

**Analyzing Definition of Terrorism as Contained in Anti-Terrorism Act, 1997 in Perspective of Principle of Legality with Emphasis on Element of Intention and Issues Ancillary to it**

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**Abstract**

The very first thing to do for countering terrorism is to define it. However, the word terrorism has been proven too tricky to be defined, in an acceptable manner at global level, and in accordance with the established requirements of criminal jurisprudence at national level. The paper after pointing out the absence of a globally accepted definition of terrorism analyses its definition as contained in Pakistani law. It argues that terrorism as defined in Pakistani law is too broad and too ambiguous to fulfill the requirements of principle of legality, thus, giving wide discretionary powers to government to determine as to what is terrorism which, in turn, not only renders the anti-terrorism law prone to be misused but also over burdens the law courts and makes hurdles for successful prosecution.

**Keywords:** terrorism, definition, criminal law, anti-terrorism act, anti-terrorism courts, *mens rea*, *actus reus*

**Introduction**

Few words are characterized by so much deception, uncertainty, subjectivity and political and academic disagreement as ‘terror’, ‘terrorism’ and ‘terrorist’. Dictionary meaning of terror is extreme fear (Oxford, 2017) or intense fear (Merriam-Webster, 2017). But this literal meaning is not educative to distil a legal idea of terrorism as every form of violence, from assault to warfare, has the potential to inspire terror to its victims (Saul, *Defining Terrorism in International Law*, 2006). It is, therefore, fallacious to claim innately, as British representative at UN General Assembly, while elaborating as to what constitutes terrorism did, that “what looks, smells and kills like terrorism is terrorism” (General Assembly, United Nations, 2001). The very first thing that needs to be done for countering terrorism is to clearly define it otherwise the powers of government may go beyond the limits (Williams, 2004) rendering war against terrorism selective and ineffective.

The matter of defining terrorism is a fundamental and essential element to cope with the phenomena of terrorism also because the definition constitutes the baseline of the counter terrorism policy. However, there is no succinct, exhaustive and universally accepted definition of terrorism. Neither the UN Charter nor the

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UN Security Council various resolutions nor Global Counter-Terrorism Strategy (General Assembly) contains definition of the term. The reason seems to be that terrorism is a unique offence which contains the elements of politics, warfare and propaganda. Consequently, it has been left to the individual state members to define terrorism.

However, UN Global Counter Terrorism Strategy as well as various UN General Assembly and Security Council resolutions asked the member states to ensure the respect and protection of human rights while adopting counter terrorism measures (Iqbal, 2017). In this regard what must be done, foremostly, is to define terrorism in pursuance of established norms of criminal law and human rights. For example article 15(1) of International Covenant on Civil and Political Rights<sup>1</sup>, article 11(2) of Universal Declaration of Human Rights and article 12 of Constitution of Pakistan which provides for, *inter se*, the principle of legality requires that terrorist conduct must be prohibited by law and that the law is properly accessible and precisely written. This, in turn, requires that it must be evidently set out that what elements of a crime make it an act of terrorism because “the principle that only the law can define a crime and prescribe a penalty (*nullum crimen, nulla poena sine lege*) and the principle that the criminal law must not be extensively construed to an accused’s detriment . . . [requires that] an offence must be clearly defined in law.

This condition is satisfied where the individual can know from the wording of the relevant provision and, if need be, from the courts’ interpretation of it, what acts and omissions will make him liable” (Kokkinakis v Greece, 1993). Similarly, Supreme Court of Pakistan held that “[e]very citizen has the inalienable right under the Constitution to know that what is prohibited by law and what the law does not require him to do. It is, therefore, incumbent upon the State to express in clear terms susceptible of being understood by an ordinary citizen of what is prohibited...” or what exactly constitutes terrorism (Jamiat-Islam Pakistan through Syed Munawar Hassan v/s Federation of Pakistan through Secretary Law and Justice, 2000). Furthermore, to guard off war against terror as an excuse for extending the reach of criminal law, it is essential that terrorism and related offences under the counter terrorism legislation, along with related powers of investigation and prosecution, be limited to countering terrorism (Conte, 2010). However, individual state members including Pakistan defined terrorism in such a broad manner which hardly fulfills the requirements of principle of legality and right to fair trial and, consequently, vitiates the combat against terrorism.

### **Terrorism as defined in Pakistan's law**

The first important and dedicated piece of legislation to cope with terrorism in Pakistan was the Suppression of Terrorist Activities (Special Courts) Act 1975. The Act brought some offences specified in the schedule annexed to it under the jurisdiction of the special courts. However it did not contain the definition of terrorism, *albeit*, no law ever defined terrorism until 1997 (Khurshid, 2015). The schedule annexed to the 1975 Act implied that the word terrorism was to be construed in the context of any offence having a serious and grave nature (National Police Bureau Islamabad, 2008). In the wake of escalating terrorism, on ethnic bases in Karachi and sectarian bases throughout Pakistan due to some internal and international factors in 80s and 90s, the Anti-Terrorism Act (ATA) was adopted in 1997 to deal with the wave of terrorism which played havoc with the peace in society.

The definition of terrorism is very broad in ATA. Section 6, subsection 2 of the Act lists almost 17 actions to fall under the definition of terrorism which includes, *inter se*, act or the threat of action that causes death, grievous violence or grievous harm against a person, grievous damage to property including damage by arson, looting or ransacking or by any other means, kidnapping for ransom, inciting hatred and contempt on religious, sectarian or ethnic basis, extortion of money, dissemination, preaching of ideas, teaching and beliefs as per own interpretation through FM stations or any other means of communication without the approval of government (Section 6(2) of Anti Terrorism Act, 1997). However, these actions or threats thereof shall amount to terrorism when designed to intimidate and coerce the government, the public or a community or sect, or create a sense of insecurity or fear or in the society or committed for furthering a religious, sectarian or ethnic cause or for intimidating and terrorizing the public, or attacking civilians, etc (Section 6(1) of Anti Terrorism Act, 1997).

It needs to be pointed out that the definition of terrorism in ATA, when it was promulgated in 1997, mainly focused on the effect rather than the design or the purpose of an act to be qualified as terrorism. The emphasis on effect of action was stretched to likely or potential effect in addition to the real effect of the act in 1999 (Anti-Terrorism (Second Amendment) Ordinance, 1999 (Ordinance No. XIII of 1999)) but did not mention the motivation for the act. Thus, the *actus reus* alone used to be taken into consideration to determine whether an act falls in definition of terrorism if the act was intended to or had the effect of creating insecurity and fear in the society. Design or purpose behind the act was not made relevant even after the amendment. But the government realized that the effect of an action is

not always a good benchmark of the nature of an act because every crime, particularly offence against body or property, creates fear and sense of insecurity, in the victim particularly, and in the public generally. When the definition of terrorism is based upon the effect it creates or intended to be created or having the potential to create then it shall require a speculative, premature and delusive quantification of the effect so as to determine whether an act falls under the definition of terrorism (National Police Bereu Islamabad , 2008). Therefore, section 6 of the ATA was completely amended by the Anti-Terrorism (Amendment) Ordinance, 2001 (Ordinance No. XXXIX of 2001) inserting a new and fresh definition of terrorism.

The new definition of terrorism as it stands today, unlike the previous one which emphasized on the speculative effect of the act, requires both the *actus reus* and *mens rea* to be taken into consideration to determine whether an offence falls under the definition of terrorism. Section 6 (1)(b) spells out the design and section 6 (1)(c) specifies the purpose or the motivation for act while *actus reus* has been elaborated in section 6 (2) (a)-(p). So, when the *actus reus* as mentioned in section 6(2) is coexisted with the *mens rea* as specified in section 6 (1)(b) or (c) only then it can be termed as terrorism. The fear or sense of insecurity created or intended to be created or likely to be created alone cannot determine the nature of the act but it is the intent or motivation behind the act that is to be taken into consideration, regardless of the fact that whether any sense of insecurity or fear is created or not, to determine whether it is an act of terrorism (National Police Bereu Islamabad , 2008). It can be easily inferred that creating fear or insecurity in the society is not terrorism by itself unless the sense of insecurity or fear caused was not intended and not if fear or insecurity was just the byproduct or unintended outcome of private crime. The object or purpose of destabilizing the society or government for achieving certain objectives of political nature differentiates terrorism as an 'ism' from other crimes.

However, it raises the eyebrows to note that sub-section 3 of section 6 further lays down that the types of action specified in sub-section 2 which involves the use of arms, explosive or any other weapon shall amount to terrorism whether subsection 1(c), which specifies the purpose or motive behind the act, is satisfied or not. By virtue of sub-section 3(a) violation of international conventions specified in fifth schedule of the Act also amounts to terrorism. Thus, ATA loosed the criteria of *mens rea* normally applied to terrorism cases i.e. political or ideological motivation distinguishing it from normal offences committed for personal motive by making the conditions of sub-section 1(c)

optional because in a society like Pakistan which is highly weaponized, the use of firearms for crimes is a usual business (Rani, 2015). By loosening the criteria of *mens rea* section 6(3) of ATA gives the police and other law enforcement agencies the discretion to charge an accused of terrorism even in a case unrelated to terrorism.

But the alarming point is that besides this broad definition of terrorism there are offences, including abduction and kidnapping for ransom, which also are to be exclusively tried by the Anti-Terrorism Courts (ATCs) and there is no need of specific motive to intimidate the government or terrorize the public while committing them; which, therefore, fall short of the definition of terrorism as defined by the Act (Third schedule of ATA, 1997 ). Although kidnapping for ransom is also offence under PPC but all kidnapping cases are sent to ATCs regardless of the circumstances. Majority of kidnapping cases are not committed by politically or religiously motivated terrorists but by ordinary criminals.

A study conducted in 2016 which analyzed 223 cases in ATCs all over Pakistan suggests that conviction rate in ordinary kidnapping cases is higher than terrorism-related kidnapping cases (Zaidi, 2016). Majority of terrorism related kidnapping cases slip through the lacunas of the law, while stocking ordinary kidnapping cases into ATCs results in backlog in the ATCs which in turn causes delays in trials of actual terrorism cases. This defeats the purpose of law i.e. speedy trials of terrorism and heinous offences. Section 8 and section 11-W of the Act are other examples where the jurisdiction of anti terrorist courts is extended to offences not amounting to terrorism as defined in section 6. The former relates to “acts intended or likely to stir up sectarian hatred” while the later relates to, amongst others, printing, publication or disseminating any material to incite hatred. Due to these provisions ATCs may try the cases which have nothing to do with terrorism. For example, in June 2017 Taimoor Raza, a shia Muslim, was convicted by ATC Bahawalpur under section 8 and 11-W of ATA along with section 295-C of Pakistan Penal Code for committing blasphemy on Facebook. (Gillani, 2017) He was sentenced to death under section 295-C of PPC a section of law which is even not part of Anti-Terrorism Act.

Besides the broad definition of terrorism in section 6 and bringing some other offences under the jurisdiction of ATC by section 8 and 11-W the words “heinous offences” occurring in the preamble, which is not defined by the Act, also widens scope of ATA to unrelated cases. For example, according to a 2010 study, in three ATCs of Karachi when 35 members of *Therik-e-Taliban Pakistan* (TTP) were backlogged the courts were preoccupied in trials of 199 individuals

for heinous offences (Bokhari, 2013) which in other words means only 17% cases were related to terrorism while 83% related to heinous offences. Similarly in 2014, only 12 cases out of total 90 or mere 13.33 cases pending before the ATCs of twin cities of Rawalpindi and Islamabad involved actual incidents of terrorism while the rest of cases were related to aerial firing, kidnapping, mishandling of government officials and other matters not related to terrorism (Asad, 2014). It is left to the discretion of police to assess as to how serious or heinous an offence committed was and also to determine what 'terror in public' implies, as there is no definition of terror or fear in Pakistan's legal edifice (Zaidi, 2016). The norm to charge people with terrorism when the government or police want to give the impression that the State is doing something especially in sensitive cases like honor killing, acid throwing, killing in gruesome manner, or when the offence is barbaric e.g. rape of a minor, etc, raised the questions as to what exactly make an act 'act of terrorism' the violence itself? Or the fact that violence is committed in a barbaric or gruesome manner? Or that it is committed with certain intention and object? Superior judiciary of Pakistan had to answer these questions from time to time.

### **Judicial Interpretation of Definition of Terrorism**

Supreme Court of Pakistan held in 1998 that offence mentioned in schedule of the Act should have nexus with the object mentioned in section 6, 7 and 8 of the Act. When the offence in the schedule has no nexus with these sections notification which includes such an offence will be, to that extent, *ultra vires* (Mehram Ali and others v/s Federation of Pakistan and other). However, the higher courts, later on, deviated from the rule of nexus between the act and object as laid down by Mehram Ali case. Instead, the courts seem to have focused on the effects or consequences of action (creation of fear and insecurity) to determine whether the act falls under the definition of terrorism. For example, in 2002, despite of the fact that section 6 of ATA as amended in 2001 required both *actus reus* and *mense rea* to be taken consideration while determining the nature of an offence, the Supreme Court held that the killing of a lawyer and police officer in the vicinity of court falls in the domain of terrorism due to the reason that it caused a sense of insecurity not only amongst a section of public, but the community of advocates as well (Ziaullah v/s Special Judge Anti-Terrorism Court, Faisalabad and 7 others). Similarly, a year later, Supreme Court, in a case pertaining to murder of seven people at night, again observed that basic question to be determined was whether the said offence had or had not effect of causing terror or creating a sense of fear and insecurity in the people (Mst. Najam-un-Nisa

v/s Judge, Special Court). The rule of creating fear and insecurity as *sine qua none* for the offence of terrorism was maintained by courts in a number of cases.

The focus on effect of action i.e. creating terror was further extended to likely effect of the act when the Supreme Court held that even when the offence is committed inside the house but was likely to strike terror and insecurity in others who have not seen it falls under the definition of terrorism (Mst. Raheela Nasreen v/s The State). In 2003 the court held that it is not essential that fear or sense of insecurity must have been created by commission of murder. What must be seen while determining whether an act falls under the definition of terrorism is to see whether it has the tendency to create fear or insecurity in the minds of public or any section thereof.... an act when committed in barbaric and gruesome manner and created fear and insecurity in the society certainly falls in the purview of terrorism (State through Advocate-General, N.-W.F.P., Peshawar v/s Muhammad Shafiq ).

From 2007 onward an inexplicable, though needed earlier, change in the judiciary's approach is visible when the Supreme Court of Pakistan held that the motivation, object, design or purpose behind the act must be looked at to determine whether any particular offence was an act of terrorism or not and it is also to be taken into consideration whether this act created fear or sense of insecurity in the society or any section thereof. When the intention is not to create fear or insecurity in the society -- design or purpose of offence as contemplated in section 6 of ATA is not attracted (Mohabbat Ali and others v/s The State and others ). In 2009 the Court held that fear or insecurity must not be a by-product, fall out or unintended consequence of a private crime. As such, creating fear and insecurity is not terrorism itself unless the same is coupled with the motive. Act of terrorism should be determined with the yardstick and scale of motive and object, instead of its result or after effects (Bashir Ahmed v/s Muhammad Siddique and others ). Three years later, reasserting the nexus between the act and the object Peshawar High Court further said that mere brutal murder in absence of requirements of the Act would not constitute act of terrorism. Otherwise every murder case could fall in the definition of terrorism as the very act of taking life of another individual is an act which creates fear and insecurity in the society (Zakir Hussain alias Kami and others v/s The State ). Similarly, the Supreme Court held very recently that the gruesome or detestable way a crime is committed does not bring the crime within the meaning of terrorism if it is committed for personal motive. Moreover, certain ordinary crimes cause devastating, gruesome and sickening harm to human life, however this fact by itself is not sufficient to bring

the crime within the meaning of terrorism unless the object intended to be achieved falls within the category of offences, clearly meant to create terror in the people (Waris Ali & others v/s the State ).

The courts have been asked several times from 1998 to determine the scope of terrorism as defined in Anti-Terrorism Act, 1997. It stands clear that there was a tendency even in the superior judiciary of Pakistan to extend the ambit of ATA to non-terrorism offences which further complicated the issue borne out of the broad and ambiguous language of section 6 as to what constitutes terrorism. From 2007 onward higher courts have the tendency to take into consideration both *actus reas* and *mense rea* to determine whether an offence falls in the ambit of terrorism. However, even after two decades when the Act came into force it remains unclear that what terrorism is and what is the scope of ATA in Pakistan's criminal justice system. This ambiguity not only rendered ATA to be misused against political opponents and human rights activists exercising their constitutionally protected rights but also empowered the prosecutors and law enforcement agencies to sidestep the regular criminal courts and clog the anti terrorism courts with ordinary offences as the data of ATCs of Rawalpindi, Islamabad and Karachi revealed.

Unless the terrorism is defined in a clear and unambiguous language it shall continue to be abused and applied in unwarranted cases as, for example, 100 lady health workers were arrested under ATA when they demanded regularization of their contract service (HRCP, 2011). Definition of terrorism under ATA is so broad and gives so much discretion to police that even disrupting a gas connection or cutting a telephone line may termed be as terrorism as the section 6(2) (1) mentions serious interference or serious disruption in a communication system or public utility service to be an act of terrorism (Khurshid, 2015). It needs to be defined in accordance with the requirements of principle of legality, rule of law and human rights standards and the guidelines set by UN Global Counter Terrorism Strategy, 2006 should be followed by the government in this regard.

Terrorism, in fact, is a politically or religiously motivated violence in which publicity \_\_sending message\_\_ plays an important role. One purpose of terrorist violence is to frighten the people that their lives are not secure and anything can happen anytime. Public lose confidence in their government; this is what terrorist want to achieve (Eubank, 2006). Therefore, the definition of terrorism, to avoid its abuse, should be restricted to the offence driven or motivated by political or religious ideology and not be personal motives. The



courts should put a strict interpretation on it and must not extend it to offences committed for personal motives.

Offences unrelated to terrorism should be brought under the jurisdiction of ordinary criminal courts and ATCs should focus on terrorism cases only; for this purpose preamble of ATA needs to be amended first. Keeping in view the available data, it is safe to say almost 80% or more of ATCs workload would turn out to be unrelated to terrorism (Zaidi, 2016).

It should be kept in mind that when crimes are ambiguously defined, it makes the defense or appeal by the accused terrorist easy. Successful prosecution and conviction of terrorists require an unambiguous definition of terrorism. ATA, although amended so many times, could not secure reasonable conviction ratio in terrorism related cases due to the lacunas in the law in which the issue of definition is most flagrant. The result was that ATCs were blamed to fail in speedy trials of terrorism related cases and were replaced by military courts (Reema, 2017).

## **References**

- Anti-Terrorism (Second Amendment) Ordinance, 1999 (Ordinance No. XIII of 1999). (n.d.).
- Asad, M. (2014, 12). *ATCs too busy trying 'terrorists' like Imran Khan, Tahirul Qadri*. Retrieved from DAWN.Com:  
<https://www.dawn.com/news/1153618>
- Bashir Ahmed v/s Muhammad Siddique and others , P L D 2009 Supreme Court 11 (Supreme Court of Pakistan ).
- Bokhari, S. W. (2013). *Pakistan's Challenges in Anti-Terror Legislation* . Center for Research & Security Studies.
- Conte, A. (2010). *Human Rights in the Prevention and Punishment of Terrorism: Common Approaches: The United Kingdom, Canada, Australia and New Zealand*. Berlin Heidelberg: Springer-Verlag.
- Eubank, L. d. (2006). *What is Terrorism?* . New York : Chelsea House Publishers.
- Ganor, B. (2005). *The Counter Terrorism Puzzle: A Guide for Decision Makers*. London : Transaction Publishers .
- General Assembly, U. (n.d.). *The United Nations Global Counter-Terrorism Strategy : resolution / adopted by the General Assembly, 20 September 2006, A/RES/60/288*, available at:  
<http://www.refworld.org/docid/468364e72.html> [accessed 16 October 2017].

- General Assembly, United Nations . (2001, 10 01). *United Nations General Assembly Fifty-sixth session 12th plenary mtg record A/56/PV.12, UK*. Retrieved from documents-dds-ny.un.org: <https://documents-dds-ny.un.org/doc/UNDOC/GEN/N01/557/49/PDF/N0155749.pdf?OpenElement>
- Gillani, S. E. (2017, June 11). *Pakistan: man sentenced to death for blasphemy on Facebook*. Retrieved from [www.theguardian.com](http://www.theguardian.com): <https://www.theguardian.com/world/2017/jun/11/pakistan-man-sentenced-to-death-for-blasphemy-on-facebook>
- Hanif, A. (2014, 9 2 ). *Imran, Qadri booked under anti-terrorism act*. Retrieved from <https://arynews.tv>: <https://arynews.tv/en/imran-qadri-booked-under-anti-terrorism-act/>
- HRCP, H. R. (2011). *Annual Report 2011*. Lahore: Human Rights Commission of Pakistan.
- Iqbal, H. U. (2017). An Appraisal of Pakistan's Legislative Response to Counter Terrorism after 9/11 from Human Rights Perspectives. *Pakistan Journal of Criminology* , 74-88.
- Jamiat-Islam Pakistan through Syed Munawar Hassan v/s Federation of Pakistan through Secretary Law and Justice , P L D 2000 SC 111 (Supreme Court of Pakistan 2000).
- Jenkins, B. (1999). Countering the New Terrorism Washington . In a. H. Ian, Lesser, Ian, and Hoffman, Bruce, et al (p. Foreword). Washington D.C. : RAND Project Air Force.
- Khurshid, D. I. (2015). *Defining 'Terrorism' in Pakistan's Anti-Terrorism Law—A Jurisprudential Analysis In the context of International Law and Certain Domestic Jurisdictions*. The Khyber Pakhtunkhwa Judicial Academy, Peshawar.
- Kokkinakis v Greece, 14307/88 (European Court of Human Rights 1993).
- Kshitij, D. P. (2000). Defining terrorism. *Strategic Analysis*, 125-135.
- Mehram Ali and others v/s Federation of Pakistan and other, P L D 1998 Supreme Court 1445 (Supreme Court of Pakistan).
- Merriam-Webster. (2017, 12 18). *Definition of terror* . Retrieved from Merriam-Webster : <https://www.merriam-webster.com/dictionary/terror>
- Mohabbat Ali and others v/s The State and others , 2 0 0 7 S C M R 142 (Supreme Court of Pakistan).
- Mst. Najam-un-Nisa v/s Judge, Special Court, 2003 SCMR 1323 (Supreme Court of Pakistan).
- Mst. Raheela Nasreen v/s The State, 2002 SCMR 908 (Supreme Court of Pakistan).

- National Police Bereu Islamabad . (2008). Mnual on Anti-Terroism Act, 1997 . National Public Safety Commission.
- Organization for Security and Co-operation in Europe OSCE. (2014). *Preventing Terrorism and Countering Violent Extremism and Radicalization that Lead to Terrorism: A Community-Policing Approach* . Vienna: Stanzell Druck.
- Oxford, D. (2017, 10 25). *English Oxford Living Dictionaries* . Retrieved from en.oxforddictionaries.com:  
<https://en.oxforddictionaries.com/definition/terror>
- Rani, T. P. (2015). *An Appraisal of Pakistan's Anti-Terrorism Act*. Washington, DC: United States Institute OF Peace .
- Reema, O. (2017, 08 21). *Defining terrorism*. Retrieved from Dawn.com:  
<https://www.dawn.com/news/1352821/defining-terrorism>
- Saul, B. (2006). *Defining Terrorism in International Law*. New York: Oxford University Press.
- Saul, B. (2012). Criminality and Terrorism . *Counter Terrorism: International Law and Practice edited by Ana Maria Salinas De Faris, et al*. New York: Oxford University Press.
- Section 6(1) of Anti Terrorism Act, 1997. (n.d.).
- Section 6(2) of Anti Terrorism Act, 1997. (n.d.).
- State through Advocate-General, N.-W.F.P., Peshawar v/s Muhammad Shafiq , P L D 2003 Supreme Court 224 (Supreme Court of Pakistan ).
- Third schedule of ATA, 1997 . (n.d.).
- Townshend, C. (2002). *Terrorism: A Very Short Introduction* . New York: Oxford University Press .
- Tzur, M. (1989). *The (Emergency) Defense Regulations, 1945: Position Paper No 16*. Jerusalem : Israel Democracy Institute .
- Waris Ali & others v/s the State , 2017 SCMR 1572 (Supreme Court of Pakistan).
- Williams, B. G. (2004). What is 'Terrorism'? Problems of Legal Definition. *University of New South Wales Law Journal*, 270-295.
- Zaidi, S. M. (2016). *Terrorism Prosecution in Pakistan* . Washington, DC: United States Institute of Peace.
- Zakir Hussain alias Kami and others v/s The State , 2012 P Cr. L J 154 [Peshawar] (Peshawar High Court).
- Ziaullah v/s Special Judge Anti-Terrorism Court, Faisalabad and 7 others, 2002 SCMR 1225 (Supreme Court of Pakistan).

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<sup>1</sup>Acceded to by Pakistan in 2008 and ratified in 2010