



Pakistan: Key Current Issues and Developments

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Summary

A stable, democratic, prosperous Pakistan actively combating religious militancy is considered vital to U.S. interests. U.S. concerns regarding Pakistan include regional and global terrorism; efforts to stabilize neighboring Afghanistan; nuclear weapons proliferation; the Kashmir problem and Pakistan-India tensions; democratization and human rights protection; and economic development. Pakistan is praised by U.S. leaders for its ongoing cooperation with U.S.-led counterterrorism and counterinsurgency efforts, although long-held doubts exist about Islamabad's commitment to some core U.S. interests. A mixed record on battling Islamist extremism includes ongoing apparent tolerance of Taliban elements operating from its territory, although some evidence from early 2010 suggests a possible shift here.

The increase in Islamist extremism and militancy in Pakistan is a central U.S. foreign policy concern. The development hinders progress toward key U.S. goals, including the defeat of Al Qaeda and other anti-U.S. terrorist groups, Afghan stabilization, and resolution of the historic Pakistan-India rivalry that threatens the entire region's stability and that has a nuclear dimension. Long-standing worries that American citizens have been recruited and employed in Islamist terrorism by Pakistan-based elements have become more concrete in recent months, especially following a failed May 2010 bombing attempt in New York City.

A bilateral Pakistan-India peace process was halted after a November 2008 terrorist attack on Mumbai was traced to the Pakistan-based Lashkar-e-Taiba terrorist group. At the time of this writing, the process appears to be resuming, but serious mutual animosities persist. Pakistan is wary of India's presence in Afghanistan, where Islamabad seeks a friendly government and has had troubled relations with the Kabul government. A perceived Pakistan-India nuclear arms race has been the focus of U.S. nonproliferation efforts in South Asia.

Pakistan's political setting remains fluid, with ongoing power struggles between the executive and judiciary which could lead to renewed military intervention in the political system, along with the April 2010 passage of an 18th Amendment to the Pakistani Constitution, which greatly reduces the powers of the presidency. Rampant inflation and unemployment, along with serious food and energy shortages, have elicited considerable economic anxiety in Pakistan. Such concerns weigh heavily on the already constrained civilian government. Pakistan's troubled economic conditions, uncertain political setting, perilous security circumstances, and history of troubled relations with its neighbors present serious challenges to U.S. decision makers.

The Obama Administration continues to pursue close and mutually beneficial relations with Islamabad. As part of its strategy for stabilizing Afghanistan, the Administration's Pakistan policy includes a tripling of nonmilitary aid to improve the lives of the Pakistani people, as well as the conditioning of U.S. military aid to Islamabad on that government's progress in combating militancy and in further fostering democratic institutions. A Special Representative was appointed to coordinate U.S. government efforts with both Pakistan and Afghanistan. Pakistan is among the world's leading recipients of U.S. aid and will by the end of FY2010 have obtained more than \$10.4 billion in overt assistance since 2001, including about \$6 billion in development and humanitarian aid. Pakistan also has received more than \$8 billion in military reimbursements for its support of and engagement in counterterrorism and counterinsurgency efforts.

This report reviews key current issues and developments in Pakistan and in U.S.-Pakistan relations. It will be updated periodically.

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Overview: Key Current Issues and Developments

A stable, democratic, prosperous Pakistan actively working to counter Islamist militancy is considered vital to U.S. interests. Current top-tier U.S. concerns regarding Pakistan include regional and global terrorism; stability in neighboring Afghanistan; domestic political stability and democratization; nuclear weapons proliferation and security; human rights protection; and economic development. Pakistan remains a vital U.S. ally in U.S.-led anti-terrorism efforts. Yet the outcomes of U.S. policies toward Pakistan since 9/11, while not devoid of meaningful successes, have seen a failure to neutralize anti-Western militants and reduce religious extremism in that country, and a failure to contribute sufficiently to stabilizing Afghanistan.

Domestic terrorist bombings and other militant attacks became a near-daily scourge in 2008 and continue at a high rate to date, with Islamist extremism spreading beyond western tribal areas and threatening major Pakistani cities. In the assessment of a former senior U.S. government official, “Pakistan is the most dangerous country in the world today. All of the nightmares of the twenty-first century come together in Pakistan: nuclear proliferation, drug smuggling, military dictatorship, and above all, international terrorism.”¹ When asked in February 2010 what worried him the most of all foreign policy issues, Vice President Joseph Biden answered “Pakistan,” which he said has deployable nuclear weapons, “a real significant minority of radicalized population,” and “is not a completely functional democracy.”² Earlier in 2010, the U.S. State Department issued a stern travel warning to Americans, stating that, “The presence of Al Qaeda, Taliban elements, and indigenous militant sectarian groups poses a potential danger to American citizens throughout Pakistan,

Pakistan in Brief

Population: 177 million; growth rate: 1.5% (2010 est.)

Area: 803,940 sq. km. (slightly less than twice the size of California)

Capital: Islamabad

Heads of Government: Prime Minister Yousaf Raza Gilani and President Asif Ali Zardari (both of the Pakistan People’s Party)

Ethnic Groups: Punjabi 45%, Pashtun 15%, Sindhi 14%, Saraiki 8%, Muhajir 8%. Baloch 4%, other 6%

Languages: Punjabi 48%, Sindhi 12%, Saraiki 10%, Pashtu 8%, Urdu (official) 8%; Baluchi, English (official), and others 14%

Religions: Muslim 95% (Sunni 75%, Shia 20%), Christian, Hindu, and other 5%

Life Expectancy at Birth: female 67 years; male 64 years (2010 est.)

Literacy: 50% (female 36%; male 63%; 2005 est.)

Gross Domestic Product (at PPP): \$449 billion; per capita: \$2,600; growth rate 2.7% (2009 est.)

Currency: Rupee (100 = \$1.17)

Inflation: 13.2% (1st quarter 2010)

Defense Budget: \$4.11 billion (2.6% of GDP; 2009)

U.S. Trade: exports to U.S. \$3.2 billion (primarily textiles and apparel); imports from U.S. \$1.6 billion (incl. raw cotton and military equipment) (2009)

Sources: CIA *World Factbook*; U.S. Department of Commerce; Government of Pakistan; Economist Intelligence Unit; Global Insight; *The Military Balance*

¹ Bruce Riedel, “Pakistan and Terror: The Eye of the Storm,” *Annals of the American Academy of Political and Social Science*, 618, 31, July 2008. *Foreign Policy* magazine’s Failed State Index again ranked Pakistan 10th in the world with a “critical” score in 2010, citing especially acute group grievances and factionalized elites (see the June 2010 index at http://www.foreignpolicy.com/articles/2010/06/21/the_failed_states_index_2010).

² “CNN Larry King Live, Interview With Vice President Joseph Biden; Senator John Kerry (D-MA), and Teresa Heinz-Kerry (Part 2),” Federal News Service transcript, February 13, 2010.

especially in the western border regions of the country.” It also stated that the movement of U.S. government personnel in the consular cities of Karachi and Peshawar is “severely restricted.”³

The Pakistani state and people are paying a steep price for their participation in the fight against Islamist militancy and extremism. Foreign Minister Shah Mehmood Qureshi claims that, in the post-9/11 period, Pakistan has incurred some 31,000 casualties and has “arrested, apprehended, and eliminated 17,000 terrorists.” Socioeconomic costs have been high, as well, and include massive human displacement; increased funding for security and law enforcement institutions, and reconstruction; sharply reduced investment and capital flight; and all manner of less tangible infrastructural and cultural costs. Pakistani government officials estimate financial losses of up to \$40 billion since 2001. The severe psychological toll on the Pakistani people has led to an upsurge in reports of depression, anxiety, paranoia, and post-traumatic stress disorders.⁴

Pakistan’s troubled economic conditions, fluid political setting, and perilous security circumstances present serious challenges to U.S. decision makers. On the economic front, the Islamabad government faces crises that erode their options and elicit significant public resentment. On the political front, a weak civilian leadership, ongoing power struggles between the executive and judiciary, and discord in federal-provincial relations all serve to hamper effective governance. On the security front, Pakistan is the setting for multiple armed Islamist insurgencies, some of which span the border with Afghanistan and contribute to the destabilization of that country. Al Qaeda forces and their allies remain active on Pakistani territory. The compounded difficulties faced by Pakistan and those countries seeking to work with it, along with the troubling anti-American sentiments held by much of the Pakistani public, thus present U.S. policy makers with a daunting task.⁵

In September 2008, scores of people were killed and hundreds injured when a suicide truck bomber attacked the Marriott hotel in Islamabad. Pakistani officials suspected Taliban militants based in western tribal areas of perpetrating the bombing. Called “Pakistan’s 9/11” by some observers, the attack spurred numerous commentaries arguing that the “war on terrorism” could no longer be perceived as an “American war” as it clearly requires Pakistanis to fight in their own self-defense.⁶ In 2009, after pro-Taliban militants consolidated their positions in the Swat Valley and made incursions only 60 miles from the capital of Islamabad, Pakistani security forces launched major and apparently successful offensive operations in the Khyber Pakhtunkhwa province (KPk, formerly the North West Frontier Province or NWFP). This operation encouraged U.S. and other Western observers that Islamabad is willing to undertake sustained counterinsurgency and counterterrorism efforts, perhaps with the broader support of the Pakistani public, which exhibited a newly negative attitude toward indigenous religious extremists. Government military operations in northwestern Pakistan, which continue to date, created some three million internally displaced persons in less than one year.

Despite some positive signs, the progress of U.S.-Pakistan relations in the post-2001 era has produced few of the main outcomes sought in both capitals. Religious, ethnic, and political

³ See http://travel.state.gov/travel/cis_pa_tw/tw/tw_930.html.

⁴ Qureshi quoted in “The Silent Surge” (interview), *Newsweek* (online), March 29, 2010; Arshad Ali, “Socio Economic Cost of Terrorism: A Case Study of Pakistan,” Pakistan Research Unit Brief 57, April 11, 2010; “Pakistan Psychologists Issue Health Warning,” Reuters, May 13, 2010.

⁵ An instructive recent review is Robert Hathaway, “Planet Pakistan,” *Washington Quarterly*, Winter 2010.

⁶ See, for example, “Admit It: This is Pakistan’s War” (editorial), *News* (Karachi), September 22, 2008.

violence in Pakistan has only increased, as has an already intense anti-American sentiment. While a reasonably free and fair election did seat a civilian government in 2008, that government remains weak and saddled with immense economic and other domestic problems. Meanwhile, the security institutions maintain a hold on the formulation of foreign and national security policies, and some elements appear to have lingering sympathies for the Afghan Taliban and other Islamist militant groups. From the U.S. perspective, Pakistan's status as a hotbed of religious extremism has only become more secure, Al Qaeda continues to operate in the tribal areas, and Afghanistan remains unstable nearly nine years after the U.S.-led intervention there. More recently, there are disturbing signs that Pakistan is serving as a site for the recruiting and training of American nationals intent on carrying out terrorist attacks on the U.S. homeland.⁷

The Obama Administration Strategy

A key aspect of the Obama Administration's approach to Pakistan has been development of a more coherent policy to include conditioning U.S. military aid to Islamabad on that government's progress in combating militancy and also tripling nonmilitary aid to improve the lives of the Pakistani people, with a particular focus on conflict-affected regions. President Obama, Vice President Biden, and Secretary of State Hillary Clinton all supported the Enhanced Partnership With Pakistan Act of 2008 (S. 3263) as Senators in the 110th Congress, and they encouraged the 111th Congress to pass a new version of that legislation (S. 1707). Another country-specific bill, the Pakistan Enduring Assistance and Cooperation Enhancement Act of 2009 (H.R. 1886) was passed by the full House in June 2009, then reconciled with the Senate bill passed in September. President Obama signed the resulting Enhanced Partnership with Pakistan Act of 2009 into P.L. 111-73 on October 15, 2009.

Even as President-elect, Obama asserted that Afghanistan cannot be "solved" without "solving Pakistan" and working more effectively with that country, saying he thinks Pakistan's democratically-elected government understands the threat and will participate in establishing "the kind of close, effective, working relationship that makes both countries safer."⁸ President Zardari said his country looked forward to a "new beginning" in bilateral relations, but repeated his admonition that Pakistan "needs no lectures on our commitment [to fighting terrorism]. This is our war." His government repeatedly has asked the Obama Administration to strengthen Pakistan's democracy and economic development in the interest of fighting extremism.⁹ Despite Pakistani hopes that President Obama would more energetically engage diplomatic efforts to resolve the Kashmir problem, the Administration has offered no public expressions of support for such a shift. Secretary of State Clinton has recognized the dangers of rising tensions in Kashmir

⁷ For a broad recent overview of many of these issues, and recommendations for a more effective U.S. approach, see C. Christine Fair, et. al., "Pakistan: Can the United States Secure an Insecure State?," RAND Project Air Force, May 2010. Another less recent, but extensive and highly cogent discussion of the status of and key areas of friction in U.S.-Pakistan relations concludes with an optimistic view of the potential for fruitful future cooperation despite the existence of pervasive anti-American sentiment in Pakistan (Daniel Markey, "Pakistani Partnerships with the United States: An Assessment," NBR Analysis, November 2009, at http://www.nbr.org/publications/analysis/pdf/0911_Analysis.pdf).

⁸ See the December 7, 2008, "Meet the Press" transcript at <http://www.msnbc.msn.com/id/28097635>.

⁹ Asif Ali Zardari, "Partnering With Pakistan" (op-ed), *Washington Post*, January 28, 2009; Asif Ali Zardari, "Democracy is the Greatest Revenge" (op-ed), *Wall Street Journal*, December 27, 2009.

while also deferring calls for greater U.S. involvement there, saying the U.S. role will continue to be as it was under the previous Administration: settlement facilitation, but no mediation.¹⁰

In what many observers considered to be a bracing U.S. government wake-up call to Islamabad, Secretary Clinton told a House panel in April 2009 that “the Pakistani government is basically abdicating to the Taliban and to the extremists.” Secretary of Defense Robert Gates followed with his own warning that U.S.-Pakistan relations could suffer if Islamabad did not “take appropriate actions” to deal with the militant threat.¹¹ Days later, President Obama himself expressed “grave concern” about the situation in Pakistan, offering that the “very fragile” civilian government there did not appear to have the capacity to deliver basic services to the Pakistani people. He did, however, acknowledge that the Pakistani military was showing more seriousness in addressing the threat posed by militants.¹² The Administration’s tone shifted considerably after Pakistani forces launched major offensive operations against Taliban militants in the Swat Valley.

Senior U.S. officials, including President Obama in his December 1, 2009, speech, have lauded Pakistan’s military operations against indigenous Taliban militants.¹³ Yet these officials also want the Pakistani government to enlarge the scope of such operations to include action against a broader array of extremist threats, including those of the greatest concern to India and Western countries. As articulated by Joint Chiefs chairman Adm. Mike Mullen, “We must help Pakistan widen its aperture in seeking out and eliminating all forms of extremism and terrorism—those who threaten not only Pakistan, but also Afghanistan, the wider South Asia region, and the globe.”¹⁴ Secretary of Defense Gates paid an unannounced visit to Pakistan in January 2010 with a central wish to “relinquish the grievances of the past ... and instead focus on the promise of the future.” In speaking to an audience of Pakistani military officers, he sought to push back against the rumors fuelling anti-Americanism there, stating unequivocally that the United States “does not covet a single inch of Pakistani soil [nor] military bases,” nor does it “desire to control Pakistan’s nuclear weapons.” Secretary Gates and Adm. Mullen are said to have shifted from a critical approach to a gentler, “more-flies-with-honey” method of building trust with Pakistani military leaders who remain wary of U.S. intentions.¹⁵

More intensive diplomacy and U.S. assurances that Pakistan will play a major role in the political future of Afghanistan may have contributed to persuading Pakistani leaders—especially military leaders—that they need no longer rely on extremist groups to maintain influence. The U.S. Special Representative for Afghanistan and Pakistan, Richard Holbrooke, has attributed Pakistan’s early 2010 moves against the Afghan Taliban to the “cumulative effect” of hard work and multiple visits to Pakistan by numerous senior U.S. officials. Following a February visit to the region, National Security Advisor Jim Jones opined that the U.S.-Pakistan alliance was bringing clearer positive results than any time in the past seven years.¹⁶ Yet some in Congress

¹⁰ See <http://www.foreignpolicy.com/files/KerryClintonQFRs.pdf>.

¹¹ Transcript: House Committee on Foreign Affairs Holds a Hearing on “New Beginnings: Foreign Policy Priorities in the Obama Administration,” April 22, 2009; “Pentagon Chief in Taliban Warning,” BBC News, April 23, 2009.

¹² “Obama Transcript: First 100 Days,” CNN.com, April 29, 2009.

¹³ “US Praises Pakistan Progress Vs. Taliban,” Associated Press, August 17, 2009.

¹⁴ Statement before the House Foreign Affairs Committee, December 2, 2009.

¹⁵ Robert Gates, “Our Commitment to Pakistan” (op-ed), *News* (Karachi), January 21, 2010; U.S. Embassy’s January 23, 2010, transcript at <http://islamabad.usembassy.gov/pr-10012303.html>; “How Gates, Mullen Are Building US Military’s Ties With Pakistan,” *Christian Science Monitor*, January 21, 2010.

¹⁶ Michael Hirsh, “Obama’s Pakistan Successes,” *Newsweek* (online), February 23, 2010; Fareed Zakaria, “A Victory for Obama,” *Newsweek*, March 12, 2010; Holbrooke’s March 2, 2010, comments at (continued...)

have expressed continuing skepticism about Islamabad's commitment to resolving the Afghan insurgency and to a genuine partnership with the United States. Meanwhile, many observers in Pakistan complain that U.S. diplomacy remains too skewed toward security issues and overly reliant on military-to-military relations, at some cost to public diplomacy. Reports are suggesting that even those Pakistanis with traditionally strong ties to the United States have begun seeking alternative destinations for work, education, and travel, a sign of troubled U.S.-Pakistan relations in the new decade.¹⁷

Appointment of a U.S. Special Representative

Two days after taking office, President Obama announced the appointment of former Clinton Administration diplomat Richard Holbrooke to be Special Representative to Afghanistan and Pakistan (SRAP). Holbrooke's central task is to coordinate across the entire U.S. government to achieve U.S. strategic goals in the region. In accepting the job, Holbrooke called the Pakistan situation "infinitely complex" and noted the need to coordinate what he called a "clearly chaotic foreign assistance program."¹⁸ Prior to the announcement, there was speculation that the new U.S. President would appoint a special envoy to the region with a wider brief, perhaps to include India and even Kashmir. The State Department insisted that Holbrooke's mandate is strictly limited to dealing with "the Pakistan-Afghanistan situation." Given Holbrooke's reputation as a "bulldozer" with strong and sometimes negative views about South Asia's circumstances, his appointment caused some consternation in the region.¹⁹ Holbrooke has made numerous trips to the region and, despite setbacks, he contends that U.S.-Pakistan relations were better in early 2010 than they had been at any time during in the preceding year. He based the contention on opinion surveys, and on the increase in and restructuring of U.S. assistance programs to funnel aid through the Pakistani government.²⁰

Afghanistan-Pakistan Policy Review I

In February 2009, President Obama assigned former CIA official and current Brookings Institution scholar Bruce Riedel to lead a review that would bring together various U.S. government strategy proposals for Afghanistan and Pakistan. His co-chairs in the process were Special Representative Holbrooke and Undersecretary of Defense for Policy Michelle Flournoy. One month later, President Obama announced a new strategy for Afghanistan and Pakistan that conceives of the two countries as being part of "one theater of operations for U.S. diplomacy and

(...continued)

<http://www.state.gov/p/sca/rls/rmks/2010/137693.htm>; "Jones Sees Progress on AfPak Border," Politico.com, February 23, 2010.

¹⁷ "Congress Worries About Obama's Plan for Pakistan," Associated Press, December 3, 2009; Shamshad Ahmad, "Where is US Public Diplomacy?" (op-ed), *News* (Karachi), January 13, 2010; "Many Disillusioned Pakistanis Look Beyond U.S. for Work, Education, and Travel," *Washington Post*, May 24, 2010.

¹⁸ In 2008, Holbrooke penned a *Foreign Affairs* article in which he declared that Afghanistan and Pakistan "now constitute a single theater of war." Among the major problem areas identified with regard to U.S. efforts in Afghanistan, he called pacifying the "insurgent sanctuaries" in Pakistan's tribal areas as being the toughest, noting that "Pakistan can destabilize Afghanistan at will—and has" ("Mastering a Daunting Agenda," *Foreign Affairs*, September/October 2008).

¹⁹ "New Envoy Unnerves South Asia," *Los Angeles Times*, February 2, 2009; "South Asian Chasm of Mistrust Awaits Obama's Envoy," Reuters, February 8, 2009.

²⁰ See the U.S. Embassy's January 14, 2010, transcript at <http://islamabad.usembassy.gov/pr-10011401.html>.

one challenge for our overall policy.”²¹ The strategy is rooted in the assumption that, “The United States has a vital national security interest in addressing the current and potential security threats posed by extremists in Afghanistan and Pakistan.” All elements of U.S. national power—including diplomatic, informational, military, and economic—are to be brought to bear in attaining the “core goal” of disrupting, dismantling, and defeating Al Qaeda and its safe havens in Pakistan, and in preventing their re-emergence in Pakistan or Afghanistan. To this end, the Administration intends to overcome the “trust deficit” the United States faces in the region and to “engage the Pakistani people based on our long-term commitment to helping them build a stable economy, a stronger democracy, and a vibrant civil society.”²²

There are seven key aspects of the Administration’s primary strategy for U.S.-Pakistan relations: (1) bolstering Afghanistan-Pakistan cooperation; (2) engaging and focusing Islamabad on the common threat posed by extremism; (3) assisting Pakistan’s capability to fight the extremists; (4) increasing and broadening assistance in Pakistan; (5) exploring other areas of bilateral economic cooperation; (6) strengthening Pakistani government capacity; and (7) asking for assistance from U.S. allies for both Afghanistan and Pakistan.²³ The Administration thus supports a policy that would significantly increase nonmilitary aid to Pakistan and that sets “benchmarks” for measuring Islamabad’s success in combating extremism. President Obama stated that “we must focus our military assistance on the tools, training, and support that Pakistan needs to root out the terrorists. After years of mixed results, we will not provide a blank check.”²⁴

Early in his current tenure, Amb. Holbrooke asserted that, of the many challenges faced by the Administration in formulating its policy, the most daunting was dealing with western Pakistan and the “red lines” set by Islamabad barring foreign troops from operating there.²⁵ Holbrooke believes the new approach differs from that of the previous Administration in its aim of better integrating “stove-piped” policies, in its greater resource endowment, and in its proposed effort to more directly counter the propaganda of Islamist radicals in the region. Senate Foreign Relations Committee Chairman Senator John Kerry welcomed the new strategy as “realistic and bold.” House Foreign Affairs Committee Chairman Representative Howard Berman also voiced strong support for the President’s plan to boost civilian assistance efforts in Pakistan and Afghanistan. President Zardari called the strategy “positive change” and welcomed increased U.S. aid as the best way to combat militancy.²⁶ Even well before the U.S. President announced the new regional strategy, Islamabad had expressed support for a regional approach and warned that a past overemphasis on the military dimension had not proven fruitful.²⁷

²¹ “Administration Officials Hold a News [sic] on the Administration’s Interagency Policy Review on Pakistan and Afghanistan,” *CQ Transcriptions*, March 27, 2009.

²² See the “White Paper” at http://www.whitehouse.gov/assets/documents/Afghanistan-Pakistan_White_Paper.pdf.

²³ *Ibid.*

²⁴ President’s speech at <http://blogs.wsj.com/washwire/2009/03/27/obama-announces-new-strategy-for-afghanistan-and-pakistan>.

²⁵ “Administration Officials Hold a News [sic] on the Administration’s Interagency Policy Review on Pakistan and Afghanistan,” *CQ Transcriptions*, March 27, 2009.

²⁶ “President Obama’s Afghanistan- Pakistan (AFPAK) Strategy,” U.S. Department of State Foreign Press Center briefing, March 27, 2009; “Interview with Amb. Holbrooke and Gen. Petraeus,” Jim Lehrer Newshour (PBS) transcript, March 27, 2009; Sen. Kerry’s statement at <http://kerry.senate.gov/cfm/record.cfm?id=310648>; Rep. Berman’s statement at http://www.internationalrelations.house.gov/press_display.asp?id=603; “Pakistan’s President Praises Obama and Offers New Concession to Opposition,” *New York Times*, March 28, 2009.

²⁷ See http://www.mofa.gov.pk/Press_Releases/2009/Feb/PR_62_09.htm.

May 2009 Trilateral Summit and Ensuing Diplomacy

Following a February 2009 trilateral meeting of top diplomats from the United States, Pakistan, and Afghanistan, Secretary of State Clinton announced that the format had proved valuable enough to continue on a regular basis.²⁸ In early May 2009, President Obama hosted the Pakistani and Afghan presidents in Washington, D.C., where he characterized their meeting as one of “three sovereign nations joined by a common goal”: to permanently defeat Al Qaeda and its extremist allies in Pakistan and Afghanistan. The U.S. President expressed being pleased that his counterparts were serious in addressing the threat posed by such extremists and he stated that such trilateral meetings would continue on a regular basis.²⁹ Secretary Clinton saw “very promising early signs” of improved trilateral cooperation, and said she was “quite impressed” by the recent Pakistani military operations in Swat.³⁰

Five months later, following energetic Pakistani counterinsurgency efforts in KP and the launching of a ground offensive in South Waziristan, Secretary Clinton paid a visit to Pakistan, where she had meetings with senior political and military leaders, as well as frank and open interactions with civil society members. The lead U.S. diplomat impressed many Pakistanis with her willingness to hear and respond to criticisms of American policy; the three-day visit may have done much to repair still extensive damage in bilateral relations. A former Pakistani Ambassador to the United States lauded the Secretary’s “striking and impressive display of public diplomacy,” contrasting it with what she called the “patronizing style” of Amb. Holbrooke.³¹

When the U.S. National Security Advisor, Gen. James Jones, met with President Zardari in Islamabad in November, he reportedly delivered to the Pakistani leader a personal letter written by President Obama which conveyed an “expectation” that Zardari rally his country’s political and national security institutions in a united campaign against regional extremism. By some accounts, Jones and White House counterterrorism chief John Brennan told their interlocutors that the United States was prepared to take unilateral action in the absence of rapid Pakistani movement. Such action could include expanding drone strikes to Baluchistan and resuming Special Operations missions across the Durand Line. Shortly after, Pakistan’s foreign minister told reporters, “We will not do anything, more or less, at the prodding of others.” Zardari later delivered his own letter to the U.S. President indicating that Pakistan recognized the common threat, but was intent on following its own timeline and operational needs.³²

Afghanistan-Pakistan Policy Review II

The Obama Administration completed a second Afghanistan-Pakistan policy review in late 2009. In apparent recognition that recent U.S. policy toward Pakistan had failed to achieve

²⁸ See <http://www.state.gov/secretary/rm/2009a/02/119864.htm>.

²⁹ See <http://www.gpoaccess.gov/presdocs/2009/DCPD-200900331.pdf>.

³⁰ White House press briefing, May 6, 2009.

³¹ “Clinton Suffers Barbs and Returns Jabs in Pakistan,” *New York Times*, October 30, 2009; “Clinton in Pakistan Encounters Widespread Distrust of U.S.,” *Los Angeles Times*, November 1, 2009; Maleeha Lodhi, “Testing Times for Pakistan-US Relations” (op-ed), *News* (Karachi), November 10, 2009. See also Najamuddin Shaikh, “Did Clinton’s Visit Make a Difference?” (op-ed), *Daily Times* (Lahore), November 13, 2009.

³² “Pakistan Told to Ratchet Up Fight Against Taliban,” *New York Times*, December 8, 2009; “Pakistan Won’t Be Pushed by Foreign Pressure: Qureshi,” *Dawn* (Karachi), November 16, 2009; “Pakistan’s Zardari Resists U.S. Timeline for Fighting Insurgents,” *Washington Post*, December 16, 2009.

Washington's main objectives, President Obama announced on December 1, 2009, that he would seek to shift the nature of the bilateral relationship:

In the past, we too often defined our relationship with Pakistan narrowly. Those days are over. Moving forward, we are committed to a partnership with Pakistan that is built on a foundation of mutual interest, mutual respect, and mutual trust. We will strengthen Pakistan's capacity to target those groups that threaten our countries, and have made it clear that we cannot tolerate a safe haven for terrorists whose location is known and whose intentions are clear.³³

The latter clause on safe havens was perhaps the most categorical high-visibility official statement to date, and the President intends to continue to encourage Pakistan's civilian and military leaders to sustain their fight against extremists and to eliminate terrorist safe havens inside their country. Already significant tensions between Washington and Islamabad may be exacerbated as a result of increased U.S. pressure on Pakistan.³⁴ Some in Congress have been critical of President Obama's continued reliance on a Pakistani ally they view as unreliable and perhaps insufficiently determined to combat the extremist elements seen as most threatening to the United States.³⁵

January 2010 Regional Stabilization Strategy

In January 2010, the SRAP's office released its *Afghanistan and Pakistan Regional Stabilization Strategy*. Maintaining a primary focus on disrupting, dismantling, and defeating Al Qaeda forces in the region, the document acknowledges that,

There remains mistrust between our two countries, but we see a critical window of opportunity created by the recent transition to democratic, civilian rule and the broad, sustained political support across Pakistan for military operations against extremists. We seek to lead the international community in helping Pakistan overcome the political, economic, and security challenges that threaten its stability, and in turn undermine regional stability.³⁶

The strategy seeks to further mobilize the international community and improve coordination among the 60 countries and international organizations providing assistance to Pakistan, as well as among the 30 Special Representatives for Afghanistan and Pakistan. Key initiatives for Pakistan are four: (1) committing sizeable resources to high-impact economic and development projects, and doing so by increasing the amount of aid channeled directly through Pakistani institutions (such projects focus on energy, agriculture, water, health and education, assistance to displaced persons, and strengthening democratic institutions); (2) sustaining and expanding Pakistan's counterinsurgency capabilities, and disrupting illicit financial flows to extremists; (3) assisting with the recovery of displaced persons; and (4) expanding U.S. public diplomacy efforts,

³³ See the text of the President's December 1, 2009 speech at <http://www.whitehouse.gov/the-press-office/remarks-president-address-nation-way-forward-afghanistan-and-pakistan>.

³⁴ See the December 1, 2009, White House Fact Sheet at <http://www.whitehouse.gov/the-press-office/way-forward-afghanistan>; "Speech Puts Pressure on Pakistan," *Financial Times* (London), December 2, 2009.

³⁵ "Congress Worries About Obama's Plan for Pakistan," *New York Times*, December 3, 2009.

³⁶ See <http://www.state.gov/documents/organization/135728.pdf>.

and “countering extremist voices.” The strategy also lists extensive “milestones,” or metrics, for determining progress in each of these areas.³⁷

Despite this document and rhetoric, Pakistani officials continued to express dissatisfaction with the bilateral relationship, especially with regard to U.S. recognition of the perceived threat to Pakistan represented by India. After meeting with Amb. Holbrooke in January, Foreign Minister Qureshi noted, “A very strong perception in Pakistan that, despite our very good relations, the United States has not paid sufficient attention to Pakistan’s concerns, security concerns vis-à-vis India.” The minister also expressed unhappiness with “inordinate delays” in Coalition Support Fund reimbursements for Pakistani military operations.³⁸

March 2010 Strategic Dialogue Session

The Administration of President George W. Bush had launched a “Strategic Dialogue” process with Pakistan that included high-level meetings in 2007 and 2008. The Obama Administration revived this forum in March 2010, when a large delegation of senior Pakistani leaders visited Washington, DC. Although the delegation was officially led by Foreign Minister Qureshi, many observers perceived the Army Chief, Gen. Ashfaq Pervez Kayani, as being the dominant figure in planning the Islamabad government’s agenda and the dominant participant in ensuing bilateral talks, in some ways overshadowing the foreign minister.³⁹ In the lead-up to the dialogue, Qureshi himself issued categorical statements about the need for Washington to “do more” in its relations with Islamabad: “We have already done too much.... Pakistan has done its bit, we have delivered. Now it’s your turn.” Islamabad’s unusual step of presenting a 56-page document containing requests for expanded military and economic aid was seen by some as a signal that Pakistan was willing to more openly align itself with U.S. interests, but with a possible price. Rumors circulated suggesting that Pakistan had agreed to roll back its indigenous militant networks in return for guarantees from the United States and other major governments that it would get special consideration in regional political and economic affairs, perhaps even to include civil nuclear cooperation deals.⁴⁰

Obama Administration officials were uniformly positive in their characterizations of the Pakistanis’ visit. A joint statement issued at the close of the two-day Strategic Dialogue session noted the elevation of engagement to the Ministerial level, as well as the creation of a Policy Steering Group “to intensify and expand the sectoral dialogue process.” Secretary Clinton paid tribute “to the courage and resolve of the people of Pakistan to eliminate terrorism and militancy,” and the United States “reaffirmed its resolve to assist Pakistan to overcome socioeconomic challenges.” Pakistan, for its part, expressed its appreciation for U.S. security assistance.⁴¹ Some Pakistani analysts were unhappy with the outcome of the talks, arguing that, beyond the

³⁷ Ibid.

³⁸ See the U.S. Embassy’s January 14, 2010, transcript at <http://islamabad.usembassy.gov/pr-10011401.html>.

³⁹ “Army Chief Driving Pakistan’s Agenda for Talks,” *New York Times*, March 21, 2010. S. Khalid Husain, “The Civil-Military Angst” (op-ed), *News* (Karachi), April 21, 2010.

⁴⁰ Qureshi quoted in “US Should Also Do More: FM Qureshi,” *Dawn* (Karachi), March 18, 2009; “U.S. Sees Hope in Pakistan Requests for Help,” *Wall Street Journal*, March 23, 2010; “Pakistan, US Agree on New Afghan Set-Up,” *News* (Karachi), March 10, 2010.

⁴¹ See the U.S.-Pakistan March 25, 2010, joint statement at <http://islamabad.usembassy.gov/pr-10032603.html>.

pageantry, little of substance was gained by Islamabad on its key priorities—preferential trade, access to civil nuclear technology, and U.S. assistance in resolving dispute with India.⁴²

Other Notable Recent Developments in Bilateral Relations

- In late 2009, U.S. officials saw a “concerted effort” by Pakistani military and intelligence elements to harass American diplomats, mainly through travel document delays, an effort that was resulting in significant delays to vital security and economic aid programs. The U.S. Embassy also formally complained that its diplomatic vehicles were subject to “harassment” through “contrived incidents.” While a State Department spokesman refrained from calling the development a “deliberate campaign,” he acknowledged that **the backlog of “several hundred” U.S. visa applications** and renewals was a “big concern” that had been raised with Islamabad at “very senior levels.” In April, a senior State Department official said “substantial progress” had been made and that the visa logjam appeared to have been broken, but reports indicate problems persist.⁴³
- In December, **the U.S. Embassy in Islamabad reportedly delivered to Pakistani leaders a written “demand”** that they crack down on the Haqqani group operating out of North Waziristan, a demand the Pakistanis are said to have angrily rebuffed. Pakistani strategists are long suspected of viewing the Haqqani group as an important hedge against Indian influence in Afghanistan, one that poses no direct threat to Pakistan. A Pakistan army spokesman later stated that there were no plans for further offensive operations of any kind in 2010.⁴⁴
- In the wake of **the failed Christmas Day 2009 terrorist attack on a U.S. airliner**, the Obama Administration announced that the citizens of 14 “countries of interest,” including Pakistan, who were flying into the United States would henceforth be subjected to special screening at airports worldwide. Unsurprisingly, the move fueled even greater Pakistani resentment toward the United States; Prime Minister Gilani called the new measures “discriminatory.” One English-language daily’s editorial said they demonstrate that, while the United States “can trust the Pakistani military to fight a war for it, it cannot trust a Pakistani entering the country,” and several Pakistani Senators called for reciprocal screening of U.S. nationals entering Pakistan. In March, a group of Pakistani parliamentarians visiting the United States refused to subject themselves to extra airport screening for a domestic U.S. flight and instead cut

⁴² See, for example, Maleeha Lodhi, “How Strategic Was the Washington Dialogue? (op-ed), *News* (Karachi), March 30, 2010.

⁴³ “Pakistan Reported to Be Harassing U.S. Diplomats,” *New York Times*, December 17, 2009; U.S. Embassy’s January 7, 2010, release at <http://islamabad.usembassy.gov/pr-10010701.html>; State Department’s December 17, 2009, release at <http://www.state.gov/r/pa/prs/dpb/2009/dec/133808.htm>; Deputy Secretary Lew quoted in “Pakistan Begins to Ease Backlog of Visas for American Diplomats,” *New York Times*, April 10, 2010; “Pakistan-US Row Over Visas Continues,” *Pakistan Observer* (Islamabad), April 23, 2010

⁴⁴ “Pakistan Rebuffs U.S. on Taliban Crackdown,” *New York Times*, December 15, 2009; “U.S. Wants Pakistan to Pursue Taliban-Allied Group,” *Los Angeles Times*, December 28, 2009; “Pakistan Snubs US Over Militants,” BBC News, January 21, 2010.

their visit short, returning to Pakistan as heroes to many. The Administration rescinded the policy in April.⁴⁵

- **The December 30 suicide bombing at a U.S. operating base in eastern Afghanistan** by a Jordanian double-agent left eight CIA operatives dead and was later shown to have a direct link with the TTP when a video showed the bomber sitting beside a man believed to be Hakimullah Mehsud. The bomber says his impending attack was being carried out in revenge for the August killing of TTP leader Baitullah Mehsud. In the week following the bombing, an intense series of five drone strikes on Pakistan's tribal areas likely were a direct U.S. response.⁴⁶
- **The February conviction of Pakistani national Aafia Siddiqui** in an American court riled Pakistani public sentiments, as most there appear to believe she is completely innocent of the charges of attempting to kill U.S. agents in Afghanistan, and that she has been tortured and unfairly treated by U.S. courts. Prime Minister Gilani has called Siddiqui a "daughter of the nation," and she appears to have become a national symbol of victimization that unites many disparate groups in heightened anti-American sentiment.⁴⁷
- Also in February, **three U.S. soldiers were killed** when a suicide car bomber rammed their vehicle as they were on their way to attend the opening of a girls' school in the Lower Dir district of the NWFP. Two other Americans were wounded, and four Pakistanis died in the blast, including three children and a paramilitary soldier.
- In April, militants used a truck bomb, automatic rifles, and rocket launchers in a **failed attempt to breach the security perimeter at the U.S. Consulate in Peshawar**. No Americans were hurt, but six Pakistanis died in the attack, including a police officer and two Frontier Corps guards. The TTP took responsibility, saying the assault was taken in revenge for Pakistani military operations in the northwest.⁴⁸
- Later in April, **the Treasury Department designated two Pakistani nationals as terrorist supporters**, saying the charities they ran—al-Akhtar Trust and al-Rashid Trust—were raising funds for Al Qaeda and the Taliban, respectively.⁴⁹

Increasing Islamist Militancy

Islamist extremism and militancy has been a menace to Pakistani society throughout the post-2001 period, becoming especially prevalent since 2007. Pakistan is the site of numerous armed

⁴⁵ "US Policies Can Hurt Bilateral Ties: Gilani," *Daily Times* (Lahore), January 9, 2010; "Patting Down Pakistanis" (op-ed), *Dawn* (Karachi), January 6, 2010; "Upset by U.S. Security, Pakistanis Return as Heroes," *New York Times*, March 10, 2010.

⁴⁶ "Video Links Taliban in Pakistan to Attack on C.I.A.," *New York Times*, January 10, 2010; "C.I.A. Deaths Prompt Surge in U.S. Drone Strikes," *New York Times*, January 23, 2010.

⁴⁷ "Pakistani Anger Over US Conviction," BBC News, February 4, 2010; "U.S. Sees a Terror Threat, Pakistanis See a Heroine," *New York Times*, March 5, 2010.

⁴⁸ "U.S. Consulate in Peshawar is Attacked by Militants," *New York Times*, April 5, 2010.

⁴⁹ See the April 15, 2010, release at <http://www.ustreas.gov/press/releases/tg643.htm>.

insurgencies of various scales that represent an increasingly severe threat to domestic, regional, and perhaps global security.⁵⁰ The U.S. National Counterterrorism Center reported 1,915 terrorist incidents in Pakistan in 2009 resulting in 2,670 fatalities, placing the country third in the world on both measures, after Iraq and Afghanistan. Only two suicide bombings were recorded in Pakistan in 2002; that number grew to 59 in 2008 and 84 in 2009.⁵¹ Pakistan suffered 29 major attacks in the final three months of 2009, or an average of about one every three days. Among the most gruesome were an October 28 car bombing at a market in Peshawar that killed some 114 people, most of them women, on the same day as Secretary of State Clinton's arrival in the country; and a December 31 suicide truck bombing at a playground in the village of Shah Hassan Khel, near South Waziristan, that killed up to 100 people watching a soccer match, many of them women and children.⁵² In Peshawar, a city hit by some 20 bombings during this period, the economy came to a near halt as businesses closed or moved to safer areas.⁵³

A particularly alarming development in recent years is the significantly increased incidence of militants making direct attacks on Pakistani security institutions.⁵⁴ There have also been more attacks on foreign-based charitable organizations, such as the March assault of the KPK offices of the American Christian group World Vision by about a dozen masked gunmen, which left six Pakistani employees dead.

According to the State Department's most recent *Country Reports on Terrorism* (April 2009),

The United States remained concerned that the Federally Administered Tribal Areas (FATA) of Pakistan were being used as a safe haven for Al Qaeda (AQ) terrorists, Afghan insurgents, and other extremists. ... The coordination, sophistication, and frequency of suicide bombings that increased sharply in 2007, continued to grow in Pakistan in 2008. ... Extremists led by Baitullah Mehsud and other AQ-related extremists spread north throughout the FATA with an increased presence in Bajaur and Khyber. In most of the FATA, the militants continued to openly challenge the writ of the state with high levels of violence.... There was a growing trend of militants garnering support by promising to fill a vacuum left by "ineffective" government structures.⁵⁵

The myriad and sometimes disparate Islamist militant groups operating in Pakistan, many of which have displayed mutual animosity in the past, appear to have become more intermingled and mutually supportive in 2009 (see "Islamist Militant Groups in Pakistan," below).⁵⁶ According to U.S. Joint Chiefs Chairman Adm. Mullen, speaking in December 2009,

⁵⁰ For example, in late 2008, the British Prime Minister estimated that three-quarters of the most serious terrorism plots investigated in Britain had links to Al Qaeda in Pakistan ("Brown Offers Pakistan Anti-Terror Aid," *Washington Post*, December 15, 2008).

⁵¹ See <http://www.nctc.gov/wits/witsnextgen.html>.

⁵² The revulsion caused by the massive October market bombing was such that many Pakistanis refused to believe it could have been perpetrated by fellow countrymen. Instead, much of their anger was directed at foreign powers seen as the "true enemies," primarily India, Israel, and the United States ("In Peshawar, State of Denial Over Market Attack Culprits," *Washington Post*, November 7, 2009).

⁵³ "Violence Drives Business From Peshawar," *Financial Times* (London), January 4, 2010.

⁵⁴ In recent examples, a March suicide car bombing of the facilities of a special counterterrorism investigate unit in Lahore killed at least 15 people and destroyed the entire building. Days later, twin suicide attacks on other army targets in the same city killed dozens more ("Suicide Car Bombers Strikes Pakistani Intelligence Unit," *Los Angeles Times*, March 8, 2010; "Twin Suicide Attacks Hit Military Sites in Pakistan," *New York Times*, March 12, 2010).

⁵⁵ See <http://www.state.gov/s/ct/rls/crt/2008/122434.htm>.

⁵⁶ See Brian Fishman, "The Battle for Pakistan: Militancy and Conflict Across the FATA and NWFP," *New America* (continued...)

It's very clear to me, over the last 12 to 24 months, that these organizations are all much closer than they used to be, whether it's Pakistan Taliban and Al Qaida, or Al Qaida/Afghan Taliban, [Lashkar-e-Taiba, Jamaat-ud-Dawa, Jaish-e-Mohammed]—they're all working much more closely together. So I think it doesn't accurately reflect the need or the strategy to single out one group or another. They're very much all in this in ways, together, that they weren't as recently as 12 months ago.⁵⁷

Interior Minister Malik said the spate of deadly attacks in October 2009 suggested increased collaboration among the Taliban, Al Qaeda, and the Punjab-based LeT and JeM. Top Islamabad government officials identify terrorism and extremism as Pakistan's most urgent problems. They vow that combating terrorism is their top priority, and President Zardari insists that only through a strengthening of Pakistan's democratic institutions can the extremist tide be reversed.⁵⁸

Islamist Militant Groups in Pakistan

Islamist militant groups operating in and from Pakistani territory are of five broad types:

- *Globally-oriented* militants, especially Al Qaeda and its primarily Uzbek affiliates, operating out of the FATA and perhaps in the megacity of Karachi;
- *Afghanistan-oriented* militants, including the "Quetta shura" of Afghan Taliban leader Mullah Omar, believed to operate from the Baluchistan provincial capital of Quetta, as well as Karachi; the organization run by Jalaluddin Haqqani and his son Sirajuddin, in the North Waziristan tribal agency; and the Hizb-I Islami party led by Gulbuddin Hekmatyar (HiG), operating further north from the Bajaur tribal agency and Dir district;
- *India- and Kashmir-oriented* militants, especially the Lashkar-e-Taiba (LeT), Jaish-e-Mohammed (JeM), and Harakat ul-Mujahadeen (HuM), based in both the Punjab province and in Pakistan-held Kashmir;
- *Sectarian* militants, in particular the anti-Shia Sipah-e-Sahaba Pakistan (SSP) and its offshoot, Lashkar-e-Jhangvi (LeJ), the latter closely associated with Al Qaeda, operating mainly in Punjab; and
- *Domestically-oriented*, largely Pashtun militants that in late 2007 unified under the leadership of now-deceased Baitullah Mehsud as the Tehrik-i-Taliban Pakistan (TTP), then based in the South Waziristan tribal agency, with representatives from each of Pakistan's seven FATA agencies, later to incorporate the Tehreek-e-Nafaz-e-Shariat-e-Mohammadi (TNSM) led by Maulana Sufi Mohammed in the northwestern Malakand and Swat districts of the former North West Frontier Province (NWFP).

Al Qaeda in Pakistan

Al Qaeda is identified as a top-tier threat to U.S. security.⁵⁹ U.S. officials remain concerned that Al Qaeda terrorists operate with impunity on Pakistani territory, and that the group appears to have increased its influence among the myriad Islamist militant groups operating along the Pakistan-Afghanistan border, as well as in the densely populated Punjab province and in the megacity of Karachi. Al Qaeda forces that fled Afghanistan with their Taliban supporters remain active in Pakistan and reportedly have extensive, mutually supportive links with indigenous Pakistani terrorist groups that conduct anti-Western and anti-India attacks. Al Qaeda founder Osama Bin Laden and his lieutenant, Egyptian Islamist radical Ayman al-Zawahri, are believed to

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Foundation, April 2010.

⁵⁷ See the Pentagon's December 16, 2009, release at <http://www.jcs.mil/speech.aspx?ID=1298>.

⁵⁸ "Pakistan Attacks Show Militants' Reach," *Chicago Tribune*, October 16, 2009; Asif Ali Zardari, "'Democracy is the Greatest Revenge'" (op-ed), *Wall Street Journal*, December 27, 2009.

⁵⁹ "Obama Says Al Qaeda Still Greatest Threat to U.S.," Reuters, November 16, 2009.

be hiding in northwestern Pakistan, along with most other senior operatives. Al Qaeda leaders have issued statements encouraging Pakistani Muslims to “resist” the American “occupiers” in Pakistan (and Afghanistan), and to fight against Pakistan’s “U.S.-allied politicians and officers.” Zawahri has repeatedly urged Pakistanis to join the jihad, calling government military operations in Swat and the tribal areas “an integral part of the crusade on Muslims across the world.”⁶⁰

While taking questions from senior Pakistani journalists during an October 2009 visit to Pakistan, Secretary of State Clinton offered a pointed expression of U.S. concerns that some elements of official Pakistan maintain sympathy for most-wanted Islamist terrorists:

Al Qaeda has had safe haven in Pakistan since 2002. I find it hard to believe that nobody in [the Pakistani] government knows where they are and couldn’t get them if they really wanted to. And maybe that’s the case. Maybe they’re not gettable.... I don’t know what the reasons are that Al Qaeda has safe haven in your country, but let’s explore it and let’s try to be honest about it and figure out what we can do.⁶¹

Pakistani officials are resentful of such suggestions, and the Islamabad government claims that Al Qaeda chief bin Laden is not in Pakistan.⁶²

One recent analysis calculated that more than one-third of all “serious terrorist plots” in the West since 2004 were operationally linked to Al Qaeda or its allies inside Pakistan.⁶³ Evidence suggests that some of the 9/11 hijackers were themselves based in western Pakistan in early 2001, and a former British Prime Minister has estimated that three-quarters of the most serious terrorism plots investigated in Britain had links to Al Qaeda in Pakistan.⁶⁴ Moreover, as tensions between Pakistan and India remain tense more than 18 months after the November 2008 terrorist attack on Mumbai, Secretary Gates warned that groups under Al Qaeda’s Pakistan “syndicate” are actively seeking to destabilize the entire South Asia region, perhaps through another successful major terrorist attack in India that could provoke all-out war between the region’s two largest and nuclear-armed states.⁶⁵

Al Qaeda is widely believed to maintain camps in western Pakistan where foreign extremists receive training in terrorist operations. By one accounting, up to 150 Westerners went to western Pakistan to receive terrorism training in 2009.⁶⁶ The case of would-be terrorist bomber Najibullah Zazi—an Afghan national and legal U.S. resident arrested in September 2009 after months of FBI surveillance—seemed to demonstrate that such camps continue to operate in Pakistan’s largely autonomous Federally Administered Tribal Areas (FATA), where Zazi is said to have learned bomb-making skills at an Al Qaeda-run compound.⁶⁷

⁶⁰ “Qaeda’s Zawahri Urges Pakistanis to Join Jihad,” Reuters, July 15, 2009; “Al Qaeda Leader Calls for Pakistani Jihad,” Reuters, August 28, 2009.

⁶¹ State Department Press Release, “Roundtable With Senior Pakistani Editors,” October 30, 2009.

⁶² “Bin Laden Not in Pakistan, Prime Minister Says,” *New York Times*, December 4, 2009.

⁶³ Paul Cruickshank, “The Militant Pipeline,” New American Foundation Counterterrorism Strategy Initiative Policy Paper, February 2010.

⁶⁴ “In Military Campaign, Pakistan Finds Hint of 9/11,” *New York Times*, October 30, 2009; “Brown Offers Pakistan Anti-Terror Aid,” *Washington Post*, December 15, 2008.

⁶⁵ “Al Qaeda Could Provoke New India-Pakistan War: Gates,” Agence France Presse, January 20, 2010.

⁶⁶ “Qaeda’s Training Areas in Pakistan Notorious,” *New York Daily News*, September 21, 2009.

⁶⁷ “Zazi-Pakistan Link,” *Christian Science Monitor*, September 25, 2009.

Al Qaeda apparently was weakened in Pakistan in 2009 through the loss of key leaders and experienced operatives. Drone strikes, Pakistani military operations, and internal rifts all combine to degrade the group's capabilities. Pakistan's autumn offensive in South Waziristan appears to have pushed Al Qaeda operatives from that region, and some reporting suggests that Taliban fighters in western Pakistan have become wary of assisting Al Qaeda elements.⁶⁸ The CIA Director claims that improved coordination with Pakistani government and "the most aggressive operation that CIA has been involved in in our history" have forced top Al Qaeda figures even deeper into hiding while disrupting their ability to plan future attacks.⁶⁹ Yet some U.S. officials see the group and its allies rebuilding their damaged infrastructure in 2010. Moreover, while the strategic goals of Al Qaeda and the Quetta shura diverged following the former's relocation into the FATA after 2001, Al Qaeda continues to function as a "force multiplier" for myriad militant groups in western Pakistan, providing manpower, specialized knowledge, propaganda, and general advice.⁷⁰

Threats to Punjab and Sindh

Lahore—the provincial capital of Punjab and so-called cultural heart of Pakistan—was for many years mostly unaffected by spiraling violence elsewhere in the country. This conclusively ended with three major terrorist attacks in less than three months in early 2009.⁷¹ Such attacks heightened the sense of crisis surrounding Pakistan's civilian leaders. Militants from western Pakistan appear intent on attacking Lahore to demonstrate the extent of their capabilities and to threaten the government's writ throughout the country.⁷² Following a May 2009 suicide assault on a government target, Army Chief Gen. Kayani said Pakistan "will not be terrorized" and vowed to press ahead with efforts to "defeat the destabilizing forces that are out to harm the country."⁷³

⁶⁸ "Al Qaeda Weakened as Key Leaders Are Slain in Recent Attacks," Associated Press, September 19, 2009; "Setbacks Weaken Al Qaeda's Ability to Mount Attacks, Terrorism Officials Say," *Los Angeles Times*, October 17, 2009; "US Intelligence Shows Al Qaeda Fleeing South Waziristan – Gates," Reuters, December 11, 2009; "Some U.S. Officials See a Growing Taliban-Al Qaeda Rift," *Los Angeles Times*, March 12, 2010. A senior Al Qaeda figure, said to be the group's third-ranking leader, was reported killed in a missile strike in western Pakistan in May. Known as Saeed al-Masri, the Egyptian national was said to have been Al Qaeda's "chief financial manager" and an original member of the group's Shura leadership council. His death may seriously disrupt links between Al Qaeda's leadership and its foot soldiers ("Al Qaeda Leader Death Undermines Group's Command Structure," *Wall Street Journal*, June 1, 2010).

⁶⁹ "CIA Director Says Attacks Have Hobbled Al Qaeda," *Washington Post*, March 18, 2010.

⁷⁰ "FBI Director: Al Qaeda Spreading, Rebuilding," Associated Press, January 20, 2010; Anne Stenersen, "Al Qaeda's Allies," New American Foundation, April 2010.

⁷¹ On March 3, 2009, about a dozen terrorists attacked the Sri Lankan cricket team with automatic weapons, rockets, and hand grenades as it was being driven through central Lahore. Six players were wounded, and six policemen in another vehicle were killed along with two by-standers. Most or all of the assailants escaped, and the security lapses were a major international embarrassment for the Pakistani state. Then, on March 30, militants loyal to Baitullah Mehsud attacked a police academy in Manawan—near the Indian border and only a few miles from central Lahore—killing eight cadets and wounding scores more before elite commandos secured the facility in a day-long siege. Four extremists were reported killed during the commando raid. Mehsud himself claimed the attack was revenge for U.S.-launched drone attacks in Pakistan. Finally, on May 27, terrorists used automatic weapons and a car bomb in a failed effort to attack the Punjabi headquarters of the ISI. Security personnel apparently prevented the suicide bombers from reaching the target building, but their explosives leveled a neighboring building and the assault left 27 people dead, including an ISI agent, 12 policemen, and several civilian bystanders.

⁷² "Sense of Crisis Deepens in Pakistan After Lahore Attack," Reuters, March 3, 2009; "Why Attack Lahore?," BBC News, March 30, 2009; "Insurgent Threat Shifts in Pakistan," *Washington Post*, March 31, 2009.

⁷³ See the Inter-Service Public Relations May 28, 2009, press release at <http://www.ispr.gov.pk/front/main.asp?o=t> (continued...)

Islamist militants have in recent years been increasing their influence in southern Punjab, where most anti-India groups have originated and where a number of Taliban cells have already been discovered. A 2009 report from the Brussels-based International Crisis Group urged Islamabad to end its effort to differentiate between militant networks and instead move toward a “zero-tolerance” policy, especially with regard to Punjab-based Sunni extremist organizations.⁷⁴ The “Punjabi Taliban,” a loose conglomeration of banned militant groups in the Pakistani heartland, are comparatively better educated and better equipped than their Pashtun countrymen to the west, and are notable for having in many cases enjoyed state patronage in the recent past.⁷⁵ Pakistan’s interior minister claims that 29 Punjabi religious organizations have been banned and that two top terrorist groups—Lashkar-e-Jhangvi and Jaish-e-Mohammed—had essentially joined forces with the Pakistani Taliban.⁷⁶ After Islamist militants were routed in Swat and Malakand in mid-2009, many regrouped in Punjab. According to several Pakistani experts, Punjab has become a major recruiting ground and planning hub for terrorists, and also provides a source of many militants fighting in Afghanistan. Critics contend that the provincial government (run by the national opposition Pakistan Muslim League-Nawaz or PML-N) has turned a blind eye to the spread of militant networks and, in some cases, has even solicited their political support. Militancy in the Pakistani heartland could even present a greater long-term threat than the Taliban.⁷⁷

Extremists also appear to be moving from the FATA to the Sindh province capital of Karachi in large numbers in recent months, exacerbating preexisting ethnic tensions and perhaps forming a new Taliban safe haven in Pakistan’s largest city.⁷⁸ Militants fleeing from battles in Swat and the FATA have sought refuge in Karachi, where some 2,800 have been arrested in government anti-terrorism sweeps. Under threat of expanded U.S. drone strikes on Quetta, senior Afghan Taliban leadership, including Mullah Omar himself, may have moved to Karachi, perhaps even with the support of ISI elements.⁷⁹ The megacity’s sprawling ethnic Pashtun neighborhoods provide ideal hideouts for both Afghan and Pakistani Taliban fighters. Such militants are said to have established “mafia-like” criminal syndicates in Karachi to raise millions of dollars to sustain their insurgencies through kidnaping, bank robberies, and extortion.⁸⁰

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⁷⁴ International Crisis Group, “Pakistan: The Militant Jihadi Challenge,” Asia Report No. 164, March 13, 2009.

⁷⁵ Hasan Abbas, “Defining the Punjabi Taliban Network,” *CTC Sentinel* 2:4, April 2009.

⁷⁶ “Malik Sees Terror Roots in South Punjab,” *Daily Times* (Lahore), May 31, 2010.

⁷⁷ “Militants Regroup in Punjab, Officials Say,” *Financial Times* (London), September 21, 2009; expert quoted in “Pakistani Extremists in Punjab Seen as Rising Threat,” *Los Angeles Times*, August 22, 2009; “Pakistani Taliban Taps Punjab Heartland for Recruits,” *Los Angeles Times*, November 16, 2009; “Conservative Sunni Activism Reemerges in Heart of Pakistan,” *Washington Post*, February 11, 2010 “Militants in the Punjab: Contradictions Galore,” *Friday Times* (Lahore), March 26, 2010; Khaled Ahmed, “Where Sipah Sahaba Rules,” *Friday Times* (Lahore), April 9, 2010.

⁷⁸ “Taliban Find Safe Haven in Pakistan’s Karachi,” Reuters, May 14, 2010. Tensions between political rivals roiled Karachi in January 2010, when a five-day-long spate of political killings left some 41 people dead in targeted attacks. More ethnic conflict in May left at least 17 people dead (“Wave of Political Killings Hits Southern Pakistan,” Associated Press, January 10, 2010; “Factional Clashes in Pakistan’s Karachi; 17 Dead,” Reuters, May 20, 2010).

⁷⁹ “Terrorists From Swat, FATA Active in Karachi: Malik,” *Daily Times* (Lahore), February 10, 2010; “Sheltered in Karachi,” *Newsweek*, December 7, 2009; “In Violent Karachi, Pakistani Insurgency Finds a Haven and a Forge,” *New York Times*, May 22, 2010.

⁸⁰ “Taliban Militants Find Breathing Rooms in Slums of Karachi, Pakistan,” *Los Angeles Times*, February 28, 2010; “Taliban Use Pakistani City as Hub for Lucrative Organized Crime,” *New York Times*, August 29, 2009.

The Swat Valley

Pakistan has since late 2007 faced a “neo-Taliban” insurgency in the scenic Swat Valley of the KPk’s Malakand district, just 100 miles northwest of the capital, where radical Islamic cleric Maulana Fazlullah and some 5,000 of his armed followers sought to impose *Sharia* law. This rebellion against the state was notable as the only with geographic reach beyond the “tribal belt” and in part of Pakistan’s “settled areas” nearer the Indus river plains. Fazlullah, also known as “Maulana Radio” for his fiery (and unlicensed) FM broadcasts, moved to create a parallel government like that established by pro-Taliban commanders in South Waziristan. Some 2,500 Frontier Corps soldiers were deployed to the valley, and the army soon took charge of the counterinsurgency effort at the request of the provincial governor, massing about 15,000 regular troops. By the close of 2007, militant elements in the area were reported to be in retreat, and the Pakistani government claimed victory. Yet, in 2008, with militants still active in Swat, government officials reportedly struck a peace deal. That deal collapsed by mid-year, with sporadic and sometimes heavy fighting in Swat continuing throughout the year. By all accounts, Islamist insurgents greatly expanded their influence in Swat in 2008, and many observers asserted that, by 2009, the state’s writ had completely vanished from the valley. Over the course of 2008, scores of local police officers were killed by insurgents, many of them beheaded, and fully half of the region’s police force reportedly deserted in the face of brutal Taliban assaults.⁸¹

The 2009 Swat Accord and Reactions

By early 2009, the KPk chief minister was calling the Swat problem a full-blown rebellion against the state, and President Zardari himself conceded that militant forces had established a “huge” presence in his country. Shortly after, Zardari reportedly agreed in principle to restore *Sharia* law in the Swat region in a bid to undercut any popular support for the uprising there.⁸² In addition to bringing Islamic law to the entire Malakand division of the KPk (including Swat), the accord, announced in February, included requirements that the Taliban recognize the writ of the state, give up their heavy weapons and refrain from displaying personal weapons in public, denounce suicide attacks, and cooperate with local police forces. In return for such gestures, the government agreed to gradually withdraw the army from the region. Pakistanis appeared to strongly support the government’s move.⁸³ In mid-April, Zardari signed a regulation imposing Islamic law after Parliament passed a resolution recommending such a move.

A White House official was critical of the *Sharia* deal in Swat, saying that solutions to Pakistan’s security problems “don’t include less democracy and less human rights.” A State Department spokesman emphasized that the United States was “very concerned” and maintained a view that

⁸¹ “In Pakistan, Radio Amplifies Terror of Taliban,” *New York Times*, January 25, 2009; Kamila Hyat, “Debacle in Swat” (op-ed), *News* (Karachi), January 22, 2009; “In Pakistan, Swat Valley Cops Give Up Fight,” *Christian Science Monitor*, February 5, 2009.

⁸² “Pakistani Violence Intensifies As Policy Wobbles,” Reuters, February 10, 2009; “Taliban is in ‘Huge’ Amounts of Pakistan: Zardari,” Reuters, February 13, 2009; “Pakistan Restores Islamic Law to Pacify Swat Valley,” Reuters, February 16, 2009.

⁸³ “Secret Details of Swat Peace Accord,” *News* (Karachi), April 11, 2009. According to one scientific opinion survey taken in March, an impressive 80% of Pakistani respondents supported the government’s decision to sign the Swat accord, with nearly that percentage believing the deal would bring peace to the region. A majority (56%) also expressed support for potential future Taliban demands to impose *Sharia* law in major Pakistani cities (see <http://www.iri.org/newsreleases/2009-05-11-Pakistan.asp>).

“violent extremists need to be confronted.”⁸⁴ Prime Minister Gilani dismissed U.S. criticisms by claiming the issue was an internal matter and that his government had no alternatives given the circumstances. Pakistan’s lead diplomat in Washington sought to assure a skeptical American audience that his government was not offering any concessions or ceding any ground to the Taliban, but rather was “attempting to drive a wedge” between Al Qaeda and Taliban militants on the one hand, and an indigenous Swati movement on the other, as part of a “pragmatic” strategy “to turn our native populations against the terrorists.”⁸⁵

Still, most observers saw the deal as a blatant capitulation and unprecedented surrender of territory to a militant minority beyond the FATA, and as part of a disturbing broader trend.⁸⁶ The Human Rights Commission of Pakistan marked it as a day of “humiliating submission” by the government.⁸⁷ A senior independent Pakistani analyst and former army general said the government “has yielded under compulsion at a time when Talibanization is sweeping the country and overwhelming the state.” Even a senior Pakistani Islamist politician, Jamaat Ulema-e-Islam chief Fazlur Rehman, told Parliament that the Taliban were threatening the Pakistani capital. The peace deal was particularly alarming for India, where officials feared it would further exacerbate the existing Islamist militant threat they face.⁸⁸

Accord Fails, Army Moves In

As with past iterations of truce deals in the nearby FATA, the Swat accord was seen to give militants breathing space and an ability to consolidate their gains. Reports immediately arose that Taliban forces were moving into the valley by the thousands to establish training camps in the forests around Mingora, Swat’s largest town.⁸⁹ Fears that, rather than being placated by the truce, militants would use their Swat positions as a springboard from which to launch further forays were quickly confirmed. In April 2009, Taliban forces moved into the neighboring Buner district, now only 60 miles from the Pakistani capital. Local tribal militias put up resistance, but were quickly overwhelmed, and the Pakistani army had no local presence. Within two weeks Taliban forces were said to have taken full control of Buner.⁹⁰

In response, Pakistani paramilitary troops supported by helicopter gunships engaged militants in Buner and Lower Dir. At the same time, the army accused the militants of “gross violations” of the accord.⁹¹ Pakistani commandos were airdropped into Buner’s main town and regained control,

⁸⁴ “US Criticizes Islamic Law Deal in Pakistan,” Associated Press, April 14, 2009; State Department’s April 12, 2009, release at <http://www.state.gov/r/pa/prs/dpb/2009/04/121748.htm>.

⁸⁵ “Gilani Defends Deal With Swat Militants,” *Financial Times* (London), April 20, 2009; Husain Haqqani, “We’re Not Ceding Ground” (op-ed), *USA Today*, February 19, 2009.

⁸⁶ See, for example, Shuja Nawaz, “Wariness in Pakistan” (op-ed), *Boston Globe*, February 22, 2009; Ahmed Rashid, “Pakistan’s Deal With the Devil” (op-ed), *Los Angeles Times*, February 24, 2009.

⁸⁷ HRCP press release, April 14, 2009. London-based Amnesty International warned that the deal could legitimize human rights abuses that have taken place as Taliban influence increases. New York-based Human Rights Watch called the move a “grave threat” to the rights of women, especially (AI press release, February 16, 2009; HRW press release, April 15, 2009).

⁸⁸ Talat Masood, “Implications of the Deal” (op-ed), *News* (Karachi), April 20, 2009; “Taliban Nearing Capital, Warns Fazl,” *News* (Karachi), April 23, 2009; “Pakistan’s Swat Offensive Leaves India Skeptical,” Reuters, May 18, 2009.

⁸⁹ “Truce in Pakistan May Mean Leeway for Taliban,” *New York Times*, March 6, 2009.

⁹⁰ “Pakistani Taliban Begin Imposing Rule in New Area,” Reuters, April 13, 2009; “Buner Falls to Swat Taliban,” *Dawn* (Karachi), April 22, 2009.

⁹¹ Inter-Services Public Relations press release, May 2, 2009, at <http://www.ispr.gov.pk/front/main.asp?o=t-> (continued...)

but heavy fighting forced many hundreds of civilians to flee. The fighting pitted about 15,000 government troops against an estimated 4,000-5,000 militants.

As militants appeared to consolidate their hold on large swaths of the KP, alarm grew in Washington that the Pakistani government may have lacked the will to sustain the fight. Joint Chiefs Chairman Adm. Mullen expressed being “gravely concerned” about the progress made by militants, and he identified Pakistan’s simultaneous pursuit of peace deals and military operations as “strategic moves” that were, from an American perspective, “at cross purposes.”⁹² Secretary of Defense Gates concluded that the Swat agreement’s “failure,” followed by militant movements into neighboring Buner, was a “real wakeup call for the Pakistani government.”⁹³

Heavy combat raged throughout May 2009, with militants putting up strong resistance. When Taliban forces returned in large numbers to Mingora, Swat’s main city, army leaders reportedly resolved to finally abandon negotiations and press ahead with a larger offensive, this time with greater support from the Pakistani public.⁹⁴ By the close of June 2009, the army was claiming to have cleared the last remaining Taliban stronghold in Swat. Nevertheless, sporadic lethal battles continued in the region even as displaced civilians began returning. Reports continued to indicate that anti-government militants were still active in the region; two August suicide bombings were claimed by militants to have been “a gift” to visiting envoy Amb. Holbrooke. By November, however, police patrols were a common sight in Mingora, signaling a return of relative normality to the Valley, and TSNM leader Maulana Fazlullah reportedly fled to Afghanistan.⁹⁵

A senior Pakistani official reportedly claimed the two-month-long Swat offensive left more than 3,500 militants dead, but Islamabad’s official body count stands at about 1,700. There are no independent confirmations of such claims. No top Taliban commanders are known to have been killed or captured and, by many accounts, the military succeeded only in establishing control of Malakand’s urban centers and main roadways.⁹⁶ Particularly skeptical observers suspect that the Pakistani military has vastly over-reported Taliban casualties in a possible effort to impress an American audience and so continue to receive large assistance packages.⁹⁷ Swat residents apparently continue to rely on the military to maintain order and continue to feel insecure in the

(...continued)

press_release&date=2009/5/2.

⁹² “Taliban Advance, Pakistan’s Wavering Worry Obama Team,” *Washington Post*; “U.S. Questions Pakistan’s Will to Stop Taliban,” *New York Times*, both April 24, 2009; “DoD News Briefing With Adm. Mullen From the Pentagon Briefing Room, Arlington, Va.,” May 4, 2009.

⁹³ “Interview With Secretary Gates,” CNN.com, May 3, 2009.

⁹⁴ “The Taliban Tightens Hold in Pakistan’s Swat Region,” *Washington Post*, May 5, 2009; “Pakistani Army Posed for New Push Into Swat,” *New York Times*, May 6, 2009. At one point, the army claimed to have killed up to 200 militants in a single day (see http://www.ispr.gov.pk/front/main.asp?o=t-press_release&date=2009/5/10).

⁹⁵ See the June 4, 2009, press release at http://www.ispr.gov.pk/front/main.asp?o=t-press_release&date=2009/6/4; “Pakistani Troops Clear Taliban Stronghold in Swat,” Reuters, July 1, 2009; “Taliban Resurface in Parts of Buner District,” *News* (Karachi), July 18, 2009; “Taliban Resume Attacks in Swat Valley,” *Wall Street Journal*, July 27, 2009; “Taliban Re-Grouping in Malakand,” *Business Recorder* (Karachi), August 20, 2009; “Taliban Say Bombs ‘A Gift’ to US Envoy,” Associated Press, August 18, 2009; “Police Return to Former Taliban Haven,” BBC News, November 15, 2009.

⁹⁶ Late May reports suggested that Swati insurgent leader Fazlullah was killed in a clash with police in Afghanistan’s Nuristan province (“Pakistani Taliban Commander Reported Killed,” *New York Times*, May 27, 2010).

⁹⁷ “Pakistan’s Victories Over the Taliban: Less Than Meets the Eye,” *Time*, June 1, 2009; “Taliban Losses Are No Sure Gain for Pakistanis,” *New York Times*, June 28, 2009; B. Raman, “The Missing Dead” (op-ed), *Outlook* (Delhi), June 24, 2009.

face of a lingering threat from pro-Taliban militants that the still struggling police forces have found difficult to neutralize. Moreover, efforts to repair the shattered regional economy have yielded limited results and could require at least \$1 billion in state funding.⁹⁸

Pakistan and the Afghan Insurgency

An ongoing Taliban insurgency in Afghanistan and its connection to developments in Pakistan remain matters of serious concern to U.S. policy makers.⁹⁹ It is widely held that success in Afghanistan cannot come without the close engagement and cooperation of Pakistan, and that the key to stabilizing Afghanistan is to improve the longstanding animosity between Islamabad and Kabul. In late 2008, Joint Chiefs Chairman Adm. Mullen said he viewed Pakistan and Afghanistan as “inextricably linked in a common insurgency” and had directed that maps of the Afghan “battle space” be redrawn to include the tribal areas of western Pakistan.¹⁰⁰ As President-elect, Barack Obama asserted that Afghanistan cannot be “solved” without “solving Pakistan” and working more effectively with that country.¹⁰¹ Numerous other senior U.S. officials—both civilian and military—share the view that Pakistan and Afghanistan are best considered as a single “problem set” in the context of U.S. interests.¹⁰² This conceptual mating of the two countries was not well received in Pakistan; President Zardari was himself openly critical of a strategy linking “AfPak,” saying the two countries were too distinct from one another to be “lumped together for any reason.” Pakistani military officials echoed the sentiment.¹⁰³

Still, most independent analysts agree that, so long as Taliban forces enjoy “sanctuary” in Pakistan, their Afghan insurgency will persist (see **Figure 2**). In late 2009, the U.S. Ambassador to Afghanistan, former military commander Karl Eikenberry, warned that, “Pakistan will remain the greatest source of Afghan instability so long as the border sanctuaries remain” and that, “Until this sanctuary problem is fully addressed, the gains from sending additional [U.S.] forces may be fleeting.”¹⁰⁴ Obama Administration intelligence officials continue to inform Congress of a crucial Pakistani link to the Afghan insurgency. According to the U.S. Defense Intelligence Agency director, the FATA “continues to provide the [Afghan] insurgency, Al Qaeda, and terrorist groups with valuable sanctuary for training, recruitment, planning, and logistics. Successful strikes against Al Qaeda and other militant leaders in the FATA have disrupted terrorist activities, but the groups are resilient.”¹⁰⁵ Likewise, former U.S. Director of National Intelligence Dennis Blair told a House panel in early 2010 that,

⁹⁸ “In Pakistan’s Swat, Taliban Still Instill Fear After Defeat,” Reuters, March 22, 2010; “Pakistan Faces Tough Task Rejuvenating Battered Swat,” Reuters, March 25, 2010; “In Swat, Military’s Footprint Endures,” *Washington Post*, April 2, 2010; “Taliban ‘Reappear’ in Swat Valley,” BBC News, April 29, 2010.

⁹⁹ See also CRS Report RL30588, *Afghanistan: Post-Taliban Governance, Security, and U.S. Policy*.

¹⁰⁰ Statement before the House Armed Services Committee, September 10, 2008.

¹⁰¹ See the December 7, 2008, “Meet the Press” transcript at <http://www.msnbc.msn.com/id/28097635>.

¹⁰² “Petraeus: Afghan, Pakistan Problems Are Really One,” Associated Press, January 9, 2009; “National Security Advisor Say Pakistan is Top U.S. Challenge,” *Wall Street Journal*, January 7, 2009.

¹⁰³ “Zardari Rejects Obama’s AfPak Strategy,” *Financial Times* (London), September 10, 2009; “Army Expresses Reservation Over Af-Pak Policy,” *Dawn* (Karachi), September 16, 2009.

¹⁰⁴ “U.S. Envoy’s Cables Show Deep Concerns on Afghan Strategy,” *New York Times*, January 26, 2010.

¹⁰⁵ Statement of Lt. Gen. Ron Burgess, “Transcript: Senate Select Intelligence Committee Holds Hearing on Current and Projected Threats to the United States,” February 2, 2010.

The safe haven that Afghanistan insurgents have in Pakistan is the group's most important outside support. Disrupting that safe haven won't be sufficient by itself to defeat the insurgency, but disrupting insurgent presence in Pakistan is a necessary condition for making substantial progress. ... Islamabad has demonstrated determination and persistence in combating militants that it perceives are dangerous to Pakistan's interests. But it also has continued to provide some support to other Pakistan-based groups that operate in Afghanistan.¹⁰⁶

Independent analysts have likewise continued to claim that targeting Afghan Taliban leaders in Baluchistan is a requirement for curbing the Afghan insurgency.¹⁰⁷

Afghan officials openly accuse Pakistani officials of aiding and abetting terrorism inside Afghanistan. Pakistan's mixed record on battling Islamist extremism includes an ongoing apparent tolerance of Afghan Taliban elements operating from its territory. The "Kandahari clique" reportedly operates not from Pakistan's tribal areas, but from populated areas in and around the Baluchistan provincial capital of Quetta.¹⁰⁸ Many analysts believe that Pakistan's intelligence services have long known the whereabouts of these Afghan Taliban leadership elements and likely even maintain active contacts with them at some level as part of a hedge strategy in the region. Some reports indicate that elements of Pakistan's major intelligence agency and military forces aid the Taliban and other extremists forces as a matter of policy. Such support may even include providing training and fire support for Taliban offensives (see also "Questions About Pakistan's Main Intelligence Agency" below).¹⁰⁹

Pakistani leaders insist that Afghan stability is a vital Pakistani interest. They ask interested partners to enhance their own efforts to control the border region by undertaking an expansion of military deployments and checkpoints on the Afghan side of the border, by engaging more robust intelligence sharing, and by continuing to supply the counterinsurgency equipment requested by Pakistan. Yet, despite efforts by both the Islamabad and Kabul governments to secure it, the shared border remains highly porous, with corrupt border guards allowing more-or-less free movement of militants and smugglers.¹¹⁰ Pakistan has contributed more than \$300 million to Afghan development and reconstruction since 2001.

Pakistani Views on U.S. Strategy in Afghanistan

Given Pakistan's pivotal role in attaining U.S. regional goals, President Obama's December 1, 2009, policy announcement on Afghanistan had major ramifications for Pakistan. The extent to

¹⁰⁶ Transcript: "Senate Select Intelligence Committee Holds Hearing on Current and Projected Threats to the United States," February 2, 2010.

¹⁰⁷ See, for example, Seth Jones, "Take the War to Pakistan" (op-ed), *New York Times*, December 4, 2009.

¹⁰⁸ Mukhtar Khan, "Quetta: The Headquarters of the Afghan Taliban," *CTC Sentinel* 2,5, May 2009.

¹⁰⁹ See, for example, "Killing Ourselves in Afghanistan," *Salon.com*, March 10, 2008. One U.S. military officer claimed that Pakistani military forces flew multiple helicopter missions to resupply Taliban fighters inside Afghanistan's Nangarhar province in 2007. The Islamabad government angrily denied the claims and a former top U.S. military commander in Afghanistan cast doubt on their veracity. In another example, an October 2008 press report claimed that British officials covered up evidence that a Taliban commander killed in Afghanistan in 2007 was in fact a Pakistani military officer ("Pakistani Forces Helped Taliban in 2007: U.S. Lt. Col.," *Defense News*, September 22, 2008; "Taliban Leader Killed by SAS Was Pakistan Officer," *London Sunday Times*, October 12, 2008).

¹¹⁰ See http://www.mofa.gov.pk/Press_Releases/2008/July/PR_208_08.htm; "Even Where Pakistani Law Exists, Taliban Find a Porous Border," *New York Times*, February 5, 2010.

which the Pakistani government was consulted on this issue is not clear, but the key concern in both Washington and Islamabad appears to have been that any new strategy in Afghanistan does nothing to further destabilize Pakistan. Moreover, in late 2009 and early 2010, U.S. officials were increasingly explicit in voicing concerns about Al Qaeda, and the “Quetta shura” and other Afghan-oriented insurgents said to be operating out of western Pakistan, by some accounts with impunity.¹¹¹ In a cautious response to President Obama’s speech, Pakistan’s Foreign Ministry reaffirmed Islamabad’s commitment to uproot regional terrorism and further stabilize Afghanistan, and also expressed a desire to ensure that the new U.S. strategy would cause “no adverse fallout on Pakistan.”¹¹²

Many independent analysts saw problems with the U.S. Afghanistan strategy announced in December. Primary among these was a perception that, with the announcement of a starting date for U.S. withdrawal, the United States was confounding its allies in the region and perhaps preparing to leave them to their own devices.¹¹³ Pakistanis are also concerned that any expansion of the war to include more operations inside Pakistan could further destabilize an already shaky political and economic climate, and even undermine already thin public support for Pakistan’s role. The U.S. government reportedly maintains pressure on Pakistan to expand its military efforts against Islamist militants in western Pakistan on the assumption that such action is needed to ensure the effectiveness of any new strategy and potential U.S. troop increase in Afghanistan. Islamabad has consistently rejected such external prodding, while also undertaking much more energetic military operations. The Pakistani government has been deeply skeptical about the expansion of U.S. combat operations in Afghanistan, fearing that these would push militants across the border into Pakistan’s Baluchistan province and put untenable pressure on its already taxed security forces. To date, there is little persuasive evidence that this has occurred.¹¹⁴ Nevertheless, fears of a spillover of conflict, a possible shift of U.S.-launched drone attacks to include Pakistan’s southwestern regions, and other signs of expanded U.S. operations in Pakistan have many Pakistani observers wary of U.S. policy.¹¹⁵

At the same time, Islamabad is discomfited by signs that the U.S. presence in Afghanistan is not long-term and that the international community may “abandon” the region in ways damaging to Pakistani interests, as was seen to be the case during the 1990s.¹¹⁶ Many analysts see President Obama’s explicit call for U.S. troop withdrawals to begin in July 2011 as a signal to the Pakistani

¹¹¹ See, for example, “U.S. Says Taliban Has a New Haven in Pakistan,” *Washington Post*, September 29, 2009. In September 2009, the U.S. Ambassador to Pakistan proffered that Washington and Islamabad had “different priorities” and that Pakistan was “certainly reluctant to take action” against Afghan Taliban leaders (“Ambassador Criticizes Pakistan Over Extremists,” McClatchy News, September 19, 2009).

¹¹² See the Foreign Ministry’s December 2, 2009, release at http://www.mofa.gov.pk/Press_Releases/2009/Dec/PR_440_09.htm. See also “Pakistanis Voice Concerns About Obama’s New Afghanistan Plan,” *Washington Post*, December 3, 2009.

¹¹³ See the comments of several senior experts at “Coming Up Short on Pakistan,” Council on Foreign Relations, December 14, 2009, at http://www.cfr.org/publication/20967/coming_up_short_on_pakistan.html.

¹¹⁴ In December, Joint Chiefs Chairman Adm. Mullen said, “[I]n fact, there really hasn’t been a significant migration or push, if you will, into Baluchistan” (see the December 8, 2009, Pentagon transcript at <http://www.jcs.mil/speech.aspx?ID=1286>).

¹¹⁵ “Pakistan to US: Don’t Surge in Afghanistan, Talk to Taliban,” *Christian Science Monitor*, November 22, 2009; “C.I.A. Authorized to Expand Use of Drones in Pakistan,” *New York Times*, December 4, 2009; “Between the Lines, an Expansion in Pakistan,” *New York Times*, December 2, 2009.

¹¹⁶ “U.S. Asks More From Pakistan in Terror War,” *New York Times*, November 16, 2009; “US Cautioned Against Hasty Afghan Pullout,” *Dawn* (Karachi), November 15, 2009; “US Woos Skeptical Pakistanis on Afghan Strategy,” Associated Press, November 19, 2009.

(and Afghan) government and Taliban elements, alike, that the United States was most concerned with an exit strategy and may not make a long-term commitment to stabilizing the region. This could even allow the Afghan Taliban to retreat into Pakistan and wait out the American “surge.” According to the Pakistani foreign minister himself, “The Administration’s withdrawal date was music to the ears of the militants and terrorists.”¹¹⁷

The Obama Administration may have addressed these concerns by offering an “expanded strategic partnership” with Pakistan to include additional military, economic, and intelligence cooperation, along with assurances that the United States would remain engaged in Afghanistan and was planning no early withdrawal from that country. The Administration vows to assist Pakistan in the political, economic, and security realms, with the latter to include helping Pakistan to shift its military from a conventional posture to one oriented toward counterinsurgency.¹¹⁸ In a reported personal letter to President Zardari, President Obama may have outlined more specific responsibilities for Pakistan in its partnership with the United States.¹¹⁹

For Islamabad, another key issue is the role the Washington plays in triangular relations between Pakistan, India, and the United States. India’s presence in Afghanistan exacerbates Pakistani fears of encirclement.¹²⁰ Some analysts insist that resolution of outstanding Pakistan-India disputes, especially that over Kashmir, is a prerequisite for gaining Pakistan’s full cooperation in efforts to stabilize Afghanistan. Islamabad remains wary of India’s diplomatic and reconstruction presence in Afghanistan, viewing it as a strategic threat to Pakistan, and is concerned that progress in the U.S.-India “strategic partnership” may come at a geostrategic cost for Pakistan. President Obama did not mention India in his December 1 speech, but the next day the U.S. Ambassador to India issued a statement saying that the core U.S. goal in Afghanistan and Pakistan is an “aspiration we share with India,” and declared that the United States values “the positive role India continues to play in the region, including its significant humanitarian aid to Afghanistan.”¹²¹ According to many Indian analysts, official Pakistan’s unstated aims with regard to Afghanistan are to maintain a Taliban sanctuary in western Pakistan, keep Afghanistan’s security forces small in size, and curtail “natural” India-Afghanistan links.¹²²

London Conference and Moves Against the Afghan Taliban in Early 2010

When leaders from 60 countries met in London in late January 2010 to discuss Afghanistan stabilization efforts, Pakistani officials expressed a keen and largely unexpected interest in promoting Afghan peace through a mediator role in any anticipated negotiations. In fact, Islamabad had for some time been pressing the U.S. government to seek negotiation with Taliban figures. Pakistani leaders believe they could serve as effective brokers in such potential contacts. Even some Pakistani analysts contend that, until the United States develops a strategy that

¹¹⁷ “Pakistan Fears It May Pay Price of U.S. Surge,” Reuters, December 3, 2009; Trudy Rubin, “How Players View Obama Plan” (op-ed), *Philadelphia Inquirer*, December 6, 2009; Qureshi quoted in “Pakistani Minister: Obama’s Plan Emboldens Terrorists,” *Washington Examiner*, March 12, 2010.

¹¹⁸ “Press Briefing by Senior Administration Officials on the President’s West Point Speech,” White House Press Release, December 1, 2009, at <http://www.whitehouse.gov/the-press-office/press-briefing-senior-administration-officials-presidents-west-point-speech>.

¹¹⁹ “U.S. Offers New Role for Pakistan,” *Washington Post*, November 30, 2009.

¹²⁰ “India Befriends Afghanistan, Irking Pakistan,” *Wall Street Journal*, August 19, 2009.

¹²¹ U.S. Embassy Press Release, December 2, 2009, at <http://newdelhi.usembassy.gov/pr120209.html>.

¹²² See, for example, “Cornered in Kabul,” *India Today* (Delhi), March 15, 2010.

recognizes Pakistan's "preeminent role" in Afghanistan, tensions between Washington and Islamabad will persist.¹²³ The Pakistani offer to mediate is controversial, given Afghans' mistrust of their eastern neighbors, yet could also prove fruitful due to Islamabad's historical links with the Taliban. Some analysts attributed the Pakistani shift to "a combination of self-interest and fear," with Islamabad hoping that a future power-sharing arrangement in Kabul that includes the Taliban would be friendlier to Pakistani interests. Still, some U.S. officials responded favorably, with Central Command chief Gen. Petraeus welcoming Pakistan's "constructive involvement" in reaching out to Afghan Taliban elements open to reconciliation.¹²⁴

In the opening months of 2010, the Afghan Taliban's top military commander and key aide to Mullah Omar, Mullah Abdul Ghani Baradar, was captured in a joint ISI-CIA operation in Karachi. Baradar's arrest, which appears to have been the result of happenstance rather than design, may have signaled a change in Pakistani strategy, a new willingness to pursue Afghan Taliban leaders long believed to find sanctuary on Pakistani soil, and newly intensive bilateral intelligence collaboration between the United States and Pakistan.¹²⁵ Within days, two other Taliban "shadow governors" of northern Afghan provinces were captured in Pakistani cities, and a fourth senior Taliban figure arrested in the NWFP, bolstering the perception that a new Pakistani strategy was at hand. By one accounting, Pakistani authorities arrested seven of the Afghan Taliban's top fifteen leaders during the month of February.¹²⁶ The developments served to confirm the Afghan Taliban's presence in Karachi, where a fifth notable figure—the finance minister under Taliban rule—was reported captured in March, and the new pressure may be forcing other Taliban leaders to spread out into cities across Pakistan in an effort to evade capture.¹²⁷

Skeptical observers have contended that U.S. officials should not view the ISI's new moves against Afghan Taliban elements as indicative of a major strategic shift in Pakistan; they consider Pakistan's geopolitical incentives to preserve the Taliban remaining unaltered. By some accounts, Pakistani elements "orchestrated" the Baradar arrest to facilitate talks with "willing" Taliban commanders so as to pave the way for reconciliation negotiations. Cynics contend that the ISI's motives may simply have been to thwart any anticipated negotiations.¹²⁸ Analysts also point to continuing Pakistani inaction against the Haqqani group, the LeT, and other militant anti-India elements as evidence that Pakistan's security services are continuing to manipulate and make use of Islamist extremists as part of their regional strategy.¹²⁹ There are conflicting reports on

¹²³ "Despite U.S. Pressures, Pakistan Continues to Follow Its Own Road," McClatchy News, October 22, 2009; Ejaz Haider, "Turn the Page," *Friday Times* (Lahore), October 30, 2009.

¹²⁴ "Pakistan Seeks Role as Mediator in Possible Taliban-Afghanistan Peace Talks," *Washington Post*, January 28, 2010 (Pakistan later expanded its offer to include assisting in the training of Afghan security forces); "Petraeus Lauds Pakistan Appeal to Afghan Taliban," Reuters, February 3, 2010.

¹²⁵ "Holbrooke Hails Pakistan-U.S. Collaboration on Taliban," *New York Times*, February 18, 2010. A reported CIA request to take custody of Baradar was rejected by Pakistani authorities, who did not allow U.S. interrogators access to the Taliban leader for some two weeks. Pakistani officials later said they would hand Baradar over to Afghan authorities, but did not provide a timeframe for the move ("CIA Said to Seek Custody of a Seized Taliban Chief," *Los Angeles Times*, February 20, 2010; "Pakistan to Hand Taliban Chief to Kabul," *Financial Times* (London), February 24, 2010).

¹²⁶ "Captured Taliban Chief Saying Little," Associated Press, February 18, 2010; "Pakistan Arrests More Afghan Taliban – Why the About-Face?," *Christian Science Monitor*, February 18, 2010; "Half of Afghanistan Taliban Leadership Arrested in Pakistan," *Christian Science Monitor*, February 24, 2010.

¹²⁷ "Arrests Force Taliban Flight," *Wall Street Journal*, March 11, 2010.

¹²⁸ "How Significant is Mullah Baradar's Arrest?," BBC News, February 16, 2010 "Pakistan's Arrest of Top Taliban Undermines Afghanistan," *Time* (online), March 22, 2010.

¹²⁹ See, for example, Ashley Tellis, "Baradar, Pakistan, and the Afghan Taliban: What Gives?," Carnegie Endowment (continued...)

whether or not direct access to and interrogations of Baradar have produced useful intelligence for U.S. officials.¹³⁰

In a public show of friendship, Prime Minister Gilani hosted Afghan President Karzai in Islamabad in mid-March, but it is not clear if Karzai's widely suspected mission—to solicit Pakistani help in pursuing conciliatory gestures toward the Taliban—was successful, and serious policy differences are believed to remain.¹³¹

U.S./NATO Supply Routes

With roughly three-quarters of supplies for U.S. troops in Afghanistan moving either through or over Pakistan, insurgents in 2008 began more focused attempts to interdict NATO supply lines, especially near the historic Khyber Pass connecting Peshawar with Jalalabad, Afghanistan. Such efforts have left scores of transport and fuel trucks destroyed, and numerous Pakistani drivers dead. Near the end of 2008, the Pakistani military reported launching a major offensive in the Khyber agency aimed at securing the supply route, which was temporarily closed during the height of the fighting. Despite the Pakistani effort to secure the gateway to the Khyber Pass, sporadic interdiction attacks continue to date.

U.S. military officials claim that attacks on supply routes have a negligible effect on combat operations in Afghanistan, with less than 2% of the cargo moving from the Karachi port into Afghanistan being lost to “pilferage,” and with stockpiled supplies that could last 60-90 days in the event of a severing of the supply chain.¹³² Nevertheless, in the latter half of 2008 the U.S. military began testing alternative routes, concentrating especially on lines from Central Asia and Russia. Moscow at first would allow only non-lethal NATO supplies to Afghanistan to cross Russian territory, and later agreed to allow U.S. troops and weapons to fly into Afghanistan through Russian airspace as sought by NATO. Still, conflict between Tajikistan and Uzbekistan has disrupted the flow of supplies through central Asia.¹³³

Pro-Taliban Militants in the Tribal Agencies

Fighting between Pakistani government security forces and religious militants intensified in 2008. Shortly after former Prime Minister Benazir Bhutto's December 2007 assassination, the Pakistan

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for International Peace Policy Outlook, March 2010; Steve Coll, “Don't Look Back,” *New Yorker*, February 22, 2010; David Kenner, “Three Huge Ways Pakistan Still Isn't Cooperating,” *Foreign Policy* (online), February 18, 2010. See also “U.S. Doubts Islamabad's Will to Pursue Militants,” *Financial Times* (London), March 10, 2010

¹³⁰ “Taliban No. 2 Interrogations Yield Useful Intel: U.S.,” Reuters, April 20, 2010; “Pakistan Seen Restricting Data Obtained From Mullah,” *Washington Times*, May 18, 2010.

¹³¹ “Afghanistan and Pakistan Pledge Cooperation,” *New York Times*, March 11, 2010.

¹³² “US Plays Down Impact of Convoy Attacks in Pakistan,” Reuters, December 8, 2008. In April 2009, Centcom Commander Gen. Petraeus told a House panel that between February 15 and March 15 of that year roughly 3,600 NATO cargo containers went through the Khyber Pass and only about 1% of these was damaged or destroyed in transit (“House Armed Services Committees Holds Hearing on the New Strategy for Afghanistan and Pakistan,” CQ Transcripts, April 2, 2009).

¹³³ “Pentagon Seeks New Afghan Supply Routes,” *Financial Times* (London), September 23, 2008; “U.S. Secures New Supply Routes to Afghanistan,” *New York Times*, January 21, 2009; “Russia Lets U.S. Fly Troops, Weapons to Afghanistan,” Reuters, July 6, 2009; Central Asia Dispute Disrupts NATO Afghan Supplies,” Reuters, May 26, 2010.

army undertook a major operation against militants in the South Waziristan agency assumed loyal to Baitullah Mehsud, who was named as a suspect in that killing. Occasionally fierce fighting continued in that area throughout 2008 and into 2009, when a full-blown ground operation was launched to take control of the region. In 2008, the provincial governor claimed Mehsud oversaw an annual budget of up to \$45 million devoted to perpetuating regional militancy. Most of this amount was thought to be raised through narcotics trafficking, although pro-Taliban militants also sustain themselves by demanding fees and taxes from profitable regional businesses such as marble quarries. The apparent impunity with which Mehsud was able to act caused serious alarm in Washington, where officials worried that the power and influence of his loyalists were only growing.¹³⁴ Mehsud was killed in a mid-2009 drone attack, but his “Pakistani Taliban” has fought on under new leadership. Analysts also continue to view Pakistan’s tribal areas as being a crucial safe haven for continued Al Qaeda plotting and training.¹³⁵ An April 2009 assessment by the FATA Secretariat calculated that conflict in the tribal areas alone has cost the Pakistani government more than \$2 billion.¹³⁶

The Pakistani Taliban

The Tehrik-i-Taliban Pakistan (TTP) emerged as a coherent grouping in late 2007 under Baitullah Mehsud’s leadership. This “Pakistani Taliban” is said to have representatives from each of Pakistan’s seven tribal agencies, as well as from many of the “settled” districts abutting the FATA. There appears to be no reliable evidence that the TTP receives funding from external states. The group’s principal aims are threefold: (1) to unite disparate pro-Taliban groups active in the FATA and KP; (2) to assist the Afghan Taliban in its conflict across the Durand Line; and (3) to establish a Taliban-style Islamic state in Pakistan and perhaps beyond. As an umbrella group, the TTP is home to tribes and sub-tribes, some with long-held mutual antagonism. It thus suffers from factionalism. In 2008, the Islamabad government formally banned the TTP due to its involvement in a series of suicide attacks in Pakistan. After the August 2009 death of Baitullah, leadership passed to Hakimullah Mehsud (no relation). Upon the October 2009 launch of major Pakistani military operation against the TTP’s South Waziristan bases, this new Mehsud was believed to directly command 5,000-10,000 militants, with the total TTP force comprised of up to 35,000 armed militants.¹³⁷

Militancy in western Pakistan is not coherent, and Taliban forces there are riven by deep-seated tribal rivalries that may prevent the TTP from ever becoming a truly unified force. Some analysts believe that, by pursuing sometimes contradictory military strategies in the region, the United States and Pakistan have missed a chance to exploit such divisions. According to this argument, U.S.-launched missile strikes have a unifying effect on the militants and so undermine the Pakistani strategy of driving a wedge between various Islamist factions.¹³⁸ In 2009, U.S.

¹³⁴ “Mehsud Spending Up to 3bn on Militancy Annually: Ghani,” *Daily Times* (Lahore), May 30, 2008; “Pakistan Marble Helps Taliban Stay in Business,” *New York Times*, July 14, 2008; “Taliban Leader Flaunts Power Inside Pakistan,” *New York Times*, June 2, 2008.

¹³⁵ See, for example, Barbara Sude, “Al Qaeda Central,” New American Foundation Counterterrorism Strategy Initiative Policy Paper, February 2010.

¹³⁶ “Cost of Conflict in FATA,” FATA Secretariat Planning and Development Department, April 2009, at <http://www.fata.gov.pk/downloads/costconflict.pdf>.

¹³⁷ “Tehrik-e-Taliban Pakistan (TTP),” *Jane’s World Insurgency and Terrorism*, April 29, 2010; Hassan Abbas, “A Profile of the Tehrik-i-Taliban Pakistan,” *CTC Sentinel*, January 2008.

¹³⁸ “Tribal Tribulations – The Pakistani Taliban in Waziristan,” *Jane’s Intelligence Review*, January 13, 2009; Mona Kanwal Sheikh, “Disaggregating the Pakistani Taliban,” DIIS Brief, September 2009, at (continued...)

intelligence agencies reportedly launched a major effort to examine potential fault lines within the Islamist militant groups of western Pakistan with an eye toward exploiting rifts with diplomatic and economic initiatives, a strategy associated with Gen. Petraeus that realized successes in Iraq.¹³⁹ Some scholars argue, however, that the Taliban is not nearly as fragmented as many believe, but rather is a decentralized organization, and that distinctions between Pakistani and Afghan networks are largely arbitrary.¹⁴⁰

The Demise of Baitullah Mehsud

Founding TTP chief Baitullah Mehsud was apparently killed in a U.S.-launched missile strike on August 5, 2009. Later that month, militants declared that Hakimullah Mehsud, a 28-year-old with a reputation for brutality and risk-taking, would be the new TTP chief.¹⁴¹ Baitullah's elimination was seen as a major victory for both Pakistani and U.S. interests, and a psychological blow to the Pakistani Taliban. Yet it did not lead to any reduction of militancy in Pakistan, given that leading operational commanders remained active and attacks on government and civilian targets became even more common.

By successfully targeting the primarily anti-Pakistani government Baitullah, U.S. officials may have sought greater Pakistani action against Pakistan-based, Afghan-oriented militants such as Mullah Omar and Sirajuddin Haqqani. Baitullah's death was seen by some as presenting an opportune time to apply maximum pressure on TTP militants, but Pakistani military officials continued to defer, saying they suffered from serious equipment shortages and needed "months" to create the right conditions for a FATA offensive. Some U.S. officials became concerned that vital momentum would be lost in the interim.¹⁴²

Pakistani Military Operations in the Tribal Agencies

The Pakistan army has deployed up to 150,000 regular and paramilitary troops to western Pakistan in response to the surge in militancy there. Their militant foes have employed heavy weapons in more aggressive tactics, making frontal attacks on army outposts instead of the hit-and-run skirmishes of the past. Pakistan has sent major regular army units to replace Frontier

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http://www.diis.dk/graphics/Publications/Briefs2009/Disaggregating_Pakistani_Taliban.pdf.

¹³⁹ "US Probes Divisions Within Taliban," *Boston Globe*, May 24, 2009.

¹⁴⁰ See, for example, Antonio Giustozzi, "One or Many? The Issue of the Taliban's Unity and Disunity," Pakistan Security Research Unit Brief No. 48, April 23, 2009.

¹⁴¹ "Doubts Cast on Taliban Leadership," BBC News, August 23, 2009; "New Baitullah on the Bloc," *Jane's Terrorism and Security Monitor*, September 3, 2009. Press reports indicated that a violent power struggle followed Baitullah's death, with an apparent exchange of gunfire between Hakimullah and rival commander Waliur Rehman. For some time after, many observers mistakenly believed Hakimullah had been killed. In January 2010, Hakimullah was believed to have been killed in a drone strike on a militant compound in South Waziristan. He later appeared in a video, thus confirming his escape ("Pakistani Taliban Confirm Leader's Death," *Los Angeles Times*, February 10, 2010; "Video Shows Taliban Boss Alive," Associated Press, May 3, 2010).

¹⁴² "Strike on Mehsud Could Spur Stronger US-Pakistan Cooperation," *Christian Science Monitor*, August 7, 2009; "Pakistan Taliban Leader's Purported Death Opens Window of Opportunity," *Los Angeles Times*, August 17, 2009; Ahmed Rashid, "Now Pakistan Must Strike While the Iron is Hot" (op-ed), *Evening Standard* (London), August 24, 2009; "Pakistan Needs 'Months' for Waziristan Push: General," Reuters, August 18, 2009.

Corps soldiers in some areas near the Afghan border and has deployed elite, U.S.-trained and equipped commandos to the tribal areas.

Major battles with militants have concentrated on three fronts: the Swat valley (see above), and the Bajaur and South Waziristan tribal agencies. Yet all seven tribal agencies and adjacent regions have been affected by conflict. In late 2008 and early 2009, Taliban forces also spread their activities into the relatively peaceful Orakzai agency, the only in the FATA that does not border Afghanistan. Moreover, an unprecedented January 2009 attack on a Frontier Corps outpost in the Mohmand agency by some 600 Taliban militants represented an unusual reversal in that the militants had crossed into Pakistan from Afghanistan, signaling increased coordination by Taliban units spanning the border.¹⁴³

Sporadic, but oftentimes major military operations in the FATA have been ongoing since 2008, with Pakistani authorities sometimes reporting significant militant casualties, although these claims cannot be corroborated. Civilians are often killed in the fighting, and millions have been forced from their homes. Nevertheless, the Pakistani military has reported that many FATA tribal leaders are fully supportive of the army's efforts there.¹⁴⁴ Analysts warned that the FATA would present a battlefield very different from that found in the Swat Valley. The oftentimes treacherous mountain terrain replete with caves was seen to favor the Taliban's guerilla tactics over a conventional force such as the Pakistan military. Some counterinsurgency experts cast doubt on the Pakistan army's ability to hold ground seized in offensive operations and predicted that militants would quickly re-infiltrate into "cleared" areas of the FATA.¹⁴⁵

Bajaur

"Operation Sher Dil," launched in Bajaur in September 2008, reportedly caused the deaths of more than 1,500 militants and some 100 soldiers before Pakistani officials declared it successfully completed five months later. Still, pessimistic analysts viewed the gains from such operations as temporary and predicted that widespread militant presence in Bajaur and neighboring regions was apt to continue in the future. On this account, the pessimists were proven right.

A new peace agreement was signed with Bajaur's tribal elders, but it appears that the bulk of militant forces repositioned themselves, and the army's heavy bombardments may have alienated large segments of the local population. Some 8,000 Pakistani troops were backed in Bajaur by helicopter gunships and ground attack jets. The Frontier Corps' top officer estimated that militant forces in the agency numbered about 2,000, including foreigners. The fighting apparently attracted militants from neighboring regions and these reinforced insurgents were able to put up surprisingly strong resistance, complete with sophisticated tactics, weapons, and communications systems, and reportedly made use of an elaborate network of tunnels in which they stockpiled weapons and ammunition.¹⁴⁶ Although sporadic fighting continues in Bajaur to date, there are

¹⁴³ "Orakzai Becomes New Haven for Taliban," *Daily Times* (Lahore), February 4, 2009; "46 Die in Taliban Attack on Pakistani Troops," *New York Times*, January 12, 2009.

¹⁴⁴ See for example, the Inter-Services Public Relations' February 7, 2009, press release at http://www.ispr.gov.pk/front/main.asp?o=t-press_release&date=2009/2/7.

¹⁴⁵ "Waziristan a Tough Nut for Pakistani Forces," *Los Angeles Times*, July 22, 2009; David Kilcullen, "For Answers to the Afghan-Pakistan Conflict, Ask: What Would Curzon Do?" (op-ed), *Spectator* (London), July 18, 2009.

¹⁴⁶ "28-Point Bajaur Peace Accord Signed," *News* (Karachi), March 10, 2009; "Pakistan Regains Control of Remote Area, For Now," *New York Times*, March 9, 2009.

indications that most militant strongholds in the agency have fallen into government hands, with the strategic town of Damadola reclaimed in February 2010 and official Pakistani claims of victory in the agency a month later.¹⁴⁷

South Waziristan

In May 2009, President Zardari told an interviewer “We’re going to go into Waziristan ... with army operations.”¹⁴⁸ Weeks later, Pakistani security forces apparently opened a new front for offensive operations in the northwest. In mid-month, some 800 militants reportedly moved into the Bannu region abutting the two Waziristan tribal agencies, only 90 miles southwest of Peshawar. The army responded with artillery and helicopter gunship assaults on Taliban positions. Operations were then expanded into South Waziristan with multiple strikes by fixed-wing aircraft in direct response to Taliban-launched suicide attacks in Pakistani cities.

The KPK governor announced that the federal government was preparing to begin military operations targeting Baitullah Mehsud and his loyalists in South Waziristan, with army troops massing in surrounding areas. Within days, the troops were reported to have virtually surrounded Mehsud-controlled areas (on the Pakistani side of the international border). Islamabad ramped up pressure by posting large monetary rewards for information leading to the death or capture of Mehsud and his deputies. A military blockade of Mehsud’s strongholds and weeks of near-constant airstrikes against his fighters’ positions weakened Taliban forces in South Waziristan, yet the assassination of a key pro-government tribal leader there demonstrated that Mehsud remained a potent enemy able to violently suppress local opposition.¹⁴⁹

Still, more than four months after Zardari’s vow, no offensive ground operation was underway. Islamabad officials pointed to the unexpectedly large internally displaced person (IDP) problem in the region as causing the delay, but independent observers again began to doubt Pakistani determination. At the same time, the interim months also saw the Pakistan air force increasing its combat missions over the FATA, employing better surveillance to more effectively target militants while avoiding excessive civilian casualties. America-supplied F-16 aircraft figured prominently in this campaign. By early October, Pakistani officials issued statements that sufficient troops and equipment were in place for a now imminent offensive operation.¹⁵⁰

On October 16, 2009, after being briefed by top military officials, Pakistan’s civilian leadership gave the go-ahead for about 30,000-40,000 security forces to launch their long-awaited ground offensive—code-named “Operation Rah-e-Nijat” or “Path of Salvation”—on three fronts in South Waziristan. The early days of fighting saw Pakistani forces facing heavy resistance and even some reversals. After one week, less than 100 militants were reported to have been killed.¹⁵¹ By

¹⁴⁷ Mukhtar Khan, “Bajaur Agency: The New Landscape of Insurgency in FATA,” *CTC Terrorism Monitor*, 8, 5, February 4, 2010; “Security Forces Declare Final Victory in Bajaur,” *Daily Times* (Lahore), March 3, 2010.

¹⁴⁸ “Pakistan to Attack Taliban in Bin Laden’s Lair,” *Sunday Times* (London), May 17, 2009.

¹⁴⁹ “Pakistan Treads Warily as New Fight Looms,” *Washington Post*, June 29, 2009.

¹⁵⁰ “Delayed Offensive Wears at Pakistan’s Antiterror Credibility,” *Christian Science Monitor*, July 24, 2009; “Pakistan’s Air War More Against Taliban Grows More Precise,” *New York Times*, July 30, 2009; “Officials: Pakistan Army to Take on S. Waziristan,” Associated Press, October 2, 2009.

¹⁵¹ “Kayani, Pasha Brief Top Politicians on Security,” *Daily Times* (Lahore), October 17, 2009; “Pakistan Launches Full-Scale Offensive,” *Washington Post*, October 17, 2009; “Taliban Retakes Town as Pakistan Offensive Runs Into Trouble,” McClatchy News, October 20, 2009; “Hope Fades for Quick Victory Over Taliban,” *Financial Times*, (London), October 23, 2009.

early November, however, Pakistani troops took control of Kaniguram, a town believed to be a stronghold of Uzbek militants, as well as the Ladha Fort that had been captured by TTP forces in August 2008. About one month after the operation's start, officials were reporting that all major militant bases in South Waziristan had been cleared, although they acknowledged that thousands of militants had been able to escape into the remote surrounding terrain. Indeed, only 548 militants were said to have been killed, and another 17 captured, only a small percentage of the 8,000 or more in the region at the battle's onset. Moreover, all notable Taliban commanders appear to have escaped.¹⁵²

These militant leaders vowed to sustain a long-term guerrilla war and responded with new attacks on Pakistani cities, thus significantly eroding perceived gains by the government and military. Nevertheless, by January 2010's end, Pakistani military leaders were declaring that their forces had "broken the back of terrorists in South Waziristan." While the Waziristan offensive reportedly left numerous militants and Pakistani soldiers dead, and the army in control of all of the region's main towns, the bulk of the insurgent forces appear to have retreated into other havens unscathed. Indeed, reports indicate that the Pakistani victory is not so clear cut as portrayed by military spokesmen, and that most of the militants are likely to have escaped to North Waziristan.¹⁵³ By many accounts this agency—home to the Haqqani network and the TTP forces of Hafiz Gul Bahadar, among others—is the most important haven for both Afghan- and Pakistan-oriented militants. It may also represent a more threatening haven for global jihadists than did pre-2001 Afghanistan.¹⁵⁴

Other Agencies

As noted above, Islamist militant groups are active in all seven of the FATA agencies, and Pakistani military operations have been undertaken against them in six (all but North Waziristan). Government forces have engaged a sporadic, but sometimes deadly campaign against Khyber agency militants; the Frontier Corp's September 2009 effort to secure the area near the strategic Khyber Pass reportedly left more than 100 militants dead.¹⁵⁵ In mid-April, at least 73 civilians were killed when a Pakistani jet targeting insurgents bombed their village in a remote regional of the Khyber agency; the army issued a formal apology. Moreover, heavy militants losses have been reported in Orakzai, where pitched battles and government air strikes are ongoing. Government troops reportedly took control of Lower Orakzai in mid-April after killing about 350 militants in the area.¹⁵⁶

¹⁵² "Pakistan Army Eager to Show Progress in Fight Against Taliban," *Washington Post*, November 17, 2009; "Pakistan Makes Gains in South Waziristan," *Financial Times* (London), November 19, 2009; "Pakistan Taliban Regroups," *Los Angeles Times*, November 26, 2009; "Big Pakistan Offensive Has Failed to Nab Any Taliban Leaders," McClatchy News, November 24, 2009. Some of the fleeing militants may have crossed into Afghanistan to fight U.S.-led coalition forces there, although this was discounted by U.S. commanders ("Pakistani Taliban Claims an Influx," Associated Press, December 24, 2009).

¹⁵³ "Pakistani Army's Victories Fail to Halt Taliban Blows," *New York Times*, December 16, 2009; "Army Has Broken Terrorists' Back in Swat, Waziristan," *Daily Times* (Lahore), January 29, 2010; "Pakistani Offensive Turns Into a Test of Wills," *New York Times*, March 12, 2010.

¹⁵⁴ See Anand Gopal, Mansur Khan Mahsud, and Brian Fishman, "The Battle for Pakistan: Militancy and Conflict in North Waziristan," New America Foundation, April 2010; "On the Run, Pakistan Militants Find New Haven," Associated Press, April 21, 2010; Ahmed Rashid, "Terrorism's New Hub in Pakistan" (op-ed), *Washington Post*, May 5, 2010.

¹⁵⁵ "Pakistani Military Kills 22 Militants in Helicopter Attack," *Financial Times* (London), September 12, 2009.

¹⁵⁶ "Pakistan Seizes Second Tribal Zone in Anti-Taliban Offensive," Bloomberg News, April 15, 2010.

Yet Pakistani officials continue to demur on requests that the military move into what many consider the “final” militant haven of North Waziristan, saying they need to consolidate the areas newly under their control.¹⁵⁷ The Pakistani army is reported to have some 40,000 troops in North Waziristan, but is seen by the Pentagon as unlikely to launch the kind of “steamroller” operation there as was undertaken in South Waziristan. Secretary Gates has described the situation as analogous to the United States being in the passenger seat and Pakistan being “behind the wheel;” Pakistani officials are the ones who will “determine the direction and the speed of their operations.”¹⁵⁸ Some reports suggest that a “clear” operation has been underway since March. It is widely assumed that any eventual ground offensive into North Waziristan will be of limited scope, involving occasional forays from heavily fortified Pakistani army positions in the main town of Miranshah. There are concerns that a major push could scatter militants across Pakistan and cause a backlash in the form of increased terrorism.¹⁵⁹

Analysis of Pakistani Military Operations

The Pakistani military’s large-scale domestic air and ground operations are unprecedented in the country’s history and, for many observers, reflect a new recognition among Islamabad’s civilian and military leaders, alike, that pro-Taliban militants had become a dire threat to Pakistan’s security and stability. With the military successes in Malakand and Swat, a meaningful shift in public opinion supporting government counterinsurgency efforts, and the killing of Baitullah Mehsud and several other Taliban leaders, some saw reason for cautious optimism about trends in Pakistan in 2009. Indeed, the ground offensives launched that year garnered much praise from U.S. and other Western observers; U.S. Central Command chief Gen. David Petraeus called the counterinsurgency operations in Swat and South Waziristan “quite impressive” and said the tactics used would be studied for years to come.¹⁶⁰

Pakistan’s security services have made tremendous sacrifices in post-2001 efforts to combat Islamist extremism. According to Pakistani military sources, the country has lost more soldiers fighting militants since 2004 (more than 2,400) than has the entire U.S.-led coalition fighting in Afghanistan since 2001. Pakistan also has deployed more troops to these operations (about 150,000) than has that coalition.¹⁶¹ Western Pakistan presents an extremely daunting landscape in which to conduct offensive military operations. Mountain warfare gives huge advantages to the defense, constraining attack and mobility options, limiting the role of artillery and air power, and obstructing resupply and reinforcement, among many other challenges. Along with this treacherous geography, the constantly morphing stew of militant groups in the region cannot be

¹⁵⁷ “Pakistan Resists Call to Squeeze Taliban,” *Financial Times* (London), March 17, 2010; “Pakistan Push in N. Waziristan Needs Time – General,” Reuters, May 10, 2010.

¹⁵⁸ “DOD Background Briefing With a Senior Military Official from the Pentagon,” March 29, 2010, at <http://www.defense.gov/transcripts/transcript.aspx?transcriptid=4594>; analogy in the Defense Department’s May 6, 2010, transcript at <http://www.defense.gov/transcripts/transcript.aspx?transcriptid=4620>.

¹⁵⁹ “Pakistani General: Al Qaeda-Taliban Haven to Be Cleared by June,” McClatchy News, March 31, 2010; “How Will Pakistan Handle North Waziristan?,” Reuters, May 11, 2010; “Pakistan Push Could Spark Firestorm, Some Warn,” McClatchy News, May 23, 2010.

¹⁶⁰ “In Pakistan, Cautious Optimism for the Future,” Associated Press, September 21, 2009; “U.S. Commander Lauds Pakistani Efforts on Militants,” Reuters, February 23, 2010.

¹⁶¹ “Pakistan Army Pays Heavy Price in Taliban War,” *New York Times*, May 20, 2010.

tackled without a large body of government-friendly informants, a cadre badly diminished by a relentless militant campaign to root out and execute “spies.”¹⁶²

Concerns about the capacity of Pakistani institutions and authorities to sustain and consolidate gains persist and are centered on questions about military effectiveness and political reform. Moreover, from a U.S. perspective, there remain reasons to be skeptical about the regional strategy being pursued by Pakistani leaders. With regard to military capacity, observers note that, from the perspective of “textbook counterinsurgency doctrine,” Pakistan may not be able to bring to bear sufficient security forces to secure the FATA and KPK in the long term. One assessment finds a shortfall of perhaps 400,000 troops to meet the minimum force-to-population ratio called for by the doctrine. Even in the most optimistic scenario, with a major redeployment of some 250,000 troops away from the Indian border, this assessment concludes that Pakistan still has insufficient manpower to meet the standard of 20-25 troops for every 1,000 inhabitants.¹⁶³

Pakistan’s security forces appear to remain heavily reliant on overwhelming conventional force to fight insurgents and have yet to demonstrate a meaningful ability to administer cleared areas long enough to restore normal civil governance. The Swat Valley offers an important test case of Islamabad’s counterinsurgency strategy in this regard, and many experts fear that in the absence of a comprehensive, “population-centered” approach, the army’s tactical gains in 2009 may have little long-term benefit. There are, however, signs that the army’s efforts in the Bajaur tribal agency have employed “smarter” counterinsurgency (COIN) strategies.¹⁶⁴

Some analysts remain convinced that, in the absence of meaningful political reforms in conflict-affected areas, the spread of Islamist militancy in the FATA will not be halted, with one report contending that, “the military’s resort to indiscriminate force, economic blockade, and appeasement deals is only helping the Taliban cause.”¹⁶⁵ In August 2009, President Zardari announced that his government would lift a long-standing ban on political party activity in the FATA with the intention of normalizing the region’s administrative structures and integrating them into Pakistan’s mainstream. It would also amend the controversial Frontier Crimes Regulation. Yet, many months later, no action had been taken, and Zardari’s spokesman said that the announced reforms would only come “when the situation improves.”¹⁶⁶ In January 2010, Islamabad announced a relief package for conflict-affected areas of the FATA, including tax concessions, rebates on duties, and utility bill waivers. The package also called for a 1% boost in the share of federal funds allocated for the KPK. Meanwhile, the central government announced that it would transfer administrative responsibility in South Waziristan to a group of more than 500 Mehsud tribe elders who unanimously agreed with a government proposal.¹⁶⁷

¹⁶² “Challenges of Mountain Warfare in Pakistan,” Reuters, May 10, 2010; “Pakistan Tribal Region No Simple Target,” *Los Angeles Times*, May 24, 2010

¹⁶³ Sameer Lalwani, “Pakistani Capabilities for a Counterinsurgency Campaign: A Net Assessment,” New American Foundation, September 2009, at <http://www.newamerica.net/files/NAFPakistanSept09.pdf>.

¹⁶⁴ See Stephen Cohen and Shuja Nawaz, “Mastering Counterinsurgency: A Workshop Report,” Brookings Institution, July 7, 2009, at http://www.brookings.edu/papers/2009/0707_counterinsurgency_cohen.aspx; “Haider Ali Hussein Mullik, “Lions and Jackals,” *Foreign Affairs* (online), July 15, 2009, at <http://www.foreignaffairs.com/articles/65200/haider-ali-hussein-mullick/lions-and-jackals>.

¹⁶⁵ “Pakistan: Countering Militancy in FATA,” International Crisis Group Asia Report No. 178, October 21, 2009, at <http://www.crisisgroup.org/home/index.cfm?id=6356>.

¹⁶⁶ “FATA Reforms to Be Implemented When Situation Improves,” *Daily Times* (Lahore), January 28, 2010.

¹⁶⁷ “Gilani Announces relief Package for KPK, FATA,” *Daily Times* (Lahore), January 8, 2010; “Pakistan Sets Security Deal With Tribesmen in Taliban War Zone,” Bloomberg News, January 21, 2010.

Perhaps most importantly for U.S. interests, Pakistan's regional strategy may not yet be fully compatible with that of the U.S. or neighboring governments. As the Pakistani military continued its summer-long build-up in South Waziristan, some analysts became concerned that its commanders were setting what were, in Washington's view, overly narrow objectives in targeting Baitullah while leaving untouched other Taliban groups operating in the FATA. The army's strategy appeared to seek isolation of the Mehsud faction of the TTP by keeping other regional militant commanders on the sidelines of the battle. These primarily are Wazir tribesmen, traditional South Waziristan rivals of the Mehsuds, led by Maulvi Wazir, the North Waziristan faction under Hafiz Gul Bahadar, and the Haqqani group, also in North Waziristan, and are in some accounts considered to be "pro-government Taliban."¹⁶⁸ Indeed, to the extent that the Pakistani military's motives were limited to ending the Mehsud faction's ability to launch attacks inside Pakistan, they may not have sufficiently coincided with the U.S. aim of ending the region's status as an Al Qaeda safe haven from which attacks inside Afghanistan and potentially on Western/U.S. targets can be plotted and launched. Because Pakistani forces were targeting domestically-focused militants, analysts did not foresee see the offensive as being likely to benefit the U.S.-led effort in Afghanistan.¹⁶⁹

Internally Displaced Persons (IDPs)

Violence between Pakistani security forces and religious militants in northwestern Pakistan beginning in the first half of 2008 and continuing to date has driven millions of civilians from their homes and caused a humanitarian crisis of major proportions. Estimates of the total number of Internally Displaced Persons (IDPs) ranged from 1.9 million to 3.5 million at the May 2009 peak, a significant discrepancy that in part reflects the difficulty of identifying and reaching a population that is scattered in villages, remote areas, and urban environments.¹⁷⁰ A U.N. report showed Pakistan having the highest number of IDPs in the world in 2009 at nearly 3.5 million, three times as many as second-place Congo.¹⁷¹ About half of the displaced have been children.

Less than 10% of the IDPs were reported to be staying in U.N.-run camps; the remainder found haven with friends, relatives, or in "spontaneous shelters." Those in camps faced extremely difficult conditions.¹⁷² In July, Islamabad announced that safe return to the Malakand district was possible and that the military would remain in the area to provide security until local police forces

¹⁶⁸ "Analysis: Waziristan Operation to Focus on Baitullah Mehsud," *Long War Journal*, June 17, 2009; "Pakistan Taliban Unity," *Jane's Terrorism and Security Monitor*, July 3, 2009. Although the North Waziristan Taliban faction led by Bahadar had abandoned a truce with the government in June 2009 and then ambushed an army convoy killing more than two dozen soldiers, the Pakistan military declined to take any major action against it. In the Khyber agency, Islamist militants of the banned Lashkar-e-Islam group led by Mangal Bagh do not align themselves with the TTP, but did later come under threat by Pakistani officials ("'You Are Next Mangal Bagh': Rehman Malik," *Dawn* (Karachi), September 13, 2009).

¹⁶⁹ "Why South Waziristan Offensive Won't Help US in Afghanistan," *Christian Science Monitor*, October 18, 2009.

¹⁷⁰ According to one report, nearly half of the estimated 450,000 residents of the Mehsud territories of South Waziristan were driven from their homes by conflict in early 2008. The Pakistani military effort in Bajaur ran from mid-2008 to early 2009; some 300,000 refugees reportedly fled the region ("Pakistan Lifts Veil on Not-So-Secret Waziristan War," *Reuters*, May 20, 2008; "War on Taliban Sparks Refugee Crisis," *Sunday Times* (London), November 16, 2008).

¹⁷¹ "Pakistanis Suffered Most Displacement in 2009 – Report," *Reuters*, May 17, 2010.

¹⁷² "Pakistan: More Than Two Million People Living Outside Displacement Camps Face Appalling Conditions," Amnesty International press release, July 2, 2009. The "invisible refugees" sheltered outside official camps placed a crushing burden on the country's already insufficient infrastructure ("Pakistan's 'Invisible Refugees' Burden Cities and Families' Hospitality," *New York Times*, June 18, 2009).

could reassemble. Some aid officials argued that returning the displaced while the security situation remained fluid could present new problems. Despite such warnings, by the end of August up to 1.6 million IDPs were reported to have returned home in the region.¹⁷³

The South Waziristan offensive of autumn 2009 exacerbated the IDP crisis, adding some 300,000 new displaced, and ongoing conflict in the Bajaur and Orakzai agencies has driven hundreds of thousands of more from their homes. At the time of writing, the U.N. High Commission for Refugees counts roughly one million IDPs in the KPK, the great majority of these from the FATA. Less than one in five are now residing in official camps; 83% are within host communities. Those displaced from South Waziristan and Bajaur currently account for about half of the total.¹⁷⁴

The U.S. emergency response to Pakistan's IDP crisis has been significant. In May 2009, Secretary of State Clinton announced that some \$110 million in urgent U.S. humanitarian aid would flow into Pakistan, to include relief kits, tents, radios, and generators to provide light and water, along with many thousands of tons of wheat and other basic foodstuffs. Amb. Holbrooke later vowed an additional \$200 million in urgent assistance to address the problem. As of April 2010, USAID had provided about \$430 million in related humanitarian relief funds in FY2008-FY2010 to date, much of this in the form of emergency food aid channeled through the World Food Program.¹⁷⁵ Despite this American largesse, the United Nations has warned that a severe lack of funds is hampering regional relief programs.¹⁷⁶

Pakistan's IDP refugee crisis provided the U.S. government with an opportunity to demonstrate its professed humanitarian concerns for the Pakistani people and so perhaps reverse widespread public hostility toward the United States. Yet Islamist charities have been active in the relief effort and by some accounts are using the opportunity to forward an anti-Western agenda, potentially turning public sentiment against Islamabad's cooperation with the United States. Such a tack is facilitated by the near-total absence of an overt U.S. "footprint" due to still-pervasive anti-American sentiments, despite America's status as the leading contributor of international relief funds. Sensitive to being too closely associated with an unpopular ally, Pakistani authorities reportedly have not allowed American aid workers or aircraft to distribute humanitarian aid at IDP camps, thus denying potential public diplomacy gains and leaving open a space in which extremist groups such as the banned Jamaat-ud-Dawa (JuD, now operating as Falah-i-Insaniat) could influence opinion without "competition."¹⁷⁷

U.S. Joint Chiefs Chairman Adm. Mike Mullen lauded the Pakistani army for learning from previous failed campaigns against the Taliban and for dealing effectively with the problem of

¹⁷³ "Refugees From Fighting Can Return, Pakistan Says," *New York Times*, July 10, 2009; "Over 80 Pct of Pakistan's War-Displaced Return Home," Reuters, August 27, 2009.

¹⁷⁴ UNHCR, "Update of IDP Operation and Orakzai Agency," May 2010. The origination breakdown is as follows: South Waziristan – 27%, Bajaur – 22%, Malakand – 20%, Mohmand – 13%, Orakzai – 12%, and Kurram – 6%.

¹⁷⁵ See the State Department's press release at <http://www.state.gov/secretary/rm/2009a/05/123640.htm> and a June 3, 2009, press release at <http://islamabad.usembassy.gov/pr-09060301.html>; April 9, 2010, USAID fact sheet at http://www.usaid.gov/our_work/humanitarian_assistance/disaster_assistance/countries/pakistan/template/fs_sr/fy2010/pakistan_ce_fs07_04-09-2010.pdf.

¹⁷⁶ "U.N. Sounds Alarm on Pakistan Aid Funding," Reuters, April 30, 2010.

¹⁷⁷ "In Pakistani Relief Camps, Charities Press Anti-U.S. View," *New York Times*, July 2, 2009. The JuD—a nominally charitable organization—is identified as a continuation of the banned Lashkar-e-Taiba (LeT) with a new name. The LeT, a U.S.-designated terrorist organization, has been held responsible for numerous deadly attacks inside both Pakistan and India, including the November 2008 gun and bomb assault on Mumbai that left some 173 people dead.

IDPs. Yet poor civil-military coordination appears to have hindered humanitarian relief efforts. Numerous independent analysts strongly urged the Islamabad government and the international community to ensure that relief and reconstruction efforts are overseen by civilian authorities so as to best empower displaced communities in determining their own needs and priorities.¹⁷⁸

Questions About Pakistan's Main Intelligence Agency

The Inter-Services Intelligence Directorate (ISI) is Pakistan's main intelligence agency. Close U.S. links with the ISI date back at least to the 1980s, when American and Pakistani intelligence officers oversaw cooperative efforts to train and supply Afghan "freedom fighters" who were battling the Soviet Army. Yet mutual mistrust has been ever-present and, in 2008, long-standing doubts about the activities and aims of the ISI compounded.¹⁷⁹ Some analysts label the ISI a "rogue" agency driven by Islamist ideology that can and does act beyond the operational control of its nominal administrators. Yet most conclude that the ISI, while sometimes willing to "push the envelope" in pursuing Pakistan's perceived regional interests, is a disciplined organization that obeys the orders of its commanders in the Pakistani military.¹⁸⁰

A 2002 statement by the then-British foreign secretary noted the British government's acceptance of "a clear link" between the ISI and Pakistan-based terrorist groups including the LeT, JeM, and Harakat Mujahideen.¹⁸¹ A former French judge has claimed that the Pakistani government once ran training camps for the LeT with the CIA's knowledge. He contends the two intelligence agencies had an agreement that Pakistan would not allow foreign militants to train at an LeT camp "run by the Pakistani military."¹⁸² The Afghan government claims to have evidence of ISI complicity in both an April 2008 assassination attempt on President Karzai and in the July 2008 bombing of India's Kabul Embassy. New Delhi joined Kabul in accusing the ISI of involvement in the latter attack. Islamabad countered that, despite repeated demands, neither neighbor provided evidence supporting the "unsubstantiated allegations."¹⁸³ The top Afghan intelligence official has reported to his government that the ISI provides material support to Taliban commanders based in Quetta.¹⁸⁴ The ISI may even have maintained contacts with Baitullah Mehsud, possibly tipping off the Taliban commander when Pakistani army forces get any fixes on his position.¹⁸⁵ Even some retired, U.S.-trained Pakistani military officers are suspected of

¹⁷⁸ See, for example, Maleeha Lodhi, "Winning the Peace" (op-ed), *News* (Karachi), June 2, 2009, Rasul Bakhsh Rais, "Securing Victory" (op-ed), *Daily Times* (Lahore), June 2, 2009; Sherry Rehman, "Malakand: The Next Test" (op-ed), *News* (Karachi), June 6, 2009.

¹⁷⁹ "When Spies Don't Play Well with Their Allies," *New York Times*, July 20, 2008.

¹⁸⁰ See, for example, "The ISI and Terrorism: Beyond the Accusations," Council on Foreign Relations Background, July 9, 2008. In an episode that only brought embarrassment for Pakistan's civilian government, a July 2008 effort to bring the ISI under the formal control of the Interior Ministry was reversed only hours after its announcement, fueling speculation that the Pakistani military does not intend to relinquish its traditionally primary role in foreign and national security policy making ("Spy Agency Confusion in Pakistan," *BBC News*, July 27, 2008; "Pakistan Puts Move to Rein in Spies on Ice," *Reuters*, August 5, 2008).

¹⁸¹ See the June 2002 British Foreign Office press release at http://www.fco.gov.uk/resources/en/news/2003/10/fco_nst_100602_strawindpak.

¹⁸² "French Magistrate Details Lashkar's Global Role," *Reuters*, November 13, 2009; "Famed French Judge Bruguiere Tells of Troubled Pakistan," *Los Angeles Times*, November 4, 2009.

¹⁸³ "Pakistan 'Behind Afghan Attacks,'" *BBC News*, July 14, 2008; "India Blames Pakistan in Embassy Bombing," *Associated Press*, July 21, 2008; http://www.mofa.gov.pk/Spokesperson/2008/Aug/Spokes_13_08_08.html.

¹⁸⁴ "Afghan Official: Pakistan Spy Agency Aided Taliban Militants," *Associated Press*, March 27, 2009.

¹⁸⁵ "Meusud's Friends in High Places," *Newsweek*, April 13, 2009.

continuing to recruit, train, and finance Islamist insurgents. One, known as “Colonel Imam,” is among those believed to serve as a “quasi-official bridge” to Taliban leaders.¹⁸⁶

In 2008, a top U.S. intelligence official reportedly presented evidence to Pakistani officials that ISI agents were providing assistance to militant elements who undertake attacks in Afghanistan. Specifically mentioned was an alleged relationship between ISI agents and members of the Haqqani network believed based in the FATA and named as responsible the Kabul embassy bombing. U.S. counterterrorism officials do not appear to believe that senior Pakistani leaders have sanctioned aid to the Haqqani network, but suspect that local and retired ISI operatives are complicit.¹⁸⁷ Islamabad angrily rejected such reports as “baseless and malicious,” but the federal information minister did concede that some individuals within ISI “probably” remain “ideologically sympathetic to the Taliban” and act out of synch with government policy.¹⁸⁸ In 2010, Afghan officials were again accusing the ISI of lethal malfeasance inside their country, this time involving a May suicide bombing in Kabul that killed six NATO soldiers.¹⁸⁹

In September 2008, the Islamabad government named a new ISI chief, Lt. Gen. Ahmed Shuja Pasha, who had served as director general of military operations since 2005. Pasha, said to be close with Gen. Kayani, is identified as a professional soldier who takes the threat of Islamist extremism seriously. Although little is known about this intelligence chief, his appointment was met with cautious optimism by the Bush Administration.¹⁹⁰ Later that year, the civilian government disbanded the ISI’s political wing, which was widely suspected of manipulating domestic political outcomes over a period of decades. Foreign Minister Qureshi said the move would free the ISI to concentrate on counterterrorism efforts.¹⁹¹ In March 2010, Gen. Kayani granted an unusual one-year extension to Gen. Pasha’s term under “compulsory retainment.”

U.S. suspicions about the ISI have not receded. A book by a senior *New York Times* reporter cited a May 2008 U.S. signals intelligence intercept in which Pakistan’s Army Chief allegedly referred to terrorist leader Jalaluddin Haqqani as a “strategic asset.”¹⁹² U.S. officials have fingered Pakistan’s military intelligence agency as actively supporting the Afghan Taliban with money, supplies, and planning guidance. A Pakistan Foreign Ministry spokesman said the relevant press report conveyed “flawed” assumptions about Pakistan’s intent.¹⁹³ Secretary of Defense Gates later told an Afghan interviewer that “the ISI’s contacts with some of these extremist groups [such as those led by Hekmatyar, Haqqani, and others] are a real concern for us.” In fact, the period coinciding with the public release of the newly seated Obama Administration’s regional strategy saw a spate of senior U.S. military officers issuing accusations of ongoing ISI support the

¹⁸⁶ “Former Pakistani Officer Embodies a Policy Puzzle,” *New York Times*, March 3, 2010.

¹⁸⁷ “C.I.A. Outlines Pakistan Links With Militants,” *New York Times*, July 30, 2008; “Pakistan’s Dangerous Double Game,” *Newsweek*, September 22, 2008.

¹⁸⁸ “Pakistan Denies ‘Malicious’ Report on CIA Confrontation,” *Agence France Presse*, July 30, 2008; Sherry Rehman quoted in “Pakistan Concedes Some ISI Spies Sympathetic to Taliban,” *Los Angeles Times*, August 2, 2008.

¹⁸⁹ “Afghan Spy Agency Accuses Pakistan,” *New York Times*, May 24, 2010.

¹⁹⁰ “The Mystery Spymaster,” *Newsweek*, October 13, 2008; “Pakistan Picks New Chief for Intelligence Agency,” *Washington Post*, September 29, 2008.

¹⁹¹ “Pakistan Disbands Political Wing of Spy Agency,” Reuters, November 23, 2008.

¹⁹² David Sanger, *The Inheritance* (Harmony Books, 2009).

¹⁹³ “Afghan Strikes by Taliban Get Pakistan Help, U.S. Aides Say,” *New York Times*, March 26, 2009; http://www.mofa.gov.pk/Spokesperson/2009/March/Spokes_26_03_09.htm.

regional militants.¹⁹⁴ As recently as September 2009, the former top U.S. commander in Afghanistan, Gen. Stanley McChrystal, was accusing ISI elements of materially aiding insurgent groups that attack coalition forces in Afghanistan, and there appears to be an ongoing conviction among U.S. officials that the Afghan Taliban's sanctuaries in Pakistan have allowed them to sustain their insurgency and that elements of the ISI have continued to support them.¹⁹⁵

Pakistani officials repeatedly provide assurances that no elements of the ISI are cooperating with militants or extremists. In May 2009, a State Department spokesman indicated that the United States takes such officials "at their word."¹⁹⁶ A late 2009 *Los Angeles Times* report indicated that the ISI's cooperation with U.S. intelligence agencies has been instrumental in the capture or killing of numerous militant fugitives, and that covert U.S. rewards for such assistance is valued in the hundreds of millions of dollars, accounting for as much as one-third of the entire ISI budget. According to this report, despite holding deep misgivings about the ISI, U.S. intelligence officials recognize no alternative but to work with them.¹⁹⁷

Shifts in Pakistani Public Attitudes

Over the past one or two years, Pakistani public sentiments toward both Islamist militancy and the United States appear to have grown measurably less favorable.¹⁹⁸ During the first several months of 2009, the FATA-based Taliban launched numerous suicide bombings and other terrorist attacks across Pakistan in retaliation for the army operations against their allies in Swat. They took responsibility for multiple bomb explosions and warned people to evacuate several large cities, saying major attacks would be forthcoming. Taliban militants and their allies had been terrorizing the people of western Pakistan for some time before 2009, but they may have gone one step too far by quickly violating the Swat accord with incursions into neighboring districts. Moreover, in April 2009, video footage of Taliban militants in Swat flogging a teenaged girl accused of having an affair was widely viewed on television and the internet, and contributed to turning public sentiment against the extremists. Available evidence now strongly indicates a major shift in Pakistani public attitudes toward religious militancy and extremism has occurred, with a majority of citizens now supporting military operations that were only recently and for many years seen to have come only at the behest and in the interests of the United States.

Anti-American sentiments and xenophobic conspiracy theories remain rife among ordinary Pakistanis, however. A Pew Research Center survey released in June 2010 showed only 17% of Pakistanis holding a favorable opinion of the United States, as low a percentage as in any of the 22 countries surveyed, and roughly the same as in the three previous years.¹⁹⁹ Many across the spectrum of Pakistani society express anger at U.S. global foreign policy, in particular when such policy is perceived to be unfriendly or hostile to the Muslim world (as in, for example, Palestine, Afghanistan, and Iraq). Allegations of U.S. malfeasance inside Pakistan abound. The alleged

¹⁹⁴ See the April 2009 Pentagon transcript at <http://www.defenselink.mil/transcripts/transcript.aspx?transcriptid=4392>; "American Leverage in South Asia," BBC News, March 30, 2009.

¹⁹⁵ "U.S. Says Pakistan, Iran Helping Taliban," *Los Angeles Times*, September 22, 2009; "Taliban Widen Afghan Attacks From Base in Pakistan," *New York Times*, September 24, 2009.

¹⁹⁶ See <http://www.state.gov/r/pa/prs/dpb/2009/05/122798.htm>.

¹⁹⁷ "CIA Says It Gets Its Money's Worth From Pakistani Spy Agency," *Los Angeles Times*, November 15, 2009.

¹⁹⁸ "Poll: Pakistanis Oppose Taliban, Still Revile US," Associated Press, August 13, 2009.

¹⁹⁹ See the survey results at <http://www2.lse.ac.uk/IDEAS/programmes/transatlanticProgramme/pdf/pewGlobal.pdf>.

presence of thousands of American security contractors in Pakistan is a key focal point of the paranoia.²⁰⁰ Fears that private contractors were pouring into Pakistan has added to the growing sense that a larger American footprint has potentially sinister aspects. U.S. plans to significantly expand its embassy compound in Islamabad only fuel theories among Pakistanis convinced that Americans are seeking to dominate their country.²⁰¹ A November 2009 U.S. press report claimed that employees of the private security contractor Blackwater—now called Xe Services—work closely with U.S. Special Operations anti-terrorism missions on Pakistani soil, by at least one account in a Pentagon effort to bypass congressional oversight. While in Pakistan in January, Secretary of Defense Gates made a statement inadvertently fueling rumors of Blackwater’s presence there; Pentagon clarifications did not fully repair the damage.²⁰²

Pakistan, Terrorism, and U.S. Nationals

Attempted Times Square Bombing

Long-standing worries that American citizens were being recruited and employed in Islamist terrorism by Pakistan-based elements have become more concrete in recent months. In May 2010, a naturalized U.S. citizen of Pakistani origin, Faisal Shahzad, was arrested on charges related to the attempted detonation of a large, but crudely-constructed car bomb in New York City on May 1. The Pakistani Taliban claimed responsibility for the attempted bombing, calling it an act of vengeance for the killing of two Iraqi Al Qaeda leaders in April, but later withdrew the claim and denied even knowing the suspect. Shahzad himself reportedly confessed to having received bomb-making training in “Waziristan,” although later reports indicate the training took place in the nearby Mohmand tribal agency.²⁰³ He also told investigators he drew inspiration from radical Muslim cleric Anwar al-Awlaki, a Yemeni-American fugitive believed hiding in Yemen. Eight days after Shahzad’s arrest, Attorney General Eric Holder Jr. said investigators had “developed evidence that shows the Pakistani Taliban was behind the attack.”²⁰⁴

Pakistani authorities made numerous arrests and detentions in connection with the Times Square case. These include an unnamed man believed connected with the TTP who claims to have aided Shahzad in traveling to the FATA; the owner of an Islamabad catering company that organized

²⁰⁰ “Pakistan: Conspiracy Talk Stokes Anti-American Sentiment,” *Time*, February 16, 2010; “U.S. is a Top Villain in Pakistan’s Conspiracy Talk,” *New York Times*, May 25, 2010; “Blackwater Major US Operative in NWFP: Mehmood,” *Nation* (Lahore), February 7, 2010; “9,000 Blackwater Personnel in Islamabad: Fazl,” *Daily Times* (Lahore), February 8, 2010.

²⁰¹ “U.S. Push to Expand in Pakistan Meets Resistance,” *New York Times*, October 6, 2009; “Hysteria Over New US Embassy” (editorial), *News* (Karachi), August 18, 2009; “Pakistanis Looks on U.S. Embassy Plans With Suspicion,” *Los Angeles Times*, September 25, 2009. See also “Anti-Americanism Rises in Pakistan Over U.S. Motives,” McClatchy News, September 7, 2009.

²⁰² Jemery Scahill, “Blackwater’s Secret War in Pakistan,” *Nation*, November 23, 2009; “Gates Confronts Pakistani Reports of U.S. Plots, and Fuels a Rumor,” *Wall Street Journal*, January 23, 2010; “Gates Faux Pas Opens the Door to Criticism,” *Dawn* (Karachi), January 24, 2010; “When Things Go Boom in the Night, Pakistanis Blame Blackwater,” *Christian Science Monitor*, February 19, 2010.

²⁰³ “Pakistani Taliban Claim Failed New York Bomb Attack,” Reuters, May 2, 2010; “NY Bomb Suspect Said to Admit Plot, Pakistan Training,” Reuters, May 4, 2010; “Times Sq. Suspect is Linked to Militant Cleric,” *New York Times*, May 7, 2010. It is not clear if Shahzad was in South Waziristan, which has been mostly cleared by the Pakistani military, or North Waziristan, a terrorist haven not yet taken on by official Pakistan.

²⁰⁴ “Pakistani Taliban Linked to Times Square Bomb,” *Washington Post*, May 10, 2010.

events for American diplomats; an Islamabad computer business owner suspected of providing Shahzad with up to \$15,000 to finance the attack; and a Pakistan army major said to have had cellphone contact with Shahzad just before the attempted bombing.²⁰⁵ A senior Pakistani official said another among those detained in Pakistan was Mohammed Rehan, identified as head of the Peshawar branch of the Pakistan-based Jaish-e-Mohammed (JeM) terrorist group, who allegedly traveled to Peshawar with Shahzad in July 2009.²⁰⁶ The FBI has pursued leads that individuals in Massachusetts and Maine may have helped Shahzad with financing.

Other Recent Cases

In December 2009, federal prosecutors charged David Headley, a Chicagoan convert to Islam, with traveling to Mumbai five times from 2006 to 2008 as scout for the late 2008 Mumbai terrorist attack by the Pakistan-based Lashkar-e-Taiba (LeT) terrorist group; he subsequently pleaded guilty to the charges. Headley's case is perhaps the first in which a former Pakistani military officer has been directly linked to terrorism suspects in the United States. Headley and a Pakistan-born Chicagoan, Tahawwur Rana, are suspected of having reported to Abdur Rehman, a retired Pakistani major suspected of being an LeT contact. Headley also interacted with Ilyas Kashmiri, a possible former Pakistani special forces commando with close ties to Al Qaeda. Kashmiri was subsequently indicted by a federal court for abetting a plot to attack the offices of a Danish newspaper that had published cartoon depictions of the Prophet Mohammed.²⁰⁷ The Indian government continues to petition Washington for direct access to Headley as part of its own investigative efforts.²⁰⁸

Just days after Headley was charged, Pakistani authorities arrested five young American men reported missing from their homes in northern Virginia. The men's families had contacted the FBI, fearing they were intent on joining jihadi groups inside Pakistan. The Muslim men are believed to have had extensive coded email contacts with a Taliban recruiter and with the chief of an Al Qaeda-linked Pakistani terrorist group, the Harakat-ul-Jihad-al-Islami (HuJI). A Pakistani judge barred their deportation back to the United States, and the police chief in Sargodha, the city of their arrest, stated that the Taliban intended to use the men to carry out attacks inside Pakistan. The men deny this and claimed to only be seeking to "help the helpless Muslims." In March, the court charged the five with financing and plotting terrorist attacks. If found guilty, they could be jailed for life.²⁰⁹

Other Americans have received terrorist training in western Pakistan, including Bryant Neal Vinas, who was in the region in 2008 and later confessed to plotting a bomb attack against the

²⁰⁵ "Man Claims He Aided Times Square Suspect," *Washington Post*, May 14, 2010; "Embassy Caterer Arrested in Times Sq. Bombing," *New York Times*, May 21, 2010. The army major, said to have been forced to retire due to his ties to banned extremist groups, was later released and cleared of allegations ("Pakistan Frees Man Once Tied to N.Y. Bomb Plot," *Chicago Tribune*, May 31, 2010).

²⁰⁶ "U.S. to Seek Pakistan's Aid in N.Y. Probe," *Washington Post*, May 6, 2010. Shahzad comes from a respected Peshawar family; his father is a retired Pakistan Air Force Vice Marshal who may have personally known Baitullah Mehsud ("Times Square Bomb Suspect Had Ties to Key Pakistani Militants," *Los Angeles Times*, May 8, 2010).

²⁰⁷ "Terror Probe Leads FBI to India, Pakistan," *Los Angeles Times*, December 13, 2009.

²⁰⁸ India to Write to US for Access to Headley," *Economic Times* (Mumbai), April 17, 2010.

²⁰⁹ "Five From Northern Virginia Had Months of Contact With Taliban, Officials Say," *Washington Post*, December 12, 2009; "Pakistan: 5 Va. Men Dealt With Top Militant," Associated Press, April 18, 2010; "Pakistan Court Indicts Five Americans With Terrorism," Agence France Presse, March 17, 2010.

Long Island Railroad in New York. After traveling to Lahore, Mohmand, North Waziristan, and Peshawar, Vinas reportedly became a full-fledged member of Al Qaeda. In 2009, he pleaded guilty to all charges against him, including receiving military-type training from a foreign terrorist organization.²¹⁰

U.S. Government Response

Senior U.S. government officials have recognized increasing evidence of links between Pakistan, terrorism, and U.S. nationals. When asked if, even in light of the Times Square bombing attempt, she was “comfortable with the cooperation” from Pakistan, Secretary Clinton replied,

Well, no, I didn't say that. I said that we've gotten more cooperation and it's been a real sea change in the commitment we've seen from the Pakistani government. We want more. We expect more. We've made it very clear that if, heaven forbid, an attack like this that we can trace back to Pakistan were to have been successful, there would be very severe consequences.²¹¹

Such stern warnings from senior U.S. officials in the wake of the Times Square incident are considered a departure from the more gentle prodding Pakistani leaders received from the Administration in the past, and the episode has served to highlight persistent mistrust that clouds the bilateral relationship. In mid-May, President Obama dispatched his national security advisor and CIA director to Pakistan, reportedly to press officials there for more aggressive military action in the tribal areas.²¹² Centcom commander Gen. Petraeus has opined that, by further illuminating the extremist threat, the failed Times Square bombing attempt could serve to strengthen the U.S.-Pakistan relationship.²¹³

A successful terrorist strike inside the United States that is traced back to Pakistani sources is apt to lead to more direct U.S. military intervention in that country. The Pentagon reportedly has stepped up a review of options for a unilateral strike in Pakistan under “extreme circumstances” such as a catastrophic attack. Such an effort would likely rely on air and missile strikes, but could also involve small Special Forces units already positioned near the border in Afghanistan.²¹⁴

U.S.-Pakistan Counterterrorism Cooperation

The spread of Islamist militancy in Pakistan has elicited acute U.S. government attention, multiple high-level visits, and increasingly large amounts of security-related assistance.²¹⁵ The *New York Times* reported that, during President G.W. Bush's second term, the U.S. military used secret authority to carry out covert attacks against Al Qaeda and other militants in several countries, including Pakistan.²¹⁶ Then-President Musharraf rejected suggestions that U.S. troops

²¹⁰ “From Long Island to Lahore: The Plot to Bomb New York,” CNN.com, May 15, 2010.

²¹¹ See the May 9, 2010, State Department transcript at <http://www.state.gov/secretary/rm/2010/05/141659.htm>.

²¹² “A Key Partnership, Marked By Mistrust,” *Washington Post*, May 10, 2010; “Top U.S. Officials Traveling to Pakistan,” *Washington Post*, May 18, 2010.

²¹³ Cited in “Shared Goals for Pakistan's Militants” (interview), Council on Foreign Relations, May 6, 2010.

²¹⁴ “Options Studied for a Possible Pakistan Strike,” *Washington Post*, May 29, 2010.

²¹⁵ See also “U.S. Security Assistance” section below.

²¹⁶ “Secret Order Lets U.S. Raid Al Qaeda in Many Countries,” *New York Times*, November 10, 2008.

could be more effective than Pakistanis in battling militants, saying a direct U.S. military presence in Pakistan was neither necessary nor acceptable. Upon assuming the presidency, Asif Zardari warned that Pakistan “will not tolerate the violation of [its] sovereignty and territorial integrity by any power in the name of combating terrorism.” He, too, insisted that, with the provision of U.S. intelligence, Pakistani forces are better suited to combating terrorists in the border region.²¹⁷ Past U.S. military incursions into Pakistan (see below) put tremendous pressure on both Islamabad’s civilian government and on the country’s military. Pakistan’s Ambassador to the United States warned that such attacks are counterproductive to the extent that they turn Pakistani public opinion against the counterterrorism effort.²¹⁸

Joint Security Initiatives/Programs

In the face of “red lines” precluding direct U.S. military operations inside Pakistan, American policy has concentrated on improving intelligence collection and sharing among U.S., Pakistani, and Afghan services, and on bolstering the Pakistani military’s own counterinsurgency capabilities. In 2003, a U.S.-Pakistan-Afghanistan Tripartite Commission was established to bring together military commanders for regular discussions on Afghan stability and border security. Officers from NATO’s International Security Assistance Force in Afghanistan have since joined the body, which met for the 30th time in January 2010. The United States has built coordination and intelligence-sharing centers on the Afghan side of the shared border. Two such Border Coordination Centers (BCCs) are operating and more are being considered.

Hundreds of millions of dollars of U.S. aid has been devoted to training and equipping more than 8,000 paramilitary Frontier Corps (FC) troops who operate in Pakistan’s two western provinces. A task force of U.S. military advisors and technical specialists has been working in Pakistan since the summer of 2008; by mid-2010, their numbers had grown to about 200. The American soldiers are reported to be joining their Pakistani trainees in the field for the “hold and build” phases of their domestic counterinsurgency operations. Plans to establish new training centers near the Afghan border suggest that the number of U.S. Special Forces trainers is likely to increase.²¹⁹

Joint CIA-ISI operations reportedly have become more common in recent months, even as the two organizations continue to have sometimes conflicting goals; one recent report had the lead American and Pakistani intelligence agencies carrying out 63 joint operations for the year ending in mid-April 2010.²²⁰ Moreover, in 2009, the Obama Administration reportedly launched a clandestine effort in Pakistan and Afghanistan to prevent Taliban forces from using FM radio transmissions and the internet to intimidate civilians and plan attacks, by jamming or otherwise blocking such communication channels.²²¹

²¹⁷ “Special Ops Chief Sees Opportunities to Assist Pakistani Military,” *Inside the Pentagon*, February 7, 2008; “Pakistan’s Musharraf Says No to US Troops,” *Associated Press*, January 24, 2008; <http://www.pid.gov.pk/Final%20Speech%20of%20President.doc>; “Zardari to U.S.: Let Pakistan Go After Terrorists” (interview), *MSNBC.com*, September 22, 2008.

²¹⁸ “U.S. Raids Hurt Cause By Angering Pakistanis - Envoy,” *Reuters*, September 5, 2008.

²¹⁹ “U.S. Military Playing Expanded Role in Pakistan,” *Reuters*, April 12, 2010; “Defense Source: US to Spread Training in Pakistan,” *Associated Press*, February 11, 2010.

²²⁰ “C.I.A. and Pakistan Work Together, But Do So Warily,” *New York Times*, February 24, 2010; “Pakistan Released Insurgents, Officials Say,” *Washington Post*, April 11, 2010.

²²¹ “Pentagon Jams Web, Radio Links of Taliban,” *Wall Street Journal*, April 18, 2009.

U.S. and Pakistani military forces continue to improve their coordination and intelligence sharing efforts, perhaps reflecting a greater willingness by Pakistan to combat militants on its territory. Pakistani officers are now allowed to view video feeds from unmanned American drones and to access U.S. intercepts of militants' communications.²²² Yet some reporting has been less encouraging and suggests that progress on cooperation and coordination is hampered by language barriers, tensions between Pakistani and Afghan officials, and pervasive mistrust among the U.S., Pakistani, and Afghan militaries. For example, the \$3 million BCC at Torkham opened in March 2008, but operations were long delayed by logistical problems and political wrangling. During the period, the number of insurgent attacks in the region increased sharply, reportedly delaying construction of a second BCC to the southeast.²²³

2008 Frontier Corps Deaths and U.S. Special Forces Raid

In June 2008, Pakistani paramilitary troops were caught in a firefight between Taliban militants and U.S.-led coalition forces at the Pakistan-Afghanistan border in the Mohmand tribal agency. U.S. air assets, apparently targeting insurgents, delivered 12 gravity bombs on Pakistani territory, killing 11 Frontier Corps soldiers. Islamabad strongly condemned the airstrike, calling it "unprovoked" and "a gross violation of the international border." A Pakistani military statement called the airstrike "cowardly," and some in Pakistan believed the country's troops were intentionally targeted. The Bush Administration expressed regret for the deaths of Pakistani soldiers, but the incident served to inflame already sensitive bilateral ties.²²⁴

Two months later, U.S. special forces troops staged a helicopter raid in a South Waziristan village; at least 20 people were reported killed, women and children among them. The Pakistani government condemned the "completely unprovoked act of killing" and lodged formal protests with the U.S. Embassy for the "gross violation of Pakistan's territory." Both chambers of Parliament issued unanimous resolutions condemning the "cowardly" attack.²²⁵ In a strongly-worded statement, Pakistan's army chief, "The sovereignty and territorial integrity of the country will be defended at all cost and no external force is allowed to conduct operations inside Pakistan.... There is no question of any agreement or understanding with the Coalition Forces whereby they are allowed to conduct operations on our side of the border."²²⁶ Plans for further U.S. ground incursions reportedly were suspended to allow the Pakistani military to press its own attacks, although some observers say the Pentagon had underestimated the strength of the Pakistani response to cross-border raids. The backlash may have caused U.S. officials to focus on an intensified missile strike campaign.²²⁷

²²² "Pakistan and U.S. Rebuild Strained Military Ties," *Wall Street Journal*, January 5, 2009.

²²³ "U.S.-Funded Intelligence Center Struggles in Khyber Region," *Washington Post*, January 12, 2009.

²²⁴ See http://www.mofa.gov.pk/Press_Releases/2008/June/PR_164_08.htm; "Pakistan Says U.S. Airstrike Killed 11 of Its Soldiers," *New York Times*, June 10, 2008; http://www.mofa.gov.pk/Press_Releases/2008/June/PR_173_08.htm; "US Strikes Undercut Efforts on Pakistan-Afghan Border," *Associated Press*, June 11, 2008.

²²⁵ See <http://www.ispr.gov.pk/Archive&Press/Sep2008/3-sep-2008.htm>; http://www.mofa.gov.pk/Press_Releases/Printer_Friendly/Sep/PR_Print_264_08.htm.

²²⁶ See <http://www.ispr.gov.pk/Archive&Press/Sep2008/10-Sep-2008.htm>.

²²⁷ "U.S. Stops Spec Ops Raids Into Pakistani Tribal Areas," *Army Times*, October 6, 2008; "United States Takes to Air to Hit Militants Inside Pakistan," *New York Times*, October 27, 2008.

Unmanned Aerial Vehicle (UAV) Attacks

Missile strikes in Pakistan launched by armed American Predator and Reaper unmanned aerial vehicles (UAVs) have been a controversial, but sometimes effective tactic against Islamist militants in remote regions of western Pakistan. Pakistani press reports suggest that such drones “violate Pakistani airspace” on a daily basis, and there appear to have been 92 separate U.S.-launched drone attacks on Pakistani territory since President Obama took office through May 2010, for an average of five or six attacks each month.²²⁸ More than 90% of the strikes have taken place in the two Waziristan agencies, with more than half in North Waziristan alone. According to one extensive assessment, the strikes have caused roughly 1,200 deaths since 2004, including perhaps 800 militants among these, for a civilian fatality rate of approximately one-third.²²⁹ However, internal U.S. intelligence estimates reportedly claim a civilian death rate of only 5%, and other estimates vary widely.²³⁰ New levels of coordination and common strategizing between the United States and Pakistan led to more accurate strikes from the summer of 2009 and correspondingly fewer civilian casualties.²³¹

At least three Predators reportedly are deployed at a secret Pakistani airbase and can be operated by the U.S. Central Intelligence Agency without specific permission from the Islamabad government. However, most strikes on Pakistan-Afghanistan border region are said to be launched from an air base in Jalalabad, Afghanistan, although the base at Shamsi, Pakistan, is still in use. While the assembly and fitting of ordinance previously was performed by CIA employees, these tasks reportedly are more recently being performed by contractors from Blackwater/Xe.²³²

By some accounts, U.S. officials reached a quiet January 2008 understanding with then-President Musharraf to allow for increased employment of U.S. aerial surveillance and UAV strikes on Pakistani territory. Musharraf’s successor, President Zardari, may even have struck a secret accord with U.S. officials involving better bilateral coordination for UAV attacks and a jointly approved target list. Reports citing unnamed senior officials from both countries have claimed that a tacit agreement on drone attacks was reached in September 2008; these reports are

²²⁸ See “The Year of the Drone,” New American Foundation, at <http://counterterrorism.newamerica.net/drones>.

²²⁹ More specifically, a February 2010 assessment counted between 830 and 1,210 deaths from drone strikes, including between 550 and 850 militants (see Peter Bergen and Katherine Tiedemann, “The Year of the Drone,” New American Foundation Counterterrorism Strategy Initiative Policy Paper, February 2010). By one assessment, only a small percentage (11%) of drone strikes in 2009 hit their intended targets, but more than 700 civilians were killed, or an average of about two per day. Yet other calculations have less than 10% of total casualties being civilians (“Over 700 Killed in 44 Drone Strikes in 2009,” *Dawn* (Karachi), January 2, 2010; “A Look at US Airstrikes in Pakistan Through September 2009,” *Long War Journal* (online), October 1, 2009).

²³⁰ “In Pakistan, CIA Refines Methods to Reduce Civilian Deaths,” *Washington Post*, April 26, 2010. A Pakistani intelligence officer reported a civilian death rate of 20%; a Pakistani college professor, who counts only Al Qaeda figures as combatants, claims that 90% of those killed are civilians (“How the White House Learned to Love the Drone,” *New York Times*, May 18, 2010; “Pakistani Scholar Disputes US Drone Death Tallies,” AOL News, May 19, 2010).

²³¹ “U.S. Strike in Pakistan May Signal Increased Coordination,” *Washington Post*, July 4, 2009.

²³² Pakistan officially denies the existence of any internal bases, however, a senior U.S. Senator confirmed the claim in 2009, and subsequent reporting indicated that the United States reportedly flies armed UAVs out of the Shamsi airbase some 200 miles southwest of Quetta (“Drones Based in Pakistan,” *Los Angeles Times*, February 12, 2009); “C.I.A. Said to Use Outsiders to Put Bombs on Drones,” *New York Times*, August 21, 2009.

officially denied by Islamabad. Nevertheless, Secretary of Defense Gates has assured Congress that the U.S. intent to continue with such strikes was conveyed to the Pakistani government.²³³

President Zardari had called on then-President-Elect Obama to re-assess the Bush Administration policy of employing aerial attacks on Pakistani territory. Yet dual Predator strikes took place just days after President Obama took office. In February 2009, the CIA for the first time publically acknowledged the drone campaign it is widely believed to oversee in Pakistan when the Agency's new director, Leon Panetta, said the effort had been successful and would continue.²³⁴ During the latter half of 2009, Obama administration officials reportedly considered expanding drone attacks on western Pakistan as an alternative to escalating U.S. troop levels in Afghanistan; the White House later authorized such an expansion, a move opposed by Islamabad. Still, there was no indication that such strikes would be made in the Baluchistan province, something President Obama himself reportedly believes would be risky and unwise.²³⁵

The accelerated UAV-launched missile campaign in western Pakistan appears to have taken a significant toll on Al Qaeda and other Islamist extremist militants. Centcom Commander Gen. Petraeus claims that such strikes are "extremely important."²³⁶ According to Pakistani intelligence officials, who reportedly are now providing targeting information to the United States, drone attacks have eliminated more than half of the top 20 Al Qaeda "high-value targets" in western Pakistan since mid-2008. Even a self-described "Taliban logistics tactician" conceded that the tactic has been "very effective."²³⁷

There exists an ongoing and vigorous debate over whether drone attacks create more extremists than they eliminate.²³⁸ Some critics suggest that its managers use the secrecy surrounding the effort to hide abuses and sometimes significant civilian casualties.²³⁹ Increased anti-Americanism is identified as one result of drone strikes, as is a corresponding increase in support for the Taliban. By angering American Muslims, some assert that the tactic is even fomenting homegrown militancy in the United States.²⁴⁰ Critics contend that the many perceived costs of

²³³ "US Launches Waziristan UAV Strike With Tacit Pakistani Approval," *Jane's Defense Weekly*, March 19, 2008; David Ignatius, "A Quiet Deal With Pakistan" (op-ed), *New York Times*, November 4, 2008; "Pakistan and U.S. Have Tacit Deal on Airstrikes," *Washington Post*, November 16, 2008; "No Understanding With US on Drone Attacks: FM," *Daily Times* (Lahore), November 18, 2008; Gates statement in "Senate Armed Services Committee Holds Hearing on Challenges Facing the Defense Department" (transcript), January 27, 2009.

²³⁴ "Pakistani Leader Seeks New US Policy," *Associated Press*, November 10, 2008; "President Orders Air Strikes on Villages in Tribal Area," *Guardian* (London), January 24, 2009; "Drone Attacks Inside Pakistan Will Continue, CIA Chief Says," *Washington Post*, February 26, 2009.

²³⁵ "US May Increase Its Drone Attacks Near Afghan Border," *Associated Press*, September 22, 2009; "C.I.A. Authorized to Expand Use of Drones in Pakistan," *New York Times*, December 4, 2009; "Pakistan Opposes Expanded U.S. Drone Attacks," *Reuters*, December 4, 2009; "The Drone Dilemma," *Newsweek*, December 21, 2009. The Obama Administration reportedly has considered expanding the UAV campaign into the Baluchistan province where many Afghan Taliban commanders are said to be based. While some officials favor such an expansion, others fear it could create a backlash and destabilize Islamabad's fragile civilian government ("U.S. Weighs Taliban Strike Into Pakistan," *New York Times*, March 18, 2009; "US Appears Split Over Missile Strikes in Pakistan," *Reuters*, April 29, 2009).

²³⁶ "Al Qaeda Seen as Shaken in Pakistan," *Washington Post*, June 1, 2009.

²³⁷ "Predators on the Hunt in Pakistan," *Newsweek*, February 9, 2009; "Pakistan Lends Support for U.S. Military Strikes," *Wall Street Journal*, February 18, 2009; "Strikes Worsen Qaeda Threat, Pakistan Says," *New York Times*, February 25, 2009; Talib quoted in "Porous Pakistani Border Could Hinder U.S.," *New York Times*, May 5, 2009.

²³⁸ "Do U.S. Drones Kill Pakistani Extremists or Recruit Them?," *McClatchy News*, April 7, 2009; "Drones Sharpen Pakistani Outrage," *Chicago Tribune*, May 5, 2009; "The CIA's Silent War in Pakistan," *Time*, June 1, 2009.

²³⁹ "CIA Secrecy on Drone Attacks Data Hides Abuses," *Inter Press Service*, June 12, 2009.

²⁴⁰ "Drone Attacks Fuelling Anti-US Feelings, PM Tells Holbrooke," *News* (Karachi), August 18, 2009; "US Drone (continued...)"

drone strikes far outweigh any short-term benefits accrued. Civilian deaths, the undermining of Pakistani government authority, resentments that fuel militant recruitment, and concerns that the United States is violating international law are among the downsides outlined by such critics.²⁴¹ The secrecy surrounding the program has also caused some analysts to complain about a lack of accountability and that international laws are being violated.²⁴² One called the drone campaign a largely ineffective and merely tactical response to a serious long-term problem.²⁴³

The State Department has pushed back against accusations that the strikes represent a form of “unlawful extrajudicial killing” by citing domestic and international laws allowing for national self-defense. In April, the Department’s legal advisor said the United States is engaged in an “armed conflict” with Al Qaeda and its affiliates, meaning that the individuals comprising such groups are belligerents and thus lawful targets.²⁴⁴

Officially, Pakistan’s Foreign Ministry calls Predator attacks “destabilizing” and “helping the terrorists.” Strident Pakistani government reaction has in the past included summoning the U.S. Ambassador to lodge strong protest, and condemning missile attacks that Islamabad believes “undermine public support for the government’s counterterrorism efforts” and should be “stopped immediately.” In 2009, Pakistan’s defense minister warned a visiting Gen. Petraeus that the strikes were creating “bad blood” and contributing to anti-American outrage among ordinary Pakistanis. The Islamabad government has asked for full Pakistani control of UAVs over Pakistani territory.²⁴⁵

In the spring of 2009, the U.S. military said that Pakistan was for the first time being given a broad array of noncombat surveillance information, including real-time video feeds, collected by American UAVs, but they denied a *Los Angeles Times* report that Pakistan had been offered joint control of armed drones. The Pakistani government also denied any agreement on joint control. The limited intelligence-sharing program is said to be part of a bilateral trust-building effort.²⁴⁶ While in Pakistan in January 2010, Secretary of Defense Gates made the unprecedented offer to Pakistan of a dozen “Shadow” surveillance UAVs. Although smaller than the Predator and unarmed, the Shadows would significantly boost Pakistan’s aerial surveillance capabilities and are seen as a compromise offer aimed at placating Pakistani political leaders who face a suspicious and anti-American public. The Pentagon aims to deliver the Shadows or alternative unarmed drones by early 2011.²⁴⁷

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Strikes in Pakistan Tribal Areas Boost Support for Taliban,” *London Times*, March 10, 2010; “The Truth About Drones,” *Newsweek* (online), May 30, 2010.

²⁴¹ “The Costs of Drone Strikes in Pakistan and Afghanistan,” 3D Security Initiative Policy Brief, October 2009.

²⁴² “U.N. Envoy Slams U.S. for Unanswered Drone Questions,” Reuters, October 27, 2009.

²⁴³ “U.S. Air Strikes in Pakistan ‘Ineffective’” (interview), Council on Foreign Relations (online), August 11, 2009.

²⁴⁴ “Defending Drones: The Laws of War and the Right to Self-Defense,” *Washington Post*, April 13, 2010. See Harold Hongju Koh’s March 25, 2010, speech at <http://www.state.gov/s/l/releases/remarks/139119.htm>.

²⁴⁵ “Pakistan Condemns US Strikes in Border Regions,” *Associated Press*, October 10, 2008; http://www.mofa.gov.pk/Press_Releases/2008/Oct/PR_331_08.htm; “U.S. Airstrikes Creating Tension, Pakistan Warns,” *Washington Post*, November 3, 2008; http://www.mofa.gov.pk/Press_Releases/2009/March/PR_128_09.htm; “Pakistani: U.S. Should Cede Control of Drones,” *San Antonio Express-News*, April 29, 2009.

²⁴⁶ “Pakistan Gets Sensitive U.S. Drone Images, With Limits,” *New York Times*, May 14, 2009; “Pakistan Gets a Say in Drone Attacks on Militants,” *Los Angeles Times*, May 13, 2009; “Pakistan Says Has No Deal With U.S. on Drone Use,” Reuters, May 15, 2009; “U.S. Resumes Surveillance Flights Over Pakistan,” *New York Times*, June 30, 2009.

²⁴⁷ “U.S. Offers Pakistan Drones to Urge Cooperation,” *New York Times*, January 22, 2010; “U.S. Hopes to Give (continued...)”

Rivalry and Conflict With India

Three full-scale wars—in 1947-1948, 1965, and 1971—and a constant state of military preparedness on both sides of their mutual border have marked six decades of bitter rivalry between Pakistan and India. The acrimonious partition of British India into two successor states in 1947 and the unresolved issue of Kashmiri sovereignty have been major sources of tension. Both countries have built large defense establishments at significant cost to economic and social development. The Kashmir problem is rooted in claims by both countries to the former princely state, divided since 1948 by a military Line of Control (LOC) into the Indian state of Jammu and Kashmir and Pakistan-held Azad [Free] Kashmir. India blames Pakistan for supporting a violent separatist rebellion in the Muslim-dominated Kashmir Valley that has taken up to 66,000 lives since 1989. Pakistan admits only to lending moral and political support to the rebels, and it criticizes India for human rights abuses in “Indian-occupied Kashmir.”

A major factor in U.S. interest in South Asia is the ongoing tension between Pakistan and India rooted largely in competing claims to the Kashmir region and in “cross-border terrorism” in both Kashmir and major Indian cities. In the interests of regional stability, the United States strongly endorses an existing, but recently moribund India-Pakistan peace initiative, and it remains concerned about the potential for conflict over Kashmiri sovereignty to cause open hostilities between these two nuclear-armed countries. Most observers assert that U.S. success in Afghanistan is to a significant degree dependent on improved India-Pakistan relations, the logic being that Pakistan will need to feel more secure vis-à-vis a perceived existential threat on its eastern front in order to shift its attention and military resources more toward the west. Some in Pakistan believe that, by feeding their country’s insecurities, the increasingly warm U.S.-India relationship actually foments regional instability.²⁴⁸

The “Composite Dialogue” Process

A bilateral Composite Dialogue reengaged in 2004 has realized some modest, but still meaningful successes, including a formal cease-fire along the entire shared frontier, and some unprecedented trade and people-to-people contacts across the Kashmiri Line of Control (LOC). As per Islamabad’s and New Delhi’s intent, the dialogue is meant to bring about “peaceful settlement of all bilateral issues, including Jammu and Kashmir, to the satisfaction of both sides.”²⁴⁹ Yet 2008 saw significant deterioration in Pakistan-India relations, especially following the large-scale November terrorist attack on Mumbai, India, that left some 165 civilians dead. More broadly, militarized territorial disputes over Kashmir, the Siachen Glacier, and the Sir Creek remain unresolved, and Pakistani officials regularly express unhappiness that more substantive progress, especially on the “core issue” of Kashmir, is not occurring. Pakistani leaders maintain that the absence of substantive bilateral dialogue only favors extremists in both countries.²⁵⁰ The Obama

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Pakistan Drones Within a Year,” Reuters, March 29, 2010.

²⁴⁸ See, for example, “US’s India Tilt” (editorial), *Daily Times* (Lahore), January 19, 2010.

²⁴⁹ See the January 6, 2004, joint statement at http://www.indianembassy.org/press_release/2004/jan/07.htm.

²⁵⁰ “Stalled Indo-Pak Talks Benefiting Terrorists: Gilani,” *Daily Times* (Lahore), September 6, 2009.

Administration continues to refrain from taking any direct role in the bilateral dispute, and Indian leaders see no need for third-party involvement, in any case.²⁵¹

In February 2010, India proposed new high-level talks with Pakistan, inviting Foreign Secretary Salman Bashir to New Delhi. Pakistani observers variously attributed the Indian move to an apparent failure of coercive diplomacy, to U.S. pressure, and to new talk of Western reconciliation with the Afghan Taliban, which could leave India in a disadvantageous position vis-à-vis Kabul. From the Indian perspective, New Delhi's leaders were compelled by the desire to offer Islamabad tangible benefits for cooperating, and by a perceived need for greater flexibility in the case of a future terrorists attack traced to Pakistan. Pakistan accepted the Indian offer, saying it would raise "all core issues" at the talks and urge India to resolve them quickly. New Delhi responded by asserting that the Composite Dialogue remained in suspension and that, while all subjects could be raised at the impending meeting, India would focus only on terrorism.²⁵² Following the meeting, which ended with no agreements, Bashir called it "unfair, unrealistic, and counterproductive" for India to have focused solely on the terrorism issue, saying the Kashmir dispute remained the "core issue" and calling for resumption of the Composite Dialogue. India's foreign secretary declined to comment on the outcome, but said "the time is not yet right" for such a resumption.²⁵³ Subsequent major military exercises by both countries near their shared border (India in February, Pakistan in April) indicated that mutual distrust remained serious.

A new breakthrough in the peace initiative may be in store, however. In April, senior Indian leaders were ruling out any renewal of substantive talks until Pakistan took "credible steps" to bring Mumbai perpetrators to justice. Yet, at month's end, Prime Minister Gilani met with Indian Prime Minister Singh on the sidelines of a regional summit in Bhutan, where the Indian leader expressed a willingness to discuss all issues of mutual interest, apparently with the conviction that even a dialogue that produces no immediate results is preferable to a diplomatic freeze. Foreign Minister Qureshi subsequently invited his Indian counterpart to visit Islamabad and a meeting is set for July.²⁵⁴

In 2010, conflict over water resources has emerged as another exacerbating factor in the bilateral relationship. Some in Pakistan accuse India of violating international law, bilateral agreements, and ethical principles of peaceful coexistence through the allegedly illicit manipulation of water flows into Pakistan. Of particular concern for Indian and Western observers has been the fact that some of these complaints are emanating from the leaders of militant Pakistani Islamist groups such as Lashkar-e-Taiba. Foreign Minister Qureshi sees water "emerging as a very serious source of [bilateral] tension," but a senior Indian official denies that India is in violation of the Indus Waters Treaty and calls Pakistani rhetoric a "political gimmick" meant to distract from Islamabad's own poor water management.²⁵⁵

²⁵¹ "Clinton Defers Role in South Asia Feud," *Wall Street Journal*, October 31, 2009; "India Rejects Third-Party Role in Pakistan Talks," CNN.com, November 18, 2009. There have been reports of a "secret directive" issued by the Obama Administration in late 2009 to intensify U.S. diplomatic efforts aimed at reducing bilateral tensions between Pakistan and India, with a proximate goal of winning greater Pakistani cooperation vis-à-vis Afghanistan ("U.S. Aims to Ease India-Pakistan Tension," *Wall Street Journal*, April 5, 2010).

²⁵² "Pakistan Says Talks With India Will Go Ahead," Associated Press, February 12, 2010; "India to Pakistan: No Composite Dialogue," *Hindu* (Madras), February 18, 2010.

²⁵³ "India and Pakistan Talks End without Deal," *Financial Times* (London), February 25, 2010.

²⁵⁴ "Blanket Signal for Pak Talks," *Telegraph* (Kolkata), April 29, 2010; "Pakistan Invites India for Talks," BBC News, May 11, 2010.

²⁵⁵ "Distrust Complicates India-Pakistan River Row," Reuters, February 24, 2010; "Indian Weapon of Water (continued...)"

Mumbai Terrorist Attacks and the LeT²⁵⁶

The perpetrators of a horrific terrorist attack on India's business and entertainment capital were identified as members of the Pakistan-based Lashkar-e-Taiba (LeT), a U.S.-designated terrorist group that has received past support for Pakistani government agencies. The Indian government demands that Pakistan take conclusive action to shut down the LeT and bring its terrorist leadership to justice. Of particular relevance for India is LeT founder Hafiz Saeed, whom India believes is demonstrably culpable, but whom Pakistani officials say they do not possess sufficient evidence to formally charge.²⁵⁷ In September, police in Lahore placed Saeed under house arrest. Only weeks later, a court dismissed the two cases brought against him (unrelated to the Mumbai attack), but he remained confined to his home. The Islamabad government insisted that it was powerless to take further action against Saeed in the absence of more convincing evidence of wrongdoing. New Delhi countered that Pakistan is "shielding" the masterminds of the attack.²⁵⁸ In May, Pakistan's Supreme Court dismissed a government appeal and upheld a lower court's decision to release Saeed, saying the case presented against him was insufficient. A senior Indian official expressed disappointment with the ruling.²⁵⁹

In November 2009, Pakistani authorities brought formal charges against seven men accused of planning the Mumbai raid, among them Zaki ur-Rehman Lakhvi, a senior LeT figure said to have been the operational commander. Yet the Islamabad government has to date pressed no further than preliminary hearings, and the start-and-stop nature of the proceedings has only engendered Indian and international skepticism about Pakistan's determination. One senior observer, reflecting a widely-held view, contends that the Pakistani military "will do everything to preserve Lashkar as long as it believes there is a threat from India."²⁶⁰ Analysts warn that another major terrorist attack in India that is traced to Pakistan would likely lead to a significant international crisis. One offers numerous U.S. policy options for preventing such an attack or managing any crisis that results.²⁶¹

The Kashmir Dispute

President Zardari, like many independent observers, believes that regional peace is inextricably linked to a solution of the Kashmir dispute.²⁶² While levels of violence in Kashmir have declined significantly as compared to previous years, the situation there fragile, and Islamabad insists that what it calls New Delhi's "administrative and half-hearted political measures" will not resolve

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Terrorism," *Pulse* (Islamabad), February 26, 2010; "Pakistan Steps Up Water Dispute," *Financial Times* (London), March 29, 2010; quotes in "India and Pakistan Feud Over Indus Waters," *Wall Street Journal*, March 31, 2010. See also "A Watershed for India and Pakistan," *Washington Post*, May 28, 2010.

²⁵⁶ See also CRS Report R40087, *Terrorist Attacks in Mumbai, India, and Implications for U.S. Interests*.

²⁵⁷ "Pakistan Says Indian Evidence on Militant Leader Weak," Reuters, August 6, 2009.

²⁵⁸ "Give Us Proof to Nail Hafiz Saeed: Gilani," *Times of India* (Delhi); "Pakistan Shielding 26/11 Masterminds," *Hindu* (Madras), both January 29, 2010.

²⁵⁹ "Pakistani Court Quashes Appeals Against Militant," Reuters, May 25, 2010.

²⁶⁰ "Deadlock Over Pakistan's Mumbai Suspects," BBC News, May 3, 2010; Ahmed Rashid, "The Afghanistan Impasse" (review), *New York Review of Books*, September 10, 2009.

²⁶¹ Daniel Markey, "Terrorist Attack Sparks Indo-Pakistani Crisis," Council on Foreign Relations Contingency Planning Memorandum No. 6, January 2010, at

²⁶² "Kashmir Vital for Regional Peace: Pakistan Leader," Reuters, January 5, 2010.

what is in essence a Kashmiri “struggle for the right to self-determination.”²⁶³ In September 2009, India’s home minister stated that the Pakistani threat to Indian Kashmir has “not diminished” and he estimated that 50-60 militants infiltrate across the LOC each month. India’s army chief accused Pakistan of providing assistance to “push in additional terrorists” before winter’s onset. According to India’s defense minister, militants made an average of more than one cross-LOC infiltration attempt per day during 2009.²⁶⁴

Under the Obama Administration, the U.S. government has continued its long-standing policy of keeping distance from the Kashmir dispute and refraining from any mediation role therein. Special Representative Holbrooke, who has many times used the term “K-word” in discussing Kashmir, said in February, “We are not going to negotiate or mediate on that issue and I’m going to try to keep my record and not even mention it by name.”²⁶⁵ Despite suggestions by the previous (Musharraf) government that Pakistan might be willing to reconsider its traditional Kashmir position (focused on dispute settlement in accordance with relevant U.N. resolutions), the current government insists that this course remains Pakistan’s unambiguous position. Islamabad’s current leaders have criticized the “wavering” of the Musharraf regime, saying back-channel diplomacy from 2004-2007 had done damage to Pakistan’s traditionally “principled” commitment to resolution through U.N. resolutions.²⁶⁶ An unusual major opinion survey of Kashmiris involved the interviewing of more than 3,700 on both sides of the LOC in 2010 and found that less than half supported separatist goals. Only in the Muslim-majority valley did a large majority (up to 95%) express support for full Kashmiri independence.²⁶⁷

Competition in Afghanistan

Pakistan and India appear to be fighting a “shadow war” inside Afghanistan with spies and proxies.²⁶⁸ Islamabad accuses New Delhi of using Indian consulates in Afghanistan as bases for malevolent interference in Pakistan’s Baluchistan province, specifically by materially supporting Baloch separatist militants. The Pakistani government also accuses India of interfering in the FATA. When asked about such claims in late 2009, Secretary of State Clinton said the U.S. government had seen no supporting evidence. Yet Pakistani officials remain insistent: In October, a senior Pakistani military officer declared there was “a lot of evidence” of Indian involvement in supporting the Baloch separatist movement, and Interior Minister Malik later

²⁶³ See the July 2, 2009, Pakistan Foreign Ministry press briefing at http://www.mofa.gov.pk/Pages/2009/July/Spokes_02_07_09.htm.

²⁶⁴ “Indian Minister Says Increase in Infiltration From Pakistan Side,” BBC Monitoring South Asia, September 11, 2009; “Indian Army Chief Accuses Pakistan of Assistant Militant Infiltration,” *Jane’s Terrorism Watch Report*, September 24, 2009; “Militants Making a Comeback,” *Hindu* (Madras), January 10, 2010.

²⁶⁵ See the State Department’s February 3, 2010, release at <http://fpc.state.gov/136466.htm>. There are some suspicions in India that Islamabad has obtained secret U.S. promises to push India on the Kashmir issue in exchange for Pakistan’s cooperation in fighting the Afghan Taliban (see, for example, K. Subrahmanyam, “What is Happening in Pakistan?” (op-ed), *Hindu* (Madras), February 22, 2010).

²⁶⁶ See the Foreign Ministry’s August 8, 2009, release at http://www.mofa.gov.pk/Press_Releases/2009/Aug/PR_297_09.htm; “Old Kashmir Policy Stands Revived: FM,” *Dawn* (Karachi), May 5, 2010. Islamabad rejects Indian territorial claims to the whole of Kashmir, saying the dispute stems from India’s refusal to implement U.N. Security Council resolutions that call for resolution through plebiscite (see the Foreign Ministry’s January 1, 2010, press release at http://www.mofa.gov.pk/Press_Releases/2010/Jan/PR_003.htm).

²⁶⁷ “‘First’ Kashmir Survey Produces ‘Startling’ Results,” BBC News, May 27, 2010.

²⁶⁸ “Indo-Pakistan Proxy War Heats Up in Afghanistan,” Associated Press, April 26, 2010.

echoed the claim, adding an accusation that India was supporting the Taliban, as well. This latter assertion was supported by the alleged discovery in Waziristan of large quantities of Indian-made arms, ammunition, and literature. In December, Malik said four arms-laden Indian trucks had been seized in the Khyber agency.²⁶⁹

India is the leading regional contributor to Afghan reconstruction and development efforts, having devoted some \$1.3 billion in this effort, as compared to about \$300 million from Pakistan. In the view of many analysts, Pakistan's "paranoia" with regard to the perceived threat from India leads Pakistani leaders engage a zero-sum regional competition with that rival. In this way, Pakistan's primary goal with regard to Afghanistan is to prevent any dominant Indian influence there.²⁷⁰ Some observers saw Gen. McChrystal's August 2009 assessment that "increasing India's influence in Afghanistan is likely to exacerbate regional tensions" as sign that U.S. officials might press India to keep a low or lower profile there, the U.S. government has continued to welcome and laud India's role in Afghanistan while at the same time recognizing Islamabad's legitimate security interests in having a friendly western neighbor.²⁷¹

Nuclear Weapons, Power, and Security

The security of Pakistan's nuclear arsenal, materials, and technologies continues to be a top-tier U.S. concern, especially as Islamist militants have expanded their geographic influence there.²⁷² The illicit nuclear proliferation network allegedly overseen by Pakistani metallurgist A.Q. Khan was disrupted after its exposure in 2004, but neither Khan himself—a national hero in Pakistan—nor any of his alleged Pakistani co-conspirators have faced criminal charges in the case, and analysts warn that parts of the network may still be intact. Some in Congress demand direct access to Khan by U.S. and international investigators (see, for example, H.R. 1463 in the 111th Congress), but Pakistani authorities refuse such cooperation and insist that the case is closed.

While most analysts and U.S. officials believe Pakistan's nuclear security is much improved in recent years, there is ongoing concern that Pakistan's nuclear know-how or technologies remain prone to leakage.²⁷³ Two mid-2009 assessments both concluded that, despite elaborate safeguards put in place by the Pakistani government, serious weaknesses and vulnerabilities still exist in the country's nuclear safety and security structures. Insider threats are considered especially potent, along with the dispersion and increasing size of nuclear material and facilities.²⁷⁴

²⁶⁹ See the State Department's October 26, 2009, release at <http://www.state.gov/secretary/rm/2009a/10/130989.htm>; "India 'Supporting Pakistani Rebels' – Commander," Reuters, October 10, 2009; "India funding Taliban: Malik," *Daily Times* (Lahore), October 27, 2009; "'Concrete Proof of Indian Role in Waziristan Found,'" *Daily Times* (Lahore), November 3, 2009; "Solid Proof of Delhi Involvement," *Business Recorder* (Karachi), December 10, 2009.

²⁷⁰ See, for example, Frederic Grare, "Pakistan," in Ashley Tellis and Aroop Mukharji, eds., *Is a Regional Strategy viable in Afghanistan?*, Carnegie Endowment for International Peace, May 2010.

²⁷¹ See the August 30, 2009, assessment at http://media.washingtonpost.com/wp-srv/politics/documents/Assessment_Redacted_092109.pdf.

²⁷² See also CRS Report RL34248, *Pakistan's Nuclear Weapons: Proliferation and Security Issues*, by Paul K. Kerr and Mary Beth Nikitin.

²⁷³ In February 2010, the director of the U.S. Defense Intelligence Agency told a Senate panel that, "We have confidence in Pakistan's ability to safeguard its nuclear weapons, though vulnerabilities exist (Statement of Lt. Gen. Ron Burgess, "Transcript: Senate Select Intelligence Committee Holds Hearing on Current and Projected Threats to the United States," February 2, 2010).

²⁷⁴ Shaun Gregory, "The Terrorist threat to Pakistan's Nuclear Weapons," *CTC Sentinel* 2, 7, July 2009; Rolf (continued...)

China apparently intends to build two new civilian nuclear reactors in Pakistan in what would be a violation of NSG guidelines. The deal poses a challenge for the Obama Administration, which may tacitly allow it to go forward while seeking Beijing's cooperation on other issues. Some analysts urge the Administration to actively oppose the deal, contending that China has little reason to engage a quid pro quo and that the transfers would do harm to U.S. regional interests.²⁷⁵ Some analysts have advocated changing U.S. law to allow for civilian nuclear trade with Pakistan as a means of building bilateral trust, the argument being that overt U.S. acceptance of Pakistan's nuclear program would instill a confidence that billions of dollars in U.S. aid cannot.²⁷⁶ U.S. officials are noncommittal when asked about such a possible initiative.

Deteriorated Economic Circumstances

Soaring inflation and unemployment, along with serious food and energy shortages, elicit considerable economic anxiety in Pakistan and weigh heavily on the civilian government. The Finance Ministry's most recent annual Economic Survey (May 2010) reported provisional GDP growth of 4.1% in the outgoing fiscal year, up from a dismal 1.2% in 2008-2009, but called the "recovery" fragile and far from assured, and noting that "not all sectors of the economy or regions of the country appear to have participated so far in the modest upturn." According to analyses by IHS Global Insight, Pakistan's growth outlook remains "mixed," at best, with a projection of only 3.1% expansion in the current fiscal year followed by a "modest recovery" of 4% in FY2011. A new inflationary cycle may further threaten growth in 2010.²⁷⁷ Such economic deterioration likely leads to an increase in the pool of potential recruits for extremist groups.

In 2008, Pakistan was seen to require substantial external financing to stabilize its economy. Pakistani leaders approached the IMF to discuss infusions of desperately sought capital. In November of that year, the IMF reached a Stand-By Arrangement to provide a \$7.6 billion loan to Pakistan aimed at resolving the country's serious balance of payments difficulties. Total IMF support was later raised to \$11.3 billion.²⁷⁸ According to a late 2009 World Bank report, Islamabad's stabilization efforts since late 2008 have combined with lower world commodities prices to reduce external imbalances, rebuild foreign exchange reserves, and reduce inflation. Yet "the macroeconomic situation remains fragile and the medium-term outlook is uncertain," with "uneven" progress on reforms and "inadequate" measures to boost revenue and control public spending. A subsequent IMF paper warns that economic reform does not command broad public support, that the manufacturing sector has remained depressed, and that adverse security circumstances are harmful to investor confidence. More recently, an IMF official offered that Pakistan's economy was recovering from a financial crisis, even as some reforms have been slow

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Mowaatt-Larson, "Nuclear Security in Pakistan: Reducing the Risks of Nuclear Terrorism," Arms Control Association (online), July 8, 2009.

²⁷⁵ Mark Hibbs, "Pakistan Deal Signals China's Growing Nuclear Assertiveness," Carnegie Endowment for International Peace, April 27, 2010; "China Deal With Pakistan Hems Obama," *Washington Times*, May 13, 2010; Lisa Curtis and Nicholas Hamisevicz, "U.S. Should Block China-Pakistan Nuclear Reactor Deal," Heritage Foundation WebMemo, May 20, 2010.

²⁷⁶ C. Christine Fair, "Pakistan Needs Its Own Nuclear Deal" (op-ed), *Wall Street Journal*, February 11, 2010.

²⁷⁷ See the Finance Ministry document at <http://www.pid.gov.pk/Pakistan%20Economic%20Survey%202009-10%20%28H%29>; IHS Global Insight, "Pakistan: Outlook and Assumptions," April 14, 2010.

²⁷⁸ In May, Pakistan received another \$1.1 billion from the IMF, a fifth tranche bringing the total to date to \$7.3 billion.

and inflation increased somewhat.²⁷⁹ Repayment of IMF loans will place significant constraints on Islamabad's federal budget. Moreover, the World Bank provided \$1.7 billion worth of assistance to Pakistan in FY2009, the institution's highest ever annual support for the country.

A senior Pakistani economic affairs official has claimed that the direct and indirect costs of Pakistan's involvement in the "war on terror" have been some \$35 billion over the past three years.²⁸⁰ About two-thirds of Pakistanis name economic issues, specifically inflation and unemployment, as the country's foremost problems.²⁸¹ The struggling power sector puts a significant damper on commerce and everyday activities, causing factory shutdowns and rioting by mobs angry with price hikes and shortages. A 2009 survey found that more than half of all Pakistanis go without power for at least eight hours per day. More recently, shortfalls in electricity supply have led to unannounced outages of up to 20 hours per day in parts of the country. Prime Minister Gilani has called for provincial ministries and his own energy-related cabinet ministers to produce a detailed national energy strategy. In April, he instituted measures including extending the official weekend from one to two days, earlier closure of street markets, and a 50% reduction in power to government offices.²⁸²

Consumer prices in 2008 reached their highest levels since 1975, with an inflation rate above 25% for many months. The rupee's value also hit record lows, down more than 20% against the U.S. dollar for that year, and net international reserves declined by more than half to below \$7 billion. Inflation rates have declined from their 2008 peak, although they rose again in early 2010 and are expected to remain in the double-digit range for the year, at a projected annual average of 12%. The rupee's value is partly recovered, and IMF injections boosted foreign exchange reserves back to \$14 billion by the end of 2009. Two major international investor rating indices cut Pakistan's sovereign debt rating to "negative" in 2008 and the country's rating remains six levels below investment grade.²⁸³

Tax collection is a serious issue in the Pakistani economy. In early 2010, the U.S. Ambassador to Pakistan noted for a Karachi business audience that, at 9%, Pakistan has one of the lowest tax-to-GDP ratios in the world, and she urged the government to raise more revenue from its own citizens.²⁸⁴ Finance Minister Shaukat Tarin resigned a month later, by some accounts because of Prime Minister Gilani's earlier refusal to give Tarin greater authority to crack down on tax evaders. Apparent vacillation in naming his replacement may have caused concern among IMF

²⁷⁹ World Bank, "2009 Pakistan Economic Update," September 2009; International Monetary Fund, "Pakistan – Program Note," December 23, 2009; "Pakistan Economy Lifts, Energy Problems Weigh – IMF," Reuters, February 16, 2010.

²⁸⁰ "Pakistan Lost \$35bn in 3 Years in War on Terror: Hina Rabbani," *Daily Times* (Lahore), February 20, 2010.

²⁸¹ See <http://www.gallup.com.pk/Polls/15-02-10.pdf>.

²⁸² "Power Cuts Feed Anarchy in Pakistan," Agence France Presse, July 25, 2009; results of the July 21, 2009, Gallup Pakistan survey at <http://www.gallup.com.pk/pollshow.php?id=2009-07-21>; "Load Shedding Touches 20 Hours," *Daily Times* (Lahore), March 21, 2010; "Pakistan to Tackle Energy Crisis," BBC News, April 22, 2010. Commodity shortages have been another serious concern. For example, in 2009, shortages of sugar have forced people to stand in line for hours just to buy a few pounds and caused panic, hoarding, and tirades against the government and sugar mills (²⁸² "Pakistan Reels Under a New Crisis – A Sugar Shortage," *Los Angeles Times*, September 23, 2009; "In Pakistan, Much Bitterness Over Sugar Crisis," *Washington Post*, November 28, 2009).

²⁸³ "Moody's Cuts Pakistan's Bond Outlook to Negative," *Reuters*, September 23, 2008; "Moody's: Pakistan Fin Min Resignation Won't Impact Budget Near Term," Dow Jones International News, February 24, 2010.

²⁸⁴ See the State Department's January 6, 2010, release at <http://karachi.usconsulate.gov/k-10010601.html>.

officials. After weeks of uncertainty, former World Bank executive and U.S.-trained economist Abdul Hafeez Shaikh was named to the post.²⁸⁵

A central goal for Pakistani leaders is to acquire better access to Western markets. With the security situation scaring off foreign investors (net investment fell by nearly 50% in the latter half of 2009), exports, especially from the key textile sector, may be key to any future Pakistani recovery. As stated by Prime Minister Gilani in March, “If there is an acceptance of the heavy price that Pakistan is paying for this war, then there must be international action to facilitate our exports.” That same month, U.S. officials vowed to work for greater U.S. market access while acknowledging that Pakistani hopes for a bilateral free-trade agreement will be dashed in the foreseeable future.²⁸⁶

The Obama Administration has, however, continued to support congressional passage of a bill to establish Reconstruction Opportunity Zones (ROZs) in western Pakistan (and Afghanistan) that could facilitate development in Pakistan’s poor tribal regions.²⁸⁷ An initiative of President Bush during his 2006 visit to Pakistan, the program would provide duty-free access into the U.S. market for certain goods produced in approved areas and potentially create significant employment opportunities. The bill was considered by the 110th Congress, but no action was taken. In the 111th Congress, the House passed ROZ legislation as Title IV of H.R. 2410. No action has been taken on the Senate version (S. 496), although identical language has been introduced as an amendment to other bills. While observers are widely approving of the ROZ plan in principle, many question whether there currently are any products with meaningful export value produced in the FATA. Some analyses suggest that the ROZ initiative is unlikely to be useful even if it becomes U.S. law. Pakistani businessmen reportedly find the bill’s restrictions on textile exports too extensive, essentially excluding the bulk of such Pakistani products, thus rendering the initiative “largely worthless.”²⁸⁸

Domestic Political Upheaval

Democracy has fared poorly in Pakistan, with the country enduring direct military rule for more than half of its existence. From 1999 to 2008, Army Chief Gen. Pervez Musharraf ran the government after leading a bloodless coup unseating the democratically elected Prime Minister Nawaz Sharif. Musharraf assumed the presidency and later oversaw passage of the 17th Amendment to Pakistan’s constitution, greatly increasing the power of that office. In March 2008, however, only months after the assassination of former Prime Minister Benazir Bhutto, a coalition led by Bhutto’s Pakistan People’s Party (PPP) was elected in a sweeping rejection of the Musharraf-allied parties. The Pakistan Muslim League led by Sharif (PML-N) also fared well, especially in the densely-populated Punjab province, and joined the PPP in an unprecedented coalition that collapsed only after Musharraf’s August 2008 resignation from the presidency and exit from Pakistan’s political stage. Bhutto’s widower, Asif Zardari, subsequently won Electoral

²⁸⁵ “Pakistan’s Finance Minister Quits,” *Financial Times* (London), February 23, 2010; “Pressure Mounts on Zardari to Name Finance Minister,” *Wall Street Journal*, March 8, 2010.

²⁸⁶ Data and quote in “Pakistan Seeks Access to Western Markets,” *Financial Times* (London), March 21, 2010; “U.S. Promises Greater Market Access to Pakistan,” Reuters, March 25, 2010.

²⁸⁷ Secretary of State Clinton recently called the ROZ initiative “a very high priority” for the Administration (see the State Department’s March 22, 2010, release at <http://www.state.gov/secretary/rm/2010/03/138928.htm>).

²⁸⁸ “As Violence Hurts Business, Pakistanis Debate U.S. Help,” *Washington Post*, July 28, 2009.

College vote for the presidency. Although Prime Minister Gilani was seated in early 2008, Zardari retained most of the powers of the Musharraf presidency until April 2010.

U.S. officials had for some time expected Zardari's powers to wane and reportedly readied themselves for this by developing ties with other leaders in both the ruling and opposition parties, as well as in the Pakistani military. Indeed, the demise of Zardari's influence could make the U.S. government increasingly reliant on the Pakistani army.²⁸⁹ Prime Minister Gilani has been able to step into the political space opened by Zardari's woes and has managed to balance well competing pressures from the opposition, members of his own party and coalition allies, and the army, which may find him more amenable and trustworthy than Zardari. Although April's passage of the 18th Amendment gives him new and sweeping powers, Prime Minister Gilani, a consensus-builder and a staunch ally of Zardari, is not expected to radically alter the dynamics of their relationship. Still, the civilian government has remained weak, and some analysts even expect the PPP-led coalition to collapse during 2010.²⁹⁰

More than two years after Pakistan's relatively credible national elections seated a civilian government, the country's military establishment is still seen to be where Pakistan's foreign policy and national security policies originate. Hand-picked by President-General Musharraf to lead the army, Gen. Kayani has since his 2007 appointment taken concrete measures to withdraw the military from direct involvement in the country's governance. Many analysts saw the moves being motivated by a desire to improve the institutional image of the military after a serious erosion of its status under Musharraf. Yet there remain no signs of meaningful civilian control of the army or ISI, and analytic views of Kayani's role as a secular- and democratic-minded figure appear to have shifted away from guarded optimism toward a perception that he, like the generals who came before him, will place the interests of the security services above all others, and may not be fully trustworthy partner in efforts to battle Islamist extremism.

President Zardari and the National Reconciliation Ordinance

President Zardari has for many years been a controversial figure dogged by allegations of serious corruption and other crimes. While he continued to dictate PPP (and thus civilian government) policy, he became increasingly unpopular as measured by public opinion polling.²⁹¹ Moreover, a series of crises, including several high-profile battles with Pakistan's Chief Justice and a failed effort to gain parliamentary validation of a controversial amnesty bill promulgated under Musharraf—the National Reconciliation Ordinance (NRO)—further weakened his position.²⁹²

²⁸⁹ "U.S. See Weakening for Zardari," *Wall Street Journal*, December 5, 2009; Arif Rafiq, "Zardari in the Crosshairs," *Foreign Policy* (online), November 19, 2009.

²⁹⁰ "Pakistan's Gilani May Be Best Hope for Stability," Reuters, January 24, 2010; "Bolstered Pakistani PM to be a 'Firefighter,'" Reuters, April, 7, 2010; "Gilani: Pakistan's Consensus-Building PM," Agence France Presse, April 19, 2010; "Democracy Inaction: Pakistan's Political Paralysis," *Jane's Intelligence Review*, March 12, 2010.

²⁹¹ Nawaz Sharif is by most accounts the most trusted political figure in Pakistan, outranking his closest competitor in the category—President Zardari—by 51% to 13% in a major July 2009 survey. More than half of respondents here said they would rather see Sharif in the presidency (58%) than Zardari (17%) (see <http://www.iri.org/news-events-press-center/news/iri-releases-survey-pakistan-public-opinion>).

²⁹² Some observers see Chief Justice Iftikhar Chaudhry as violating democratic principles by pursuing a campaign to undermine President Zardari in ways inconsistent with an independent judiciary (see, for example, David Rivkin Jr. and Lee Casey, "Judicial Coup in Pakistan" (op-ed), *Wall Street Journal*, February 23, 2010).

In late October, the government floated a plan to validate the NRO through approval in the National Assembly. The proposed amnesty bill—which would have protected Zardari and other senior politicians from graft charges—nearly led to a split in the ruling coalition when parties aligned with the PPP and even some PPP legislators said they would vote against it. Opponents of the plan, led by Sharif and his opposition PML-N party, called it a “legitimization of corruption.” The government hastily withdrew the proposal, but further damage to Zardari’s credibility was done. When hundreds of NRO beneficiaries, including Zardari and many senior PPP figures, were publically named in late November, it was seen as another blow to the president’s position.²⁹³ The Supreme Court began hearing challenges to the NRO and, on December 16, in a unanimous decision, invalidated the law, suddenly leaving thousands of Pakistani politicians—including the president’s chief of staff, and the interior and defense ministers—open to prosecution (under the Pakistani Constitution, the president himself is immune from prosecution while in office). Opposition leaders hailed the decision and called for the resignation of top PPP figures. Some 247 government officials were placed on an exit control watch list to prevent their leaving the country.²⁹⁴

Anticipated prosecutions of senior figures did not occur, and Zardari remained determined to remain in office.²⁹⁵ Yet his government began 2010 in a “siege environment,” under intense pressure and criticism from the military, the opposition, the judiciary, and the media. Zardari responded with defiance, counterattacking his detractors, putting them on the defensive, and winning votes of confidence in three of the country’s four provincial assemblies. Soon he was making rare trips around the country to give rousing speeches and seemed to reverse his most negative fortunes, surviving in office even as he appeared to remain weak and unpopular.²⁹⁶

The 18th Amendment to the Pakistani Constitution

Zardari’s thin popularity nearly disappeared altogether in the closing months of 2009, as his perceived closeness to the United States and “soft” views on India, deadly battles with insurgents, and widespread economic woes combined with a perception that the government was rudderless and ineffective to bring the Pakistani president under more intense criticism, with some demanding his resignation. With pressure to abolish the 17th Amendment and relinquish most powers of his office intensifying, analysts predicted that agreeing to become a “figurehead” was the most likely course for his political survival. Still, Zardari was able to reassert his grip on the presidency, in part because his PPP allies rallied behind him, and also because the army likely was reluctant to see the country again thrown into political chaos and suffer the international opprobrium that could result.²⁹⁷ In an effort to allay his critics, Zardari surrendered his office’s

²⁹³ “Zardari Retreats on Amnesty Bill,” BBC News, November 3, 2009; “A Sinking Presidency” (editorial), *Dawn* (Karachi), November 4, 2009; “Amnesty List Puts Pressure on President of Pakistan,” *New York Times*, November 23, 2009.

²⁹⁴ “Pakistan Strikes Down Amnesty for Politicians,” *New York Times*, December 17, 2009; “Opposition Hails Decision on NRO,” *Dawn* (Karachi), December 17, 2009.

²⁹⁵ Interior Minister Rehman Malik, a long-time Bhutto and Zardari loyalist, was in 2004 convicted by an anti-corruption court and sentenced to three years in jail under the NAB. His appeal was rejected by the Lahore High Court in May 2010 and President Zardari quickly issued a pardon to protect him from possible detention (“President Zardari Pardons Key Cabinet Minister,” Agence France Presse, May 18, 2010).

²⁹⁶ “Pakistan’s Defiant Zardari Deflects Pressure For Now,” Reuters, January 14, 2010; “Zardari Re-Emerges, But Effect on Pakistan is Unclear,” *New York Times*, January 21, 2010; “Pakistan’s ‘Bunker President’ Emerges Fighting,” Agence France Presse, January 30, 2010.

²⁹⁷ “For Pakistani President, Goodbye to Goodwill,” *Washington Post*, November 16, 2009; “Pakistan Faces Deepening (continued...)”

powers to appoint military service chiefs, and later ceded his position as Chairman of the National Command Authority, giving his Prime Minister nominal control over the country's nuclear weapons (in practice, the military retains control of this arsenal).²⁹⁸

By April, the National Assembly had fulfilled a long-standing PPP vow to overturn nondemocratic constitutional amendments made under Musharraf. On April 8, the body unanimously passed the 18th Amendment bill, which President Zardari then signed into law 11 days later, saying "the Constitution has been made truly democratic and federal in character, and provincial rights and Parliamentary sovereignty have been restored." Among the most notable of the 102 clauses of the bill were those removing the President's powers to dismiss the Prime Minister and Parliament; transferring to the Prime Minister the lead role in appointing armed service chiefs; ending the courts' abilities to suspend the Constitution; limiting the President's ability to impose emergency rule; removing the bar against prime ministerial candidates who had already served two terms; changing the name of the North West Frontier Province to Khyber Pakhtunkhwa; and adding four new Senate seats reserved for non-Muslim minorities.²⁹⁹

Ongoing Tensions Between the Executive and the Judiciary

In February, a new row between the executive and judiciary arose when the Chief Justice objected to the President's appointment of new Supreme Court and Lahore High Court judges without consultation, and convened an emergency panel that ruled to suspend Zardari's order. Numerous lawyers boycotted courts to protest Zardari's move and opposition leader Nawaz Sharif called it "unconstitutional" and a "threat to democracy." The crisis was defused when the government withdrew the appointments. Yet the Supreme Court has kept pressure on the government to reopen numerous graft cases, including some against top officials, and the country's Attorney General resigned in April, accusing the government of preventing him from carrying out Supreme Court orders to reopen graft investigations involving President Zardari. There are fears that any escalating conflict between the executive and the judiciary would "inevitably" bring the military into the political fray, potentially precipitating an even greater political crisis.³⁰⁰

Recent Human Rights Issues

Pakistan is the setting for serious perceived human rights abuses, some of them perpetrated and/or sanctioned by the state. According to the U.S. Department of State, the Islamabad government is known to limit freedoms of association, religion, and movement, and to imprison political leaders. Notable recent abuses have been related to violent attacks on religious minorities, indefinite government detention of detainees related to anti-terrorism efforts, and alleged

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Power Struggle," *Wall Street Journal*, November 30, 2009; "Pakistan's Zardari Holds Off His Political Foes – For Now," *Washington Post*, December 1, 2009.

²⁹⁸ "Pakistan's Leader, Under Pressure, Cedes Nuclear Office," *New York Times*, November 29, 2009.

²⁹⁹ See President Zardari's April 19, 2010, signing ceremony speech at <http://www.pid.gov.pk>. Members of the minority Hazara ethnic group were angered by the provincial name change, saying it would institutionalize Pashtun domination in the region ("Anger Over Pakistan Name Change," BBC News, April 13, 2010).

³⁰⁰ "Sharif Lashes Out" (editorial), *Dawn* (Karachi), February 15, 2010; "Pakistani Supreme Court Ups Pressure on Government," Associated Press, March 30, 2010; Pakistan AG Quits Amid Graft Controversy," Associated Press, April 2, 2010; Najam Sethi, "Watch Out for the General!" (op-ed), *Friday Times* (Lahore), May 21, 2010.

extrajudicial executions perpetrated by the Pakistani military in conflict areas. Most recently, government restrictions on Internet media have elicited criticism by human rights activists.

August 2009 saw seven Christians burned to death in the Punjabi city of Gojra in a communal attack spurred by rumors that a Koran had been defiled. More than 100 Christian homes were also looted and torched in a day-long rampage by up to 20,000 people. Among those arrested by Pakistani officials were members of the banned Sunni militant group Sipah-e-Sahaba and its offshoot, the Al Qaeda-linked Lashkar-e-Jhangvi; a Pakistani human rights group asserted that the attacks were planned rather than spontaneous.³⁰¹ More recently, a devastating attack on two Lahore mosques in May 2010 left roughly 100 Ahmadis dead. The Sunni militant attackers were said to have been affiliated with the Pakistani Taliban in North Waziristan. U.N. human rights investigators point to officially sanctioned discrimination of Ahmadis as a setting the foundation for societal hatred and violence toward them.³⁰²

In May 2010, the Islamabad government instituted a nation-wide ban on the Internet social networking site Facebook after a contest on that site invited users to submit caricatures of the prophet Mohammed, something viewed as blasphemous by Muslims. Soon after, the government blocked access to YouTube, a video sharing website with content deemed “blasphemous.” Many observers felt the authorities went too far and used the Facebook incident as an excuse to clamp down on political speech.³⁰³

U.S. Foreign Assistance and Congressional Action

Pakistan is today among the world’s leading recipients of U.S. aid. Since the 2001 renewal of large U.S. assistance packages, Pakistan by the end of FY2010 will have received obtained more than \$10.4 billion in overt assistance since 2001, including about \$6 billion in development and humanitarian aid, and some \$4.4 billion for security-related programs. (This does not include reimbursements for militarized counterterrorism efforts. See **Table 1**.) In September 2009, both chambers of Congress passed their own Pakistan-specific bills authorizing increased nonmilitary aid to Pakistan (to \$1.5 billion per year for five years) and placing certain conditions on future security-related aid to that country. The Enhanced Partnership with Pakistan Act of 2009 became P.L. 111-73 on October 15. Earlier in 2009, Congress established a new Pakistan Counterinsurgency Capability Fund (PCCF) that is being used to enhance the ability of Pakistani security forces to effectively combat militancy. To date, PCCF appropriations have totaled \$1.1 billion. Moreover, since FY2002 Congress has appropriated billions of dollars to reimburse Pakistan (and other nations) for their operational and logistical support of U.S.-led counterterrorism operations. At more than \$8 billion, these “coalition support funds” (CSF) have accounted for greater than half of all overt U.S. financial transfers to Pakistan since 2001.

The Obama Administration’s FY2010 budget request had already reflected a major new emphasis on nonmilitary assistance to Pakistan, most notably by greatly increasing funds meant for economic development (the ESF request of more than \$1 billion nearly doubled that of the

³⁰¹ “Hate Engulfs Christians in Pakistan,” *New York Times*, August 3, 2009; “Pakistan Rights Group: Christian Riots Planned,” Associated Press, August 4, 2009.

³⁰² “Pakistani Law Fuels Hatred of Ahmadis – U.N. Experts,” Reuters, May 31, 2010.

³⁰³ “After Facebook, Pakistan Shuts Down YouTube,” Reuters, May 20, 2010; “Media Freedom Fears After Pakistan Facebook Ban,” BBC News, May 26, 2010.

previous fiscal year). In addition, both law enforcement and military training funding were roughly doubled. For FY2011, the Administration has requested further boosts in foreign assistance for Pakistan, including a doubling of Global Health and Child Survival funds (to \$67 million) and increased economic support. Security-related assistance may also increase significantly, most notably with the Administration seeking to fund the PCCF—now overseen by the State Department—with \$1.2 billion. The total assistance to Pakistan channeled through State is thus set to increase by about 20% (from \$2.5 billion in FY2010 to more than \$3 billion in FY2011), even when FY2010 supplemental requests are included.

In addition to boosting development aid and placing conditions on future military aid to that country, major Pakistan-specific legislation in the 111th Congress (P.L. 111-73), also known as the “Kerry-Lugar-Berman” bill, contains numerous reporting requirements, most aimed at ensuring maximal accountability and transparency for U.S. future assistance funds. The act caused major controversy in Pakistan, where elements of the military and political opposition parties criticized it as an “infringement on Pakistani sovereignty.”³⁰⁴ Many independent observers saw the unexpectedly strong Pakistani reaction as being fueled and perhaps even generated by a combination of military elements and opposition political forces who shared a common cause of weakening the PPP-led government. More specifically, this perspective had Army Chief Gen. Kayani engaged in an ongoing struggle with President Zardari and Prime Minister Gilani over ultimate control of the country’s military. One effect of the U.S. legislation was to place the United States in the middle of this battle, which largely dissipated by year’s end.³⁰⁵

There is an ongoing debate about how best to channel large increases in foreign assistance to Pakistan. It is claimed that roughly half of all U.S. aid pledged for Pakistan is spent on administrative costs, including highly-paid foreign experts, thus forwarding the argument that aid flows would be more effective if channeled through Pakistani agencies. Pakistani officials believe that administrative costs can be further reduced by channeling aid primarily through Pakistani government agencies rather than through nongovernmental organizations. The State Department has planned to significantly scale back its use of U.S. aid contractors in Pakistan and begin channeling more money directly to Pakistani officials and local groups.³⁰⁶ Yet there are energetic opponents of such a shift. Representative is a “dissent cable” from a senior economist working for USAID in Pakistan warning that Pakistani aid contractors and NGOs are inexperienced and ill-equipped to effectively deliver aid: “Directing an immediate shift away from U.S. contractors already on the ground to local implementers without an appropriate transition period will seriously compromise the more important requirements for quick counterinsurgency and economic impacts.” Some nongovernmental U.S. aid experts have issued

³⁰⁴ The most serious criticism came from the Pakistani military establishment itself. A statement following the 12th Corps Commander Conference in early October included an expression of “serious concern regarding clauses [of the law] impacting on national security.” In the diplomatic context, this was taken as an explicit and strong condemnation; Gen. Kayani was reported to have energetically complained to visiting U.S. commander Gen. McChrystal, focusing especially on clauses related to civilian control over the military, and references to the Afghan “Quetta shura” and the Lashkar-e-Taiba’s Muridke compound (See the army’s October 7, 2009, release at http://www.ispr.gov.pk/front/main.asp?o=t-press_release&date=2009/10/7; “U.S. Aid Package Riles Pakistan’s Army,” *New York Times*, October 8, 2009).

³⁰⁵ “Pakistan Aid Places U.S. in the Midst of a Divide,” *New York Times*, October 13, 2009.

³⁰⁶ “US Aid to Pakistan ‘Depleted by Admin Costs,’” *Financial Times* (London), August 27, 2009; “Gilani Opposes Aid Disbursement Though NGOs,” *Daily Times* (Lahore), September 7, 2009; “U.S. to Channel More Aid Via Pakistan Government,” Reuters, April 14, 2010.

similar warnings. Even some in Pakistan believe that experienced Western aid professionals are likely to produce better results than “low-paid government functionaries.”³⁰⁷

Senator John Kerry is concerned that large-scale corruption could seriously undermine the U.S. aid effort in Pakistan and he has pressed the State Department to carefully track aid flows to that country. The Senate Foreign Relations Committee Chairman has warned Amb. Holbrooke that plans to shift a majority of assistance funds directly through Pakistani organizations and government agencies increases the possibility that those funds will be stolen or poorly spent.³⁰⁸

The Friends of Democratic Pakistan (FODP)

A “Friends of Democratic Pakistan” (FODP) group was launched in September 2008, when President Zardari and the top diplomats of the United Arab Emirates, Britain, and the United States were joined by foreign ministers from Australia, Canada, France, Germany, Italy, Japan, and Turkey, and representatives of China, the European Union, and the United Nations. A resulting statement expressed agreement to work in strategic partnership with Pakistan to combat violent extremism; develop a comprehensive approach to economic and social development; coordinate an approach to stabilizing and developing border regions; address Pakistan’s energy shortfall; and support democratic institutions.³⁰⁹ In April 2009, 31 countries and 18 international institutions sent representatives to an FODP/Donors’ Conference in Tokyo. There Amb. Holbrooke announced the Administration’s intent to provide a total of \$1 billion in assistance to Pakistan over the 2009-2010 period, bringing to more than \$5 billion the total offered by the international community on top of the IMF package. At an FODP summit meeting in New York in September co-chaired by President Obama, President Zardari, and British Prime Minister Gordon Brown, the forum reiterated its central goals, but no further specifics were discussed pending more detailed Pakistani development proposals.

U.S. Economic, Development, and Humanitarian Assistance

The Obama Administration’s congressionally-mandated Pakistan Assistance Strategy Report, issued in December 2009, lays out the principal objectives of nonmilitary U.S. assistance to Pakistan (to help “in building a stable, secure, and prosperous Pakistan”), a general description of the programs and projects designed to achieve these goals, and a plan for monitoring and evaluating the effort. For FY2010-FY2014, it proposes to devote \$3.5 billion—nearly half of the \$7.5 billion of the aid authorized by The Enhanced Partnership With Pakistan Act of 2010—to “high-impact, high-visibility” infrastructure programs, especially in the energy and agriculture sectors. Another \$2 billion will fund health, education, and humanitarian programs, while the remaining \$2 billion will seek to develop Pakistani government capacity by improving national and local governance, and security and legal institutions.³¹⁰

³⁰⁷ See the “sensitive but unclassified” October 2, 2009, cable at <http://i.usatoday.net/news/pdf/Dissent%20on%20Holbrooke%20FATA%20actions.pdf>; “NGOs Press U.S. Government on Pakistan Aid Packages,” Reuters, November 11, 2009; “American Aid” (editorial), *Dawn* (Karachi), September 8, 2009.

³⁰⁸ “Kerry Pushes For Tougher Controls on Aid to Pakistan,” *Boston Globe*, May 28, 2010.

³⁰⁹ See State’s September 26, 2008, release at <http://2001-2009.state.gov/r/pa/prs/ps/2008/sept/110353.htm>.

³¹⁰ See the December 14, 2009, document at http://www.state.gov/s/special_rep_afghanistan_pakistan/133902.htm. According to USAID, “The goal of U.S. assistance to Pakistan is to tangibly improve the well-being of Pakistanis and (continued...)”

A focus on infrastructure projects is meant to “provide tangible benefits to Pakistani citizens and help Pakistan ameliorate energy and water shortages, and to demonstrate that “the United States is committed to helping address some of the problems that most affect the everyday lives of Pakistanis.” Geographically, U.S. programs concentrate on the KP province and FATA, along with other areas “vulnerable to extremism,” such as southern Punjab.³¹¹ The Special Representative for Afghanistan and Pakistan (SRAP) presents five goals for civilian assistance to Pakistan: (1) helping to address urgent *energy and water crises*; (2) supporting broader *economic and political reforms* necessary for sustainable growth; (3) improving Pakistanis’ prospects for better *health care and education*; (4) helping respond to *humanitarian challenges*; and (5) *combating extremism*. In this effort, reliance on large international contractors will be reduced in favor of building local capacity through Pakistani implementing partners that will be carefully vetted by American and Pakistani accountants. To mitigate the risk of increased corruption, the numbers of direct-hire contracting staff and inspector-general personnel inside Pakistan will be increased.³¹²

In mid-2009, the Obama Administration began emphasizing the importance of upgrading Pakistan’s struggling energy sector. The State Department’s Coordinator for International Energy Affairs, David Goldwyn, led the U.S. delegation at an October 2009 U.S.-Pakistan energy dialogue session, where electricity was the main focus. While in Pakistan that same month, Secretary of State Clinton announced a U.S. initiative aimed at urgently addressing the country’s electricity shortages, starting with a \$125 million U.S. grant for upgrading power stations and transmission lines. In March, the United States committed to upgrading three Pakistani thermal power stations with the goal of restoring 315 megawatts of capacity.³¹³

U.S. Security Assistance

U.S.-Pakistan security cooperation accelerated rapidly after 2001, and President Bush formally designated Pakistan as a major non-NATO U.S. ally in 2004. The close U.S.-Pakistan security ties of the cold war era, which came to a near halt after the 1990 aid cutoff, were restored as a result of Pakistan’s role in the U.S.-led anti-terrorism campaign. In 2002, the United States began allowing commercial sales that enabled Pakistan to refurbish at least part of its fleet of American-made F-16 fighter aircraft and, three years later, Washington announced that it would resume sales of new F-16 fighters to Pakistan after a 16-year hiatus. During the G.W. Bush Administration, a revived U.S.-Pakistan Defense Consultative Group (DCG)—moribund from 1997 to 2001—sat for high-level discussions on military cooperation, security assistance, and anti-terrorism. The forum has continued under the Obama Administration; its most recent session

(...continued)

to support the Government of Pakistan in fulfilling its vision of a moderate, democratic, and prosperous country.” U.S. assistance emphasizes efforts to strengthen Pakistan’s health and education sectors, create economic growth and opportunity, bolster judicial and democratic governance institutions, and providing humanitarian assistance, including relief for earthquake victims and those displaced by violent conflict (see the Pakistan Mission overview at <http://www.usaid.gov/pk/about/index.html>).

³¹¹ U.S. Department of State FY2011 Congressional Budget Justification for Foreign Operations, March 2010.

³¹² Testimony of Deputy SRAP Dan Feldman before the House Oversight and Government Reform Subcommittee on National Security and Foreign Affairs, “U.S. Aid to Pakistan (Part II): Planning and Accountability,” March 16, 2010.

³¹³ “US Considers Funding Pakistan Energy Projects,” Reuters, August 17, 2009; “Clinton Pledges US Aid for Electricity in Pakistan,” *Wall Street Journal*, October 28, 2009; State Department press release, March 25, 2010, at <http://islamabad.usembassy.gov/pr-10032703.html>.

came in December 2009, when Under Secretary of Defense Michelle Flournoy led a senior U.S. delegation in meetings with a Pakistani group led by Defense Secretary Athar Ali.

Pentagon officials have for some time been frustrated by the allegedly feckless counterinsurgency efforts of the internally squabbling Islamabad government in the recent past. Reports indicate that U.S. officials have been disheartened by signs that the Pakistani military is slow to shift away from a conventional war strategy focused on India, and they have made clear the United States stands ready to assist Pakistan in reorienting its army for counterinsurgency efforts. This is not clearly a task the Pakistani military leadership has been eager to complete. In an effort to more effectively channel U.S. security assistance so as to specifically strengthen Pakistan's counterinsurgency capabilities, the Pentagon proposed—and Congress later endorsed—creation of a dedicated fund, the PCCF.³¹⁴

There are concerns that allegedly serious human rights abuses by the army in Swat, including extrajudicial killings and the holding of some 2,500 suspected militants in indefinite detention, could trigger so-called “Leahy Amendment” restrictions on future U.S. security assistance.³¹⁵

Defense Supplies

Major U.S. arms sales and grants to Pakistan since 2001 have included items useful for counterterrorism operations, along with a number of “big ticket” platforms more suited to conventional warfare. In dollar value terms, the bulk of purchases are made with Pakistani national funds: the Pentagon reports total Foreign Military Sales agreements with Pakistan worth \$5 billion for FY2002-FY2009 (in-process sales of F-16 combat aircraft and related equipment account for about three-quarters of this). The United States also has provided Pakistan with more than \$2.1 billion in Foreign Military Financing (FMF) since 2001 (including scheduled FY2010 funds). These funds are used to purchase U.S. military equipment for longer-term modernization efforts. Pakistan also has been granted U.S. defense supplies as Excess Defense Articles (EDA). Major post-2001 defense supplies provided or soon-to-be provided under FMF include:

- eight P-3C Orion maritime patrol aircraft and their refurbishment (valued at \$474 million; two delivered);
- about 5,250 TOW anti-armor missiles (\$186 million; 2,007 delivered);
- more than 5,600 military radio sets (\$163 million);

³¹⁴ Appearing before both Senate and House panels in May 2009, Secretary of Defense Gates urged Congress to quickly provide significant new counterinsurgency funding for Pakistan, arguing that the newly authorized PCCF should be overseen by U.S. military commanders rather than by State Department civilians. Yet many in Congress voiced doubts about the wisdom of creating a major new stream of military funding under Pentagon oversight, as such aid traditionally has been subject to Foreign Assistance Act restrictions. When the House Appropriations Committee took up the issue, its members determined to place PCCF oversight in the hands of the State Department after FY2010, a plan then endorsed by the full House (“Gates Pushes Congress to Boost Pakistan Aid,” *Washington Post*, May 1, 2009; “Democrats Steer Pakistan Security Account to State,” Associated Press, May 7, 2009).

³¹⁵ “Pakistan Army Accused of Extrajudicial Killings, Human Rights Abuses,” *Washington Post*, April 5, 2010; “Pakistan Holding Thousands in Indefinite Detention, Officials Say,” *Washington Post*, April 21, 2010. Sec. 620J of the Foreign Assistance Act of 1961 (P.L. 87-195, as amended), also known as the Leahy Amendment, states that “No assistance shall be furnished under this Act or the Arms Export Control Act to any unit of the security forces of a foreign country if the Secretary of State has credible evidence that such unit has committed gross violations of human rights.”

- six AN/TPS-77 surveillance radars (\$100 million);
- six C-130E transport aircraft and their refurbishment (\$76 million);
- five refurbished SH-2I Super Seasprite maritime helicopters granted under EDA (\$67 million);
- one ex-Oliver Hazard Perry class missile frigate via EDA (\$65 million);
- 20 AH-1F Cobra attack helicopters via EDA (\$48 million, 12 refurbished and delivered); and
- 121 refurbished TOW missile launchers (\$25 million).

Supplies paid for with a mix of Pakistani national funds and FMF include:

- up to 60 Mid-Life Update kits for F-16A/B combat aircraft (valued at \$891 million, with \$477 million of this in FMF; Pakistan's current plans are to purchase 35 such kits); and
- 115 M-109 self-propelled howitzers (\$87 million, with \$53 million in FMF).

Notable items paid for entirely with Pakistani national funds include:

- 18 new F-16C/D Block 50/52 combat aircraft, with an option for 18 more (valued at \$1.43 billion, none delivered to date);
- F-16 armaments including 500 AMRAAM air-to-air missiles; 1,450 2,000-pound bombs; 500 JDAM bomb tail kits for gravity bombs; and 1,600 Enhanced Paveway laser-guided bomb kits, also for gravity bombs (\$629 million);
- 100 Harpoon anti-ship missiles (\$298 million);
- 500 Sidewinder air-to-air missiles (\$95 million); and
- six Phalanx Close-In Weapons System naval guns (\$80 million).³¹⁶

Major EDA grants since 2001 include 14 F-16A/B combat aircraft and 39 T-37 military trainer jets. Under Coalition Support Funds (part of the Pentagon budget), Pakistan received 26 Bell 412 utility helicopters, along with related parts and maintenance, valued at \$235 million. Finally, under 1206, Frontier Corps, and PCCF authorities, the United States has provided helicopter spare parts, various night vision devices, radios, body armor, helmets, first aid kits, litters, and large quantities of other individual soldier equipment. Pakistan is eager to receive more counterinsurgency hardware for use in western Pakistan, including armored personnel carriers, laser target designators, laser-guided munitions, and more night-vision goggles and surveillance gear. They also request better and more sophisticated surveillance and communications equipment, along with more attack and utility helicopters.³¹⁷

The Defense Department has characterized F-16 fighters, P-3C patrol aircraft, and anti-armor missiles as having significant anti-terrorism applications. The State Department has claimed that,

³¹⁶ Figures reported by the U.S. Department of Defense. See also CRS Report RS22757, *U.S. Arms Sales to Pakistan*.

³¹⁷ "US Military Aid is Insufficient" (interview with Maj. Gen. Athar Abbas), *Friday Times* (Lahore), February 20, 2009.

since 2005, FMF funds have been “solely for counterterrorism efforts, broadly defined.”³¹⁸ Such claims elicit skepticism from some observers, and analysts who emphasize the importance of strengthening the U.S.-India strategic partnership have called U.S. military aid to Pakistan incompatible with U.S. strategic goals in the region. Moreover, U.S. officials are concerned that Pakistan has altered some conventional U.S.-supplied weapons in ways that could violate the Arms Export Control Act. Such alleged modification include expanding the capability of both Harpoon anti-ship missiles and P-3C naval aircraft for land-attack missions. The Islamabad government categorically rejects the allegations.³¹⁹ Indian observers were unsurprised by the claims; New Delhi’s leaders continuously complain that Pakistan diverts most forms of U.S. assistance toward India. Some more suspicious analysts even see purpose in such a dynamic: a U.S. wish to maintain Pakistan’s viability as a regional balancer to Indian hegemony.³²⁰

In the summer and fall of 2009, some reports had Pakistani officials claiming the military could not take immediate advantage of TTP chief Baitullah Mehsud’s death due to a shortage of counterinsurgency equipment it needed from the United States. Some analysts complained that a delay in the expected South Waziristan offensive could in part be traced to U.S. “withholding” of equipment. Pentagon officials deny that Pakistan has been prevented or deterred from acquiring the counterinsurgency equipment it wants and needs.³²¹ Indeed, during the course of the fighting in South Waziristan, Pakistan received low-profile but significant U.S. assistance in the form of transport helicopters, parts for helicopter gunships, and infantry equipment, along with unprecedented intelligence and surveillance video sharing from American UAVs. In anticipation of new counterinsurgency operations in 2010, the United States provided the Pakistani air force with about 1,000 quarter-ton bombs, along with up to 1,000 kits for making gravity bombs laser-guided-capable. As noted above, transfers to Pakistan of such offensive weaponry are viewed with a wary eye by the Indian government.³²²

Training and Law Enforcement

The Bush Administration launched an initiative to strengthen the capacity of the Frontier Corps (FC), an 65,000-man paramilitary force overseen by the Pakistani Interior Ministry. The FC has primary responsibility for border security in the KPK and Baluchistan provinces. The Pentagon in 2007 began using its funds to train and equip the FC, as well as to increase the involvement of the

³¹⁸ F-16 aircraft are reported to be especially effective in Pakistan’s counterinsurgency efforts, with improved training and enhanced capabilities allowing for more precise targeting resulting in fewer civilian casualties (see the December 17, 2009, statements of a Pentagon official at <http://www.defense.gov/transcripts/transcript.aspx?transcriptid=4528>); State’s release at <http://2001-2009.state.gov/p/sca/rls/rm/2007/97946.htm>.

³¹⁹ “U.S. Says Pakistan Made Changes to Missiles Sold for Defense,” *New York Times*, August 30, 2009; Foreign Ministry’s August 30, 2009, release at http://www.mofa.gov.pk/Press_Releases/2009/Aug/PR_335_09.htm.

³²⁰ “India Reacts to US Accusing Pakistan of Illegally Modifying Missiles,” BBC Monitoring South Asia, August 31, 2009; “Aid to Pakistan ‘Invariably Directed’ Against India – Minister,” BBC Monitoring South Asia, August 17, 2009; Gurmeet Kanwal, “US Arms Sales Are Propping Up Pakistan as a Regional Challenger,” Institute for Defense Studies and Analysis (New Delhi), February 11, 2010.

³²¹ “Pakistan Asks US for Hardware to Enable Waziristan Offensive,” *Jane’s Defense Weekly*, August 21, 2009; Shuja Nawaz, “How to Help Pakistan Win This Fight,” *Foreign Policy* (online), October 20, 2009; author interviews with Pentagon officials.

³²² “U.S. Aiding Pakistani Military Offensive,” *Los Angeles Times*, October 23, 2009; “U.S. Provides Pakistan Air Force 1,000 Bombs for New Offensive,” Bloomberg News, March 2, 2010. When asked about the bomb deliveries, India’s defense minister was quoted as saying, “Given our bitter past experience of how Islamabad used such aid against India, Washington should assure that the latest tranche of military aid is used only for the purpose of countering Al Qaeda and Taliban terrorists” (“Antony Concerned Over US Arms to Pak,” *Statesman* (Delhi), March 5, 2010).

U.S. Special Operations Command in assisting with Pakistani counterterrorism efforts. Americans are also engaged in training Pakistan's elite Special Service Group commandos with a goal of doubling that force's size to 5,000.³²³ Other security-related programs for Pakistan are said to be aimed especially at bolstering Islamabad's counterterrorism and border security efforts, and have included U.S.-funded road-building projects in the KPk and FATA. The United States also has undertaken to train and equip new Pakistan Army Air Assault units that can move quickly to find and target terrorist elements. U.S.-funded military education and training programs seek to enhance the professionalism of Pakistan's military leaders, and develop respect for rule of law, human rights, and democratic values.

U.S. security assistance to Pakistan's civilian sector is aimed at strengthening the country's law enforcement capabilities through basic police training, provision of advanced identification systems, and establishment of a new Counterterrorism Special Investigation Group. U.S. efforts may be hindered by Pakistani shortcomings that include poorly trained and poorly equipped personnel who generally are underpaid by ineffectively coordinated and overburdened government agencies.³²⁴ The findings of a 2008 think-tank report reflected a widely held view that Pakistan's police and civilian intelligence agencies are better suited to combating insurgency and terrorism than are the country's regular army. The report found that Pakistan's police forces are "incapable of combating crime, upholding the law, or protecting citizens and the state against militant violence," and placed the bulk of responsibility on the politicization of the police forces. The report recommended sweeping reforms to address corruption and human rights abuses.³²⁵

Selected Pakistan-Related Legislation in the 111th Congress

P.L. 111-8: The Omnibus Appropriations Act, 2009 (became Public Law on March 11, 2009):

- Limits FY2009 Foreign Military Financing for Pakistan to "border security, counterterrorism, and law enforcement activities directed against Al Qaeda, the Taliban, and associated groups."
- Bars the use of such funds for any program initially funded under the authority of Section 1206 of the 2006 defense authorization (P.L. 109-163), which pertains to Pentagon programs for training and equipping foreign military forces.

P.L. 111-32: The Supplemental Appropriations Act, 2009 (became Public Law on June 24, 2009):

- Appropriates \$672 million in supplemental FY2009 assistance funds for Pakistan.
- Appropriates \$1 billion for continuing coalition support reimbursements to key cooperating nations (Pakistan typically receives roughly 80% of such funds).

³²³ "Joint Chiefs Chairman and Musharraf Discuss Terror Threat," *New York Times*, February 10, 2008. One Harvard University-based analyst and former Pakistani police official opined that, without fundamental structural reforms, the prospects for meaningfully improving Frontier Corps capabilities are dim. Among his recommended changes are the appointment of more local tribesmen into command positions and a restoration of the authority of local political agents (Hassan Abbas, "Transforming Pakistan's Frontier Corps," *CTC Terrorism Monitor*, March 29, 2007).

³²⁴ See, for example, Seth Jones, et al., "Securing Tyrants or Fostering Reform?," RAND Corporation Monograph, January 7, 2007.

³²⁵ "Reforming Pakistan's Police," International Crisis Group Asia Report No. 157, July 14, 2008.

- Establishes new U.S. Treasury funds providing a total of \$1.1 billion for strengthening Pakistani counterinsurgency capabilities through FY2011.
- Requires the President to report to Congress an assessment of the extent to which the Afghan and Pakistani governments are demonstrating the necessary commitment, capability, conduct and unity of purpose to warrant the continuation of the President's policy announced in March 2009.
- Requires the President to report to Congress a clear statement of the objectives of United States policy with respect to Afghanistan and Pakistan, and the metrics to be used to assess progress toward achieving such objectives.

P.L.-111-73: The Enhanced Partnership With Pakistan Act of 2009 (became Public Law on October 15, 2009):

- Authorizes \$1.5 billion per fiscal year for nonmilitary assistance to Pakistan for FY2010-FY2014, and establishes a sense of Congress that, subject to an improving political and economic climate in Pakistan, such aid levels should continue through FY2019.
- Prohibits military assistance and arms transfers to Pakistan during FY2010-FY2014 unless the Secretary of State annually certifies for Congress that 1) Pakistan is continuing to cooperate with the United States to dismantle illicit nuclear proliferation networks; 2) Pakistan's government is making significant efforts to combat terrorist groups; and 3) Pakistan's security forces are not subverting Pakistan's political or judicial processes.
- Directs the Secretary of State to submit a Pakistan Assistance Strategy Report to Congress containing descriptions of objectives, and monitoring and accountability mechanisms.

P.L. 111-84: The National Defense Authorization Act for FY2010 (became Public Law on October 28, 2009):

- Directs the Secretary of State to carry out a program to provide for the registration and end-use monitoring of defense articles and services transferred to Pakistan (and Afghanistan), and to prohibit the retransfer of such articles and services without U.S. consent.
- Requires the Secretary to 1) assess possible alternatives to reimbursements to Pakistan for logistical, military, or other support provided to or in connection with U.S. military operations; and 2) report assessment results to the defense, appropriations, and foreign relations committees.
- Directs the Secretary to report semiannually to Congress on progress toward long-term security and stability in Pakistan.

P.L. 111-118: The Department of Defense Appropriations Act, 2010 (became Public Law on December 19, 2009)

- Requires the Director of the Office of Management and Budget, in consultation with the Secretary of Defense and other defense officials, to submit to Congress a quarterly report on the proposed use of all Pakistan Counterinsurgency Fund (PCF) spending on a project-by-project basis.

- Requires the Secretary of Defense to notify Congress of any new PCF projects or fund transfers in excess of \$20 million.

H.R. 1463: To restrict U.S. military assistance to Pakistan (referred to House committee on March 12, 2009):

- Would prohibit U.S. military assistance to Pakistan unless the President certifies for Congress that the Islamabad government is making A.Q. Khan available for questioning by U.S. officials and that it is adequately monitoring Khan's activities so as to prevent his participation in any further nuclear proliferation.

H.R. 4899: The Supplemental Appropriations Act, 2010 (passed by the House on March 24, 2010, and the Senate on May 27, 2010; resolving differences):

- Would appropriate for Pakistan supplemental assistance funds of \$259 million for ESF, \$40 million for INCLE, and \$50 million for FMF.
- Would require FMF and PCCF funds be made available in accordance with Section 620J of the Foreign Assistance Act of 1961 (as amended) as related to foreign military forces and gross human rights violations.

H.R. 5136: The National Defense Authorization Act for FY2011 (passed by the House on May 28, 2010; placed on Senate calendar):

- Would extend by one year the authority for reimbursement to certain coalition nations and modify it by including language related to the threat posed by Islamist militant groups in Pakistan.
- Would extend by one year the Pakistan Counterinsurgency Fund.

S. 496: Afghanistan and Pakistan Reconstruction Opportunity Zones Act of 2009 (referred to Senate committee on February 26, 2009; a related bill, H.R. 1318, was passed by the House as part of H.R. 1886 on June 11, 2009):

- Would provided duty-free treatment for certain goods from designated Reconstruction Opportunity Zones in Afghanistan and Pakistan.

Table I. Direct Overt U.S. Aid and Military Reimbursements to Pakistan, FY2002-FY2010

(rounded to the nearest millions of dollars)

Program or Account	FY2002-FY2004	FY2005	FY2006	FY2007	FY2008	FY2009	FY2010 (est.)	FY2002- FY2010 Total	FY2011 (req.)
I206	—	—	28	14	56	114	f	212	f
CN	—	8	24	49	54	47 ^e	38	220	f
CSF ^a	3,121 ^c	964	862	731	1,019	685 ^f	756 ^g	8,138 ^g	g
FC	—	—	—	—	75	25 ^e	—	100	—
FMF	375	299	297	297	298	300	298 ⁱ	2,164	296
IMET	3	2	2	2	2	2	5	18	4
INCLE	154	32	38	24	22	88 ^g	170 ⁱ	528	140
NADR	16	8	9	10	10	13 ^g	21	87	25
PCF/PCCF	—	—	—	—	—	400	700	1,100	1,200
Total Security-Related	3,669	1,313	1,260	1,127	1,536	1,674^h	1,988	12,567	1,665
CSH/GHCS	30	21	28	22	30	33	30	220	67
DA	94	29	38	95	30	—	—	286	—
ESF	1,003 ^d	298	337	394 ^e	347	1,114 ^g	1,277 ⁱ	4,770	1,322
Food Aid ^b	46	32	55	—	50	55	81	319	—
HRDF	3	2	1	11	—	—	—	17	—
IDA	—	—	70	50	50	103	9	282	—
MRA	22	6	10	4	—	60	42	144	—
Total Economic-Related	1,224	388	539	576	507	1,365^h	1,439	6,038	1,389
Grand Total	4,893	1,701	1,799	1,703	2,043	3,039^h	3,427	18,605	3,054

Sources: U.S. Departments of State, Defense, and Agriculture; U.S. Agency for International Development.

Abbreviations:

I206: Section 1206 of the National Defense Authorization Act (NDAA) for FY2006 (P.L. 109-163, global train and equip; Pentagon budget)

CN: Counternarcotics Funds (Pentagon budget)
CSF: Coalition Support Funds (Pentagon budget)
CSH: Child Survival and Health (Global Health and Child Survival, or GHCS, from FY2010)
DA: Development Assistance
ESF: Economic Support Funds
FC: Section 1206 of the NDAA for FY2008 (P.L. 110-181, Pakistan Frontier Corp train and equip; Pentagon budget)
FMF: Foreign Military Financing
HRDF: Human Rights and Democracy Funds
IDA: International Disaster Assistance (Pakistani earthquake and internally displaced persons relief)
IMET: International Military Education and Training
INCLE: International Narcotics Control and Law Enforcement (includes border security)
MRA: Migration and Refugee Assistance
NADR: Nonproliferation, Anti-Terrorism, Demining, and Related (the majority allocated for Pakistan is for anti-terrorism assistance)
PCF/PCCF: Pakistan Counterinsurgency Fund/Pakistan Counterinsurgency Capability Fund (Pentagon budget through FY2010, State Department thereafter)

Notes:

- a. CSF is Pentagon funding to reimburse Pakistan for its support of U.S. military operations. It is not officially designated as foreign assistance.
- b. P.L.480 Title I (loans), P.L.480 Title II (grants), and Section 416(b) of the Agricultural Act of 1949, as amended (surplus agricultural commodity donations). Food aid totals do not include freight costs.
- c. Includes \$220 million for Peacekeeping Operations reported by the State Department.
- d. Congress authorized Pakistan to use the FY2003 and FY2004 ESF allocations to cancel a total of about \$1.5 billion in concessional debt to the U.S. government. From FY2005-FY2007, \$200 million per year in ESF was delivered in the form of “budget support”—cash transfers to Pakistan. Such funds have been mostly “projectized” from FY2008 on.
- e. Includes \$110 million in Pentagon funds transferred to the State Department for projects in Pakistan’s tribal areas (P.L. 110-28).
- f. This funding is “requirements-based;” there are no pre-allocation data.
- g. Congress appropriated \$1.2 billion for FY2009 and \$1.57 billion for FY2010, and the Administration requested \$2 billion for FY2011, in additional CSF for all U.S. coalition partners. Pakistan has in the past received about 80% of such funds. FY2009-FY2011 may thus see an estimated \$3.4 billion in additional CSF payments to Pakistan.
- h. Includes a “bridge” ESF appropriation of \$150 million (P.L. 110-252), \$15 million of which the Administration later transferred to INCLE. Also includes FY2009 supplemental appropriations of \$539 million for ESF, \$66 million for INCLE, and \$2 million for NADR.
- i. The Administration’s request for supplemental FY2010 appropriations includes \$244 million for ESF, \$40 million for INCLE, and \$60 million for FMF funds for Pakistan. These amounts are included in the estimated FY2010 total.

Figure 1. Map of Pakistan



Source: Map Resources. Adapted by CRS.

Figure 2. District Map of Pakistan’s Khyber Pakhtunkhwa (formally North West Frontier) Province and Federally Administered Tribal Areas



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