wide range of Islamist terrorist groups operating in a considerably more secure environment. The flight of senior leaders to Caliphate region have caused serious issues for maintaining the momentum of operations in other theatres of war on terror. A depleting core the Al-Qaeda leadership was indeed horrifying for Bin Laden and he had to ask his top lieutenants to arrange for an evacuation to other regions amid drone strikes. The situation was grave as in case of Al-Qaeda in the Arabian Peninsula (AQAP) US first targeted the the Anwar al-Awlaki in July 2011 along with his son and another top leader of the AQAP, Samir Khan. The targeting of new Emir of AQAP Nasir al-Wahushi did not take much

31 Thomas Joscelyn and Bill Roggio, "Osama bin Laden's Files: Al-Qaeda relocated operatives out of northern Pakistan", *Long War Journal*, March 1, 2016, <http://www.longwarjournal.org/archives/2016/03/osama-bin-ladens-files-al-qaeda-relocated-from-waziristan-to-afghanistan-and-elsewhere-in-pakistan.php>

32 Bill Roggio, "Bin Laden advised relocation of some leaders to Afghanistan due to drone strikes in Waziristan", *Long War Journal*, May 3, 2012, http://www.longwarjournal.org/archives/2012/05/bin_laden_orders_rel.php

long and he was eliminated in 2015. Same was the case of Al-Qaeda linked TTP's Emirs based in tribal areas of Pakistan. These consecutive killings included the key TTP leaders such as Baitullah Mehsud in 2009, Hakeemullah in 2013, and 64 top Al-Qaeda and Taliban leaders.

The increasing number of targeted killing by the US drone strike campaign though not the only, but is indeed one major contributing factor for launching prison break operations in Pakistan and elsewhere.

Avoiding Fissures after Death of Leaders

Another major issue for launching prison break operations is violent fissures that emerge after the death of a prominent leader either in combat or in drone strike. For example, in the case of TTP, the Islamist militant ally of the Al-Qaeda Core in Pakistan has not been able to recover the loss of its Emir Hakeemullah Mehsud in December 2013 drone strike. The fragmentation started afterwards and the TTP Central Shura reluctantly agreed to select Maulvi Fazalullah, the notorious head of the TTP-affiliated Tehreek-e-Nizam Shariat-e-Mohammadi as its new Emir. Unlike previous Emirs of the TTP (namely Baitullah Mehsud and Hakeemullah Mehsud), Fazalullah belonged to Mingora district of Khyber-Pakhtunkhawa province of Pakistan. The decision proved to be an apple of discord and paved the way for violent clashes between the TTP leaders vying for the Emir slot. The TTP is an agglomerate of around 40 Taliban groups based in tribal areas of Pakistan (7 districts and 5 Frontier regions) and traditionally the Emir is from one of the tribal districts and from Meshud or Wazir tribes. The Fazalullah case was even more difficult as he hailed from Mingora, a district in settled areas of KP province. Since the TTP is Mehsud and Wazir dominated therefore it was difficult for both Mehsud and Wazir tribesmen to appoint a non-Mehsud and non-Wazir Emir who is not even from the tribal areas. It was more or less like a non-Arab commanding the Al-Qaeda.

Capitalizing on Weak Writ of State in Fragile States

The Al-Qaeda capitalized on poor system of governance, and weak writ of state in the 'fragile' states. As per eighteen indicators of measuring the fragility of a state (6 economic, 6 social and 6 political) as devised by the *Fund for Peace*. According to the Fragile State Index 2015, Yemen, Afghanistan, Iraq and Pakistan ranked 7, 8, 12 and 13 respectively and were under the category of High Alert.³³ If not completely failed but these states could be categorized as failing in terms of their weak economic, social and political performances. In terms of malpractices, corruption, and maladministration, these states are also at the bottom of Corruption Perception Index. Pakistan, Yemen, Iraq and Afghanistan rank 117, 154, 161, and 166 respectively.³⁴

As far as ungoverned territories within the states are concerned, the same states happen to have large chunk of ungoverned or weakly governed territories. The Al-Qaeda is logical enough to capitalize and launch prison break operations. According to the *US State Department's Country Reports on Terrorism 2014*, parts of Iraq had fallen out of control of Iraqi government (Mosul, Falujah, and other Sunni majority provinces) and the Iraqi security forces failed to recapture territories which were either completely under the control of Islamic State of Iraq and Sham (ISIS) and the Patriotic Union of Kurdistan (PUK) or other regions bordering Syria and Turkey. In fact, Iraqi Security Forces had to seek support from Kurdish and Shia militant militias.

Yemen is also experiencing two major insurgencies i.e. AQAP's and rebellion by Houthi tribes. The AQAP has managed to find safe havens in southern and eastern Yemen³⁵. In 2014, the Yemeni military had to ask for support from Popular Committees (tribal lashkars) to confront the

33 Fragile States Index 2015, *Funds for Peace*, <http://fsi.fundforpeace.org/>

34 Corruption Perception Index 2015, *Transparency International*, <http://www.transparency.org/cpi2015>

35 Country Reports on Terrorism 2014, US State Department, <http://www.state.gov/j/ct/rls/crt/2014/239412.htm>

AQAP in al-Mahfid region of the southern governorates of Sahbwah, Abyan, and northern regions of Hadramawt.³⁶

A large number of Islamist groups operate in Afghanistan. Al-Qaeda, ISIS, Haqqani Network, Hizb-e-Islami, Islamic Movement of Uzbekistan (IMU), and Uyghur and Chechen Islamists all have their networks in Afghanistan and some areas under their control. Al-Qaeda appears to have freedom of movement in Kunar and Nuristan provinces, Hizb-e-Islami in Konduz and ISIS has a stronghold in eastern Nangarhar province. Afghan National Security Forces have not been able to completely thwart the networks of Islamist violent non-state actors in Afghanistan and to strengthen the writ of state in all 34 provinces.

Before the launch of Operation Zarb-e-Azb in 2014, the Pakistani regime appeared to have lost most of South Waziristan to the TTP, complete North Waziristan to the Al-Qaeda and TTP, and Khyber district to the Lashkar-e-Islam. The ongoing operation has yielded mixed results. The Pakistani government's counter terrorism measure termed as National Action Plan (NAP) coupled with military Operation Zarb-e-Azb have not been able to completely dislodge Islamist terrorist organizations. It seems that select few jihadi organizations have been targeted whereas some others have either resurfaced under new names or continue to operate in the country. Besides Islamist terrorist organizations operating in the country's North western territories, Baluch separatist insurgency has engulfed southern parts of Baluchistan province, Pakistan's largest province in terms of area (42 % of Pakistan having almost the size of Germany).

The fragility and weaknesses of these states allowed Al-Qaeda and its affiliated network of Islamist groups to operate easily. The Islamist groups manage to find easy access to ungoverned areas and launch prison break operations at ease. For example, in case of the district Dera Ismail Khan

36 Country Reports on Terrorism 2014,
<http://www.state.gov/j/ct/rls/crt/2014/239412.htm>

prison break incident, the TTP's convoy of vehicles assembled in tribal belt adjacent to settled Dera Ismail Khan district and then the militants crossed into the district part of Khyber-Pakhtunkhwa province and then after successfully breaking the prison moved back to tribal area in a swift manner. Police as per the British Era Frontier Crimes Regulation (FCR) cannot operate in tribal areas. In case of district Bannu prison break incident, the situation was almost identical. Recently, the tribal areas have been merged into the Khyber Pukhtunkhwa province in an attempt by the state to have a uniform system of law and order regulations.

The dilapidated state of affairs in terrorist-hit countries provide an opportunity to Islamist terrorists for maximizing their gains. The prison break operations are part and parcel of their strategy to capitalize on the weak nature of states. As observed in above mentioned cases the terrorists had used no innovative techniques. Rather the *modus operandi* of terrorists' prison break operations was quite obsolete such as digging tunnels and breaching the prison walls. The apparent conditions showcase an inherently weak system of governance, weak writ of state with no control over large swathes of territories within dilapidated statehoods.

At Micro Level

At micro level, the Al-Qaeda high command carefully studied the prison conditions and effectively executed prison break operations.

Poorly trained Prison Security Staff

Coming over to the micro-tactical side of the problem in rationalizing prison break operations of the Al-Qaeda and its affiliated network of Islamist terrorist organizations one must not rule out the ill-trained, poorly equipped, massively corrupt and prison security staff outnumbered by the inmates in the cases discussed above. Prisons are provincial subject in Pakistan. As far as training of prison security guards is concerned, most of the prisons being administered under Pakistan's four provincial governments are understaffed and

overcrowded. According to the International Crisis Group Report on Pakistani prisons, Punjab prison department has 53,000 inmates against the authorized capacity of 21,527, Sindh has 13,282 against 10,450, KP province has 8450 against 8000, and Balochistan province has 2643 prisoners against the capacity of 2,481.³⁷ There is only one training institute for the training of prison staff in the whole country. The National Academy for Prisons Administration (NAPA) considerably lacks resources, both human and material, to provide quality training to prison managers. According to another report, the management of prisons is so corrupt that almost all contraband drugs, alcohol and even prostitutes are available inside Pakistani prisons.³⁸ Despite deteriorating law and order condition and widespread terrorism, the country has only three maximum-security prisons (Faisalabad, Sahiwal and Mardan) of which the latter two are recent additions. As evident from the past two prison breaks in Dera Ismail Khan and Bannu district jails, the security staff present on the occasions could not manage to deter the militants entering the premises and militants had a field day as they swept across the prisons with ease and accomplished the mission without much fighting. The other two attempted prison breaks in Karachi and Hyderabad were nipped in the bud by local law enforcement agencies. Otherwise the prison departments would not have been able to thwart any of those. In Hyderabad prison break attempt, a prison guard involved in providing necessary information to the Lashkar-e-Jhangvi (an Al-Qaeda linked violent sectarian terrorist organization) was also arrested. Besides training of prison staff, the equipment provided to security guards is also obsolete and no match to the firepower of Islamist militants.

37 "Reforming Pakistan's Prison System", International Crisis Group, *Asia Report* N°212 – 12 October 2011, <http://www.crisisgroup.org/~media/Files/asia/south-asia/pakistan/212%20-%20Reforming%20Pakistans%20Prison%20System.pdf>

38 "Caged: Behind the walls of Pakistani prisons", *Dawn*, September 7, 2014, <http://www.dawn.com/news/1130263>

The overall weak system of governance and administration has failed to develop a strong system of correctional facilities. The Al-Qaeda and its franchises are well aware of these prevailing conditions so they mostly rely on their associated movements to launch terrorist operations and provide a strategic vision keeping in view the ground realities which local franchises share with the Al-Qaeda high command.

Rescuing Key Leaders before their Execution

One major reason for the rise in prison break operation by the Al Qaeda in Pakistan was to free those terrorists who had been sentenced to death by the Courts and were likely to be executed soon. On December 16, 2014 the Al-Qaeda's local affiliate TTP's Fazalullah Faction sent a Fidayeen mission to strike the Army Public School where before blowing themselves the six TTP militants managed to kill 136 students, mostly 9th graders. The incident was so brutal and created such havoc in Pakistani society that the government had to announce the National Action Plan (NAP), a haphazardly planned one-page counter terrorism strategy, based upon 20-points. The NAP's agenda item number one was execution of convicted terrorists. Two major steps were taken by the Pakistani government in this connection. Firstly, the government of former Prime Minister Nawaz Sharif lifted the moratorium on capital punishment which had been in place since 2008. Since the lifting of moratorium 483 convicted prisoners have been executed among the 8000 awaiting capital punishment were convicted in terrorism cases but few high profile terrorist operatives of the TTP such as Aqil alias Dr Usman, Arshad Mehmood alias Maharban, and others were also executed.³⁹

The second major step taken by the Pakistan government was the establishment of military courts for trying individuals

39 Zahid Gishkori, "Terror convicts Dr Usman, Arshad Mehrban hanged in Faisalabad jail", *The Express Tribune*, December 19, 2014, <http://tribune.com.pk/story/809316/death-penalty-22-more-prisoners-cleared-for-execution/>.

involved in acts of terrorism. On January 5, 2015 the Pakistan Parliament in a joint session of both the Houses (Senate and National Assembly) passed 21st Amendment⁴⁰ to the Constitution of Pakistan, establishing military courts for trying Islamist terrorists. The Supreme Court of Pakistan initially stayed the parliament's decisions on a writ petitions filed by human rights activists but later after a long debate allowed the courts to function in August 2015.

The said Act amended the Article 175 of the Constitution leading to further amend the first schedule of the Constitution (i.e. clause XXXIX of The Pakistan Army Act 1952, VI of The Pakistan Air Force Act 1953, XXXV of The Pakistan Navy Ordinance 1961, and X of The Protection of Pakistan Act 2014).⁴¹

Conclusion

A number of key factors are instrumental for the Al-Qaeda and its affiliated Islamist terrorist groups in strategizing prison breaks in Pakistan. The global terrorist entity was born in Pakistan in the aftermath of Afghan War and then settled in tribal regions and cities of Pakistan while starting its terrorist activities after the commencement of Global War on Terrorism (GWOT) in 2001. The Al-Qaeda has been able to build a cluster of Islamist terrorist organizations around itself, courtesy Afghan Taliban regime when the Al-Qaeda was running training camps in Afghanistan and training militants of Pakistani Islamist terrorist organizations. The Al-Qaeda network was well entrenched in Pakistan and helped the Al-Qaeda's high profile leaders in finding safe havens in Pakistani cities and tribal districts. Fighting the Pakistani state for more than 16 years had definitely taken its toll on the Al-Qaeda and its associated terrorist groups. Thousands of militants are still languishing in Pakistani prisons and the

40 Text of 21st Amendment to the Constitution of Islamic Republic of Pakistan http://www.na.gov.pk/uploads/documents/1420547178_142.pdf

41 Article 175 of Pakistan Constitution is about Establishment and Jurisdiction of Courts in Pakistan. For details please see the text of Constitution: http://www.na.gov.pk/uploads/documents/1333523681_951.pdf

Al-Qaeda and its networked organizations did not miss an opportunity to launch prison break operations to free high profile leaders and hard core militants. While examining the Al-Qaeda's prison break strategy from macro and micro level perspectives it is evident that dilapidated Pakistani criminal justice system and state apparatus allowed the Al-Qaeda to adopt such tactics and strategizing in a successful manner to some scale.