

HOW PAKISTAN NEGOTIATES WITH THE UNITED STATES OF AMERICA?

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Abstract

Irrespective of their size and power potential, countries engage with each other. The basic motivation to interact stems from the countries' national interests. The fundamental tenet of diplomacy is negotiations. Breakdown in communication can be fatal in international relations. Within an asymmetrical relationship Pakistan and the United States have negotiated with each other, whenever their interests have conflated. The course of this relationship has never been smooth. It has had its ups and downs. It recently experienced the worst kind of impasse. It took patience and persuasion to find a way out of the logjam. Historically Pakistan and the US have partnered with each other on a number of times in the past but each union ended when the latter felt that the usefulness of the association had outlived its utility.

Introduction

A look at the Pakistan's existing negotiation strategy indicates that it accords top priority to the United States of America. It sends its best and brightest to its embassy in Washington and its top leadership makes it a point to visit the US at the earliest possible opportunity. There are excellent contacts at military-to-military level and there has been good intelligence cooperation. The Pakistani diplomats understand the working on the Capitol Hill and cultural barriers present no problems to them. Yet the current crisis has been difficult to resolve.

How can future showdowns, with predictable results be avoided? The best way forward is to rebuild the relationship on the basis of confidence and trust. No aspect of any transaction should be hidden in any manner

from the public view. It should be an issue-based engagement and not across the board strategic partnership. To animate such a track, common ground will have to be found. No matter how bleak the situation may appear there will always be zones of mutual interest e.g. one area, which is of mutual importance, is peace and stability in the region. Last but not least, Pakistan should look beyond the American departure from Afghanistan and prepare its approach to match the emerging situation. If Pakistan is able to learn from past experiences, it can surely recalibrate its negotiation strategies and steer clear of potential blind alleys.

Why Countries Negotiate?

To rephrase John Donne, 16th century English poet, “No country is an island unto itself.”¹ For their own good, countries engage with each other, regionally as well as internationally. Interestingly culture and ideology form no obstacles in international relations. Countries cut across physical and mental barriers to communicate. The primary tool for engagement in statecraft, whether in peace or war, is negotiation and dialogue. National interests dictate and influence the outcome of interstate talks. The scope of negotiations can be bilateral as well as multilateral. Negotiations can take place within an institutional setting as well as in an informal manner. Negotiating partners can include two or more countries. Countries also negotiate with international bodies and non-government organizations. International parleys cover a wide spectrum of issues like defusing crises, preventing or ending wars, fostering trade and commerce, promoting bilateral relations, entering into alliances and also getting out of them, and a number of other mutually beneficial activities. What eventually matters are the results. The outcome of dialogues can have short-, medium- as well as long-term implications and can have a lasting effect on the destiny of nations.

Successful negotiations often conclude with joint statements, declarations, treaties, pacts, agreements, alliances, covenants and compacts. At times the negotiations are held in full glare of public view, while on other occasions these are extremely low key affairs or even

completely secret. The agreements that result from covert transactions may not be made available to the public domain for decades. One infamous secret agreement was the Sykes Picot Accord. This dubious understanding between the British and French imperialists was meant to create their zones of influence within the resource-rich Middle East. This was to be done by carving out multiple countries from the Arab provinces of the Ottoman Empire after the First World War.²

It is not uncommon for two unequal countries to negotiate. It is fair to assume that the stronger party is in a position to dictate terms. During the early days of Islam, the Muslims of Medina entered into a peace treaty with the Quraish of Makkah. *Prima facie* the terms and conditions of the Treaty of Hudaibiyyah appeared favourable for the Meccans.³ In the long run, it proved to be a strategic masterstroke by Prophet Muhammad (PBUH). For it provided the Muslims the necessary breathing space to convert more people to their cause and build up on their gains. After a decade of meaningful peace and progress the Muslims emerged as the strongest of the two city states and were successful in taking Makkah without any bloodshed. Treaties can be unduly harsh, especially when victors have dictated unfair terms to hapless losers. One historical example is that of the 1919 Treaty of Versailles. Under this treaty a defeated Germany was condemned to pay war reparations into perpetuity.

Negotiations resulting in formal treaties or informal agreements can sometime become subject of longstanding controversies. National leaders striking unpopular deals are criticised and castigated for their lack of statesmanship. Members of opposition capitalise on such occasions to heighten the sense of betrayal to build up public opinion against the ruling party or its leader. British Prime Minister Neville Chamberlain's effort to strike a peace deal with Adolph Hitler in a bid to forestall the Second World War was dubbed as the policy of appeasement.⁴ One of the most vociferous opponents of Chamberlain's policy, Winston Churchill described it as a sure shot recipe for encouraging dictators to wage war.⁵ Churchill was able to replace the disgraced Chamberlain as the wartime Prime Minister of Great Britain.

A similar strategy was played by Mr Bhutto, as foreign minister of Pakistan to unseat President Ayub Khan. He rejected the Tashkent Agreement of 1966 because in his opinion Ayub Khan had “betrayed” Pakistan “by abandoning its just claim on Kashmir.”⁶ He made this argument the rallying cry of his successful mass movement to remove Ayub Khan from power. There were dissenting voices in India against Tashkent as well. Speaking before the Rajiya Sabha, the upper house on 31 July 1966 veteran Indian politician L K Advani declared that the agreement was the betrayal of the entire nation. He was not alone in his tirade against the Tashkent Agreement. Five opposition parties, namely the Jana Sangh, CPM, Swatantra, Socialist and Congress (O) supported him.⁷ There was, however, no mass agitation in India, since Prime Minister Lal Bahadar Shastri had died even before the ink had dried on the document signed by him. Indira Gandhi, the scion of the Nehru family, then a junior minister stepped into Shastri’s shoes without any fuss.

To put it succinctly, negotiations with foreign interlocutors can have domestic fallouts. This can happen if there are covert clauses or even if there aren’t any but the opposition parties can somehow create such an impression among the common people.

Negotiating Strategies and Stratagems

Each state devises its own distinctive negotiation strategy to suit a peculiar environment. The plan of negotiations is based on an amalgam of factors. The first and foremost aspect to consider, while crafting a bargaining ploy, is the country’s national interests. From this should flow a smart plan to achieve the best result. Irrespective of what views a country may traditionally subscribe to, its negotiating strategy is invariably aimed to get the best out of the prevailing conditions. As the negotiations proceed the countries involved modify their tactics to arrive at the best possible outcome. The success of the negotiations depends on the genuine desire of both parties to effect a win-win situation. This, however, is an elusive commodity. At times negotiations completely fail

or only partly succeed. As in confrontation, so too in negotiations, the country that pulls the best punches, ends up with the top honours. It goes without saying that the size and power potential of a country is brought to bear to draw the best possible results.

Logically speaking, a stronger country should be under no compulsion to engage with a weaker one but this is not always the case in international affairs. Countries, irrespective of the sizes of their economies and military might, can come together, when their interests intersect and converge. Notwithstanding the commonalities created by fate or circumstances, it is always a challenge for the weaker nation within an unequal equation to put across its point of view in a manner that the more powerful party sees it in a positive light and wholly or partially accepts it. This is not to say that at times a country at a disadvantage can make the best of a bad bargain. For instance Mr Bhutto was clearly at a disadvantage while negotiating with Mrs Gandhi at Shimla, after Pakistan had lost its eastern wing as a result of the disastrous war in 1971. As a result of the agreement, India agreed to release the 90,000 Pakistani prisoners of war and also vacate the areas it had occupied in West Pakistan. The concession that Bhutto made, was to convert the Ceasefire Line (CFL) into a Line of Control (LoC). The tacit understanding was to convert the LoC into international border within a span of 3 to 5 years after creating suitable public opinion in Pakistan.⁸ To date the LoC remains a dividing line in a disputed territory.

For serious students of diplomacy, the negotiating strategies of weaker nations often appear paradoxical and enigmatic. The puzzle is how a weaker party can ever hope to succeed at the negotiating table and why at all stronger nations think of negotiating with them in the first place?⁹ For instance, the attitude of Israel with the US often defies common sense. Israel, a junior partner in a strategic partnership of longstanding with the United States of America is often at odds with its senior partner. Its defiance in establishing new settlements in the occupied zones is a case in point. Many reasons can be ascribed to Israel's cocky behaviour. The general view held by the common man

in our parts of the world is that the confidence and exuberance that the puny state of Israel displays is because Jews control not only the bulk of the international capital but also the international media. The main reason is different. In my point of view the US tolerates the shenanigans of Israel because it serves as the world's sole superpower's strategic outpost in an oil rich zone – a region which must be tightly controlled as long as fossil fuel is used to run the factories and heat the homes of the rich and powerful industrialised nations.

Nature of Pakistan US Relationship

Clearly Pakistan has an asymmetrical relationship with the US in which the decks are stacked against the former. This becomes quite evident in the course of their negotiations. Pakistan doesn't enjoy the kind of impunity that Israel displays, when negotiating with the US. Traditionally its relationship trajectory with the US has run an erratic course. There have been highpoints and lows. More often than not, Pak-US relations have blossomed and withered in short spurts usually ending in what has best been described as a bitter divorce after a steamy courtship and honeymoon. The major disagreement this time over has been Afghanistan.¹⁰

Like any other pragmatic practitioner of foreign affairs, the US engagement and disengagement with Pakistan has always been based on cold and calculated geopolitical assessments. Pakistan has almost always found it convenient to highlight its geostrategic location. Over the years, it has not been able to make any meaningful value addition to its salience as a major regional hub. As a result the US has repeatedly lost interest and unceremoniously ditched Pakistan. Pakistan's reaction to these rejections has been one of unqualified betrayal. This approach has marred meaningful attempts at deliberate soul searching and learning pertinent lessons. In this essay, I have made a modest effort to study the nature of Pakistan's negotiating practices with the US.

Why Pakistan and USA Negotiate?

Over the past 65 years Pakistan-US relations have waxed and waned with the change in regional and international milieu. The rollercoaster nature of their association has caused enormous frustration and anxiety on both sides.¹¹ Much of the blame for this dissatisfaction can be laid on the differing expectations of both parties. Ever since its inception, Pakistan has felt threatened by its larger eastern neighbour India. There are many reasons for this threat factor. The primary reason for India-Pakistan animus is the disputed territory of Jammu & Kashmir. In the Pakistani narrative the first Prime Minister of India Pundit Jawaharlal Nehru exploited his relations with the last Viceroy of India Lord Louis Mountbatten and his wife Edwina to unfairly manipulate the Radcliffe boundary commission award. The final draft, revealed after the two countries had already become independent, made it possible for India to maintain a land route with Kashmir. This allowed the Indian forces to rush reinforcements and rescue the beleaguered State Forces from the clutches of the advancing Pakistani tribesmen. Disputes over division of assets, stoppage of river waters and forcible occupation of states like Junagarh and Manavadar, which had chosen to accede to Pakistan, has put the new relations on a rocky path.¹² India's role in separating East from West Pakistan,¹³ and the surreptitious occupation of the Siachin glacier has served to add to the general feeling of mistrust. Pakistan and India are both nuclear states and can use these weapons in case a crisis gets out of hand.¹⁴

The role of Pakistan's western neighbour – Afghanistan — has also been problematic. At the time of partition of the Indian Subcontinent, the Afghan leadership rejected the Durand Line, the *de facto* border that divided British India from Afghanistan and laid irredentist claims on the province then called the North West Frontier Province (NWFP).¹⁵ In order to survive in a tough neighbourhood Pakistan desperately sought allies. It was able to find protection in the military alliances with the United States during the Cold War. The Americans found it convenient to provide military aid to Pakistan to bolster its ring of

containment around the growing communist menace. The interests of the two countries conflated. Both were confronted with clear and present danger. One was operating at the global level, while the other was merely a minor regional player.

Pakistan has all along emphasised its important geographical location as the underpinning of its relationship with the United States. Jinnah, the founder of Pakistan in an interview given to Margret Bourke-White on the eve of Partition, confidently asserted that “America needs Pakistan more than Pakistan needs America.”¹⁶ After the Second World War the United States had emerged as the most powerful nation on the earth. Although the Soviet Union would soon emerge as the second centre in a newly emerging bipolar world, USA, extremely rich, was a leader in technology, possessed nuclear weapons and its landmass was protected by the Atlantic and the Pacific oceans. At the outset Pakistani leaders had sent out signals that they would steer clear of great power conflicts,¹⁷ and would follow a “foreign policy...of friendliness and goodwill towards all nations of the world.”¹⁸ However, it was quite clear that they were looking for partners. Jinnah, the realist, had stated in 1946, a year before independence: “Naturally no nation stands by itself. There will be alliances with other nations whose interests are common.”¹⁹ After independence, statements by the country’s first Prime Minister Liaquat Ali Khan led the domestic and foreign press to believe that Pakistani foreign policy would be one “of greater cooperation with the Anglo-American bloc,”²⁰ and that in case of war, while “India would remain neutral, Pakistan would side with the free countries against Russia.”²¹ In a press conference in Cairo in May 1949, Liaquat Ali Khan said that “Pakistan was making a socialistic experiment which would help combat Communist penetration in South-East Asia.”²² In an interview to the Cairo correspondent of *The Times*, Liaquat Ali had highlighted the importance of the Muslim countries between Cairo and Karachi and their possible role in fighting Communism and the need for the Western powers to strengthen them.²³

How Pakistan Negotiates with the US?

Taking into cognizance the USA's pre-eminent position in the world affairs, Pakistani policymakers have tried their best to negotiate with the Americans in a manner that they think best. A number of steps undertaken in this regard, over the years, would confirm the seriousness that Pakistan attaches to its relations with the US.

State Visits by Senior Leadership

Beginning with Pakistan's first Prime Minister Nawabzada Liaquat Ali Khan there has hardly been a head of state or government, who has not visited the United States of America. Liaquat Ali Khan visited the US in May 1950. This was the first ever state visit to the US by a Pakistani head of the government. The US had extended the invitation to the Indian Prime Minister Jawaharlal Nehru first. The Pakistani prime minister was invited only after the Soviets sent him an invitation.²⁴ The reluctant manner of the invitation notwithstanding, Liaquat Ali Khan was accorded a warm and wholehearted reception by his hosts. He was received personally on arrival at the Washington National Airport by President Harry S. Truman. An honour guard was part of the reception festivities. From the airport the American President and his wife accompanied the Pakistani first family to their living quarters in Blair House. Prime Minister Liaquat Ali Khan addressed the United States House of Representatives, a rare honour given to any foreign dignitary. While in Washington, he visited the Mount Vernon residence of George Washington. In New York City another parade was held in his honour and he was awarded an honorary degree by the President of the Colombia University Dwight D. Eisenhower. Mrs Liaquat Ali Khan was conferred an honorary degree at the University of Kansas City. Liaquat Ali Khan was shown around the Lockheed Martin factory, a chemical plant and a supermarket.²⁵ The visit laid the Pakistan-United States relations on a firm foundation.

Depending upon the warmth in relationship the visiting Pakistani dignitaries have been given high-key or low-key reception. This hasn't

dampened the desire of the Pakistani leadership to visit the United States. Depending upon their charisma and status in the world affairs Pakistani leaders have tried to gain the maximum advantage from their visits to the US. Quite naturally they consider good relations with the United States to be in their country's interest. The American responses have been in line with their international aspirations. The last time President Asif Ali Zardari visited the United States was in May this year, almost 62 years after Liaquat Ali Khan's famous tour. He met the American President Mr Obama for a photo-op on the sidelines of the NATO conference held in Chicago, where he was pointedly given a cold shoulder.²⁶

Quality of its Envoys

Traditionally the most trusted aides and advisors have been sent as emissaries to foreign courts to negotiate on behalf of their suzerain. Axiomatically, therefore, countries set a lot of store on the intellectual and physical capabilities of their ambassadors and plenipotentiaries. Above all they must be convincing, eloquent, articulate and convincing. Under no circumstances should they be lacking in social graces. Besides, they should have the charisma and charm to make friends and recruit willing adherents to their country's cause. The more important a country, the more rigorous are the standards of selecting a diplomat. Of course, there are other considerations as well. Both military and civil administrations have chosen ambassadors, who they thought would serve the interests of their government best. It is, therefore, not unusual to find more non-career diplomats as Pakistani ambassadors in Washington, D.C., than perhaps any other international capital. It is not that a regular foreign officer/official, working his or her way up the ladder, is any way less hardworking or capable than a person picked from outside the diplomatic community. I suppose the tendency to frequently choose a top diplomat in Washington from the non-diplomatic stream depends, among other things, on the level of trust and confidence that he or she enjoys at home and the country of their accreditation.

The first envoy sent by the founder of Pakistan M.A. Jinnah to the US was his "close associate" Mirza Abol Hassan Ispahani.²⁷ The mandate

given to Ispahani, a businessman of good standing, was to create a favourable environment for the, yet to be born, state of Pakistan in the United States. A natural diplomat, Ispahani did a good job and was subsequently confirmed as Pakistan's first ambassador to Washington. Another businessman, who has been Pakistan's ambassador to the US and to a number of other countries, is Jamsheed K.A. Marker. Marker, a Zoroastrian, was Pakistan's ambassador during the critical period covering the Soviet withdrawal from Afghanistan.²⁸ Besides these two gentlemen from the business community, a number of politicians, bureaucrats, generals and career diplomats have served as Pakistan's ambassador to the United States. Among the politicians serving as the Pakistani ambassador in Washington one name that was most prominent during the early days was Muhammad Ali Bogra. Hailing from East Pakistan, Bogra twice served as Pakistan's ambassador. In the interim he was Pakistan's Prime Minister. After he was removed from the office of the PM, he chose to return to the embassy in Washington. Bogra was known to be especially close to the Americans — a trait, considered both an added strength, as well one which at times raises eyebrows back home.

A long line of generals became Pakistan's ambassadors to the United States. This tradition became more discernible during periods of martial law. This list includes two services chiefs, namely Air Chief Marshal Zulfikar Ali Khan and General Jahangir Karamat. The former was Benazir Bhutto's pick of during her first term. Other generals/ambassadors were N.A.M Raza, Ejaz Azim and Mahmood Ali Durrani. One general, much acclaimed for his diplomatic skills, is Sahibzada Yakub Khan. The Sahibzada, a former lieutenant general belongs to the royal house of Rampur. He is a multi-lingual and served in Paris as well as Washington. He was made the foreign minister by General Ziaul Haq after the departure of Agha Shahi.²⁹ Interestingly enough, another choice of Pakistani ambassadors to the US has been journalists. Perhaps the government wanted to capitalise on their PR skills. Prominent among them have been Maleeha Lodhi, Hussain Haqqani and the current ambassador Sherry Rahman. Rahman's nomination as the ambassador was based on her close links to the ruling Pakistan People's Party. She

had been information minister before she chose to resign on personal grounds.³⁰ Washington is one major capital, where Pakistan has sent more than its share of women ambassadors. Abida Hussain was Nawaz Sharif's choice as an ambassador and Maleeha Lodhi was Pakistani ambassador to the US under two different presidents from 1994-1997 and then during 1999-2002. In the process she became Pakistan's longest ever serving ambassador to the US. She was Islamabad's representative in Washington, D.C., during the testing days of 9/11 incident.

A number of outstanding career diplomats have also had the honour of serving as their country's ambassador to Washington. In recent times Najmuddin Sheikh and Ashraf Jahangir Qazi have been part of this elite group. Riaz Khokhar, who later became the foreign secretary, is credited with taking up Pakistan's case of the F-16 Fighting Falcons to a US court, in his capacity as the ambassador, and winning compensation for non-delivery of the aircraft.³¹

Understanding the American Political System

The American democracy is geared towards the inevitable campaign to get re-elected. All Congressmen/women and the president have their eyes focussed on the elections or re-elections. This means all their policies and plans are influenced by how they feel the voters will assess them in four years time. This has stark implications for countries, wanting to have long-term relations with the US. In the words of the late President Ziaul Haq: "Being friends with America is like living on the banks of a great river. Every four years it changes course, and leaves you either flooded or high and dry."³² Diplomats manning the embassy in Washington are well trained to handle the dynamics of change. They have been inducted into service after a strenuous elimination process. The young men and women opting for the Foreign Service Cadre undergo several training courses at home and abroad to hone their diplomatic skills. They are aware of how the wheels of the American government function. Over the past 60 years, Pakistani functionaries have gained a good insight into the working at the Capitol Hill. Based on their experiences of interacting with the Americans,

the Foreign Affairs mandarins and the Washington-based diplomats brief the visiting dignitaries of what to expect from the officials at the State Department and other organs and institutions of the US Government. There cultural differences in the negotiating styles of the Americans as compared to how business is done in Pakistan are no longer a serious issue. Pakistanis understand that Americans do not go out of their way to entertain foreign guests and that they come straight to business without wasting time over tea and pleasantries. They also know that there are no free lunches in the United States. The role of the Congress in framing laws is well known. The importance of the lobbyists is also understood.

Expatriate Pakistanis complement the efforts of the diplomats in influencing their Congressmen and women, where they can legislate in favour of Pakistan. They create space within the political system by participating in fundraising events during the election campaigns for the office of the President, Senate and the House of Representatives. They are also active in local politics. Although their clout cannot match that of the ubiquitous Non-Resident Indians (NRI's), they have been instrumental in founding the Congressional Pakistan Caucus in 2004. The creation of the Pakistan Caucus has been a landmark event in the community's history and a milestone for US-Pakistan relations. The caucus is a bipartisan group that meets to pursue common legislative objectives. It promotes positive legislation affecting the Pakistani American community and a mutually beneficial and strong US-Pakistan relationship. The Pakistan Caucus also hold briefings on important issues affecting the Pakistani-American community and the US-Pakistan relationship seeking to educate members and staffers in a way that is unbiased, useful and accurate. Members of the Caucus may also push for official hearings, which serve to create an official record of expert testimony in anticipation of legislation.³³

Military-to-Military Contacts and Intelligence Cooperation

The military-to-military contacts and the cooperation among the intelligence agencies of the two countries has over the years been close

and abiding. Soon after independence Pakistan entered into a number of military alliances with the United States. The US not only provided Pakistan with necessary military wherewithal to build up its armed forces, it also participated in improving its infrastructure. Kharian cantonment was constructed by the US Army Corps of Engineers.³⁴ Beginning early 1950s through 1965, Pakistan got the latest state of the art tanks, armoured personnel carriers, self-propelled artillery guns, aircraft and warships as part of the US military aid programme.³⁵ Barring a few years, when Pakistan was under military sanctions, Pakistani officers regularly attended training courses in the US. American generals claim that they have been able to bond quickly with their Pakistani counterparts. In fact they have been able to mobilise their links within the Pakistani military, where the civilian counterparts have been stonewalled. Over the years the Pakistan military has adopted the jargon and practices of the US armed forces. The frequency of exchange of visits by the top military leadership shows a very reassuring pattern. Although the US-Pakistan military relationship has become frayed recently because of claims that it is not doing enough to stop the activities of Taliban, particularly the Haqqani Group from stopping their operations against the Afghan government and the NATO/ISAF troops, Pakistan officially remains a major non-NATO ally.

The CIA and ISI came really close during the years of the Afghan jihad in the 1980s. The DG ISI frequently visits the US.³⁶ The director CIA is also in Islamabad, whenever he feels a personal visit would yield positive results. Currently the relations are experiencing a downswing and the Americans have openly taken to accusing the ISI for supporting the Taliban. The former Chairman Joint Chiefs of Staff Committee Admiral Mike Mullen went on record by declaring that the Haqqani Group is the veritable arm of the ISI.³⁷ This mudslinging has not gone down well with the Pakistanis.

What Went Wrong?

The Americans haven't been particularly successful in Afghanistan. Despite claims of having weakened the militants, the death toll keeps

mounting on a daily basis. It has been a long-drawn war, the longest in American history. The results do not match the expenditure in terms of human blood and treasure spent. After a fruitless war, the Americans have announced a military drawdown, to be completed by the end of 2014. They, however, intend maintaining a military footprint in Afghanistan in terms of trainers and advisors. The impasse in relations was the result of frustration for not having been able to achieve the stated political objectives i.e. defeating Al Qaeda. Even the watered down aims of disrupting and dismantling the terrorist organisation seem to be in doldrums.³⁸ The blame for not being able to stop violence in Afghanistan has been passed on to Pakistan. It has been alleged that Pakistan is providing sanctuary and safe havens for those carrying out cross border terrorism. The Americans believe this has official sanction.³⁹ The think-tankers are regularly painting doomsday scenarios and dismissing the country as a failed or dysfunctional state.⁴⁰ For Pakistan the most hurtful issue is that the Americans are not willing to entertain its legitimate security concerns. One serious issue that has aggravated the domestic security situation are the drone strikes in the Federally Administered Tribal Areas (FATA). These have significantly increased after Barack Obama became the President of the US. The sense in Pakistan is that such remote attacks cause the deaths of innocent citizens and result in retaliatory strikes by militants in settled areas. Specific incidents that have soured relations include the case of Raymond Davis, a CIA contractor, who shot and killed two Pakistani men in Lahore. The Americans handled it roughshod amply reflecting their instinctive hubris and arrogance, while dealing with Pakistan. Davis was briefly incarcerated before being set free because the Americans were claiming diplomatic immunity. An ugly feature of the Davis case was the payment of blood money to the kin of the dead youth. The poor relatives settled for what they considered was the best deal from a sordid and sad affair. Then came the Osama bin Laden raid by US Navy SEALs in Abbottabad. The Americans chose not to share their plans with their Pakistani counterparts. They simply didn't trust them. For Pakistanis the intrusion into their territory to carry out the raid on Osama bin Laden's compound was a violation of their sovereignty. The situation hit the nadir with the attack on the border outpost of Salala, which resulted in

the death of 24 soldiers. This was the straw that broke the back of the proverbial camel. Pakistan ordered the Americans to vacate the Shamsi airbase in Balochistan, which was being used to launch Predator UAVs against militants in FATA. It was also decided to suspend the movement of NATO convoys through its territory until a formal apology was rendered for the death of the soldiers. The apology has now become a major sticking point. The Americans are unwilling to say sorry and Pakistanis are not ready to open up their Ground Lines of Communications (GLOC). The stoppage is costing the Americans 100 million dollars extra per month.⁴¹ The Northern Distribution Network (NDN) through Central Asia is long and circuitous and it is expensive. Pakistan wants the Americans to pay more for the use of their communication infrastructure. This has only annoyed them more. Another irritant has been the conviction of Dr Shakeel Afridi under the archaic Frontier Crimes Regulations (FCR). Although the charges pressed against Afridi include his links with militants of Lashkar-i-Islam, it is alleged that he has been penalised mainly for providing the CIA with DNA samples of Osama bin Laden under a fake polio scheme.⁴² The Americans retaliated by deducting 33 million dollars from aid to Pakistan. Each million dollar withheld for the years of punishment handed down to Afridi.⁴³

Why were Negotiations Resumed?

Despite the hardnosed stance adopted by each country, it was not lost on both state parties that a breakdown in communications over an extended period could spell disaster for an already fragile relationship. This is not to say there is no contact between the two governments. Their embassies never ceased to function and there was regular exchange of delegations at lower levels. However, the atmosphere was tense and there seemed to be no headway. It took time for the air of acrimony to clear and an atmosphere of confidence and trust has to be created. The US Secretary of State eventually said 'sorry.' The Americans were extremely reluctant in doing so. They knew that Pakistan is heavily dependent on them economically and could perhaps not remain viable without their financial support. They felt that Pakistan was ungrateful and was

being greedy in demanding what they consider exorbitant amounts for transportation of the NATO supplies through their territory. Add to it the president of the US being in the midst of an election year did not want to appear weak and vacillating before his home constituency. Pakistani leadership was also faced with a similar situation. The political leadership is anticipating elections in the near future. Although the domestic audience is more concerned about power shortages than foreign policy, yet opening of the routes for the NATO convoys without meaningful concessions was considered by some pressure groups, particularly by the religious parties as a sell-out. The Pakistani government took its time in deciding how to deal with the Americans. This allowed for the public memory of what had happened at Salala to dim. So when it was decided to reopen the routes for NATO convoys, without any increase in transit rates, the domestic reaction was muted.

Americans settled issues with Pakistan for a number of reasons. As they look towards the end of 2014, as the date they will be eventually withdraw from Afghanistan, they are aware that if they leave behind a divided and unstable country, its fallouts would come back to haunt them. They have already given up on nation building as part of the Afghan solution and are now mainly concentrating on training and equipping the Afghan National Security Forces (ANSF), which includes both the Afghan National Army (ANA) and the Afghan Police (AP), as a guarantor of peace. The US has spent approximately \$50 billion on the ANSF project.⁴⁴ Unfortunately, Pakistan has been kept out of this process. To their chagrin the Indians are involved in training the Afghan forces. This is not because of the Americans alone. The Karzai government does not trust the Pakistanis and is more comfortable with the Indians. What will happen once the Americans quit Afghanistan is anybody's guess but there is a lot of uncertainty surrounding the imminent departure. Everybody knows it that Pakistan's future is linked with that of Afghanistan. Karzai, despite his repeated tirades against his eastern neighbour, has likened the two countries as 'conjoined twins.'⁴⁵ It will fall to the lot of the post-American Afghan regime to decide how they would like Pakistan to play a role in their common destiny. For the

moment the Americans want Pakistan to do two things. One: to stop the Taliban, particularly the Haqqanis from using staging posts in FATA to launch raids into Afghanistan. Two: to facilitate them in negotiating with the Taliban. Efforts to engage genuine Taliban leadership has so far failed to materialise. Pakistan has on a number of occasions expressed its limitations in delivering the Taliban to the Americans. The Taliban are fiercely independent and, contrary to the perception that has been created, do not listen to anybody, much less Pakistan, whom they paradoxically consider America's proxy.

Given all the complexities and divergent expectations, Pakistan has to find common ground with all concerned parties to help Afghanistan emerge from the ruins of two disastrous foreign interventions. Another failure in Afghanistan would mean large-scale refugee influx into Pakistan that will cripple its already fragile economy. As foreign forces withdraw from this bloodied and bruised country the local stakeholders will fill in the vacuum. This will include not only neighbouring countries, Pakistan and Iran, but also major powers, like Russia and China. Apparently the Americans would not like these countries to have a field day. They have invested immensely in the bases that they have established in Afghanistan. They are also keen to maintain a foothold in an area that is rich in resources particularly natural gas. They would also like to contain both a resurgent Russia and growing China. Of course, Pakistan should avoid becoming a part of a Cold War redux, but it should know how to fit into the emerging scenario. Long after the Americans are gone (partially or completely) Afghanistan is going to remain in the world's attention. Pakistan must seriously craft an Afghan policy post-American withdrawal. It will have to negotiate with multiple interlocutors in the future and it could include India.

Conclusion

Ever since Pakistan and the United States of America have resumed dialogue,⁴⁶ the acrimony has lessened. It is a good sign. Only time will tell how things will eventually take shape in the long run. A lot, however,

depends on Pakistan. Within the US strategic community, the crisis in Pak-US relations has received special attention. The Council for Foreign Relations for instance has produced memorandum on the subject.⁴⁷ What Pakistan needs to do on its end is to indulge in a similar exercise. It needs to identify reasons for repeatedly getting the raw deal at the end of each relationship 'cycle'.⁴⁸ Perhaps a common thread can be found in the various episodes of closeness and falling apart. There are a number of examples to refer to. During the 1965 war, American military aid to Pakistan was arbitrarily stopped. An act that the Pakistanis feel was in violation to treaty pledges. Among other things, this led to a steady decline in Pakistan's military deterrence and tilted the military balance in India's favour. As a result Pakistan suffered a heavy defeat in 1971. Just before the 1971 war Pakistan played a major role in opening up the People's Republic of China to USA. For its path breaking role Pakistan naively expected the Americans to come in its aid and rescue the situation in East Pakistan. A naval task force led by USS Enterprise was sent towards the Bay of Bengal. The Indians claim that it was a blatant show of gunboat diplomacy.⁴⁹ Actually, it was never the aim of the Enterprise to prevent the Pakistan's military defeat in East Pakistan. It was sent to the Bay of Bengal ostensibly to evacuate American citizens from East Pakistan. In subsequent accounts, Nixon and Kissinger portrayed the movement of the Enterprise as part of a geopolitical game to counter a perceived expansion of Soviet influence and to forestall a broader Indian attack on West Pakistan.⁵⁰ The creation of the new state of Bangladesh had been tacitly accepted. The best that the United States wanted was to prevent Pakistan's further disintegration.⁵¹ After the 1971 debacle Pakistani leadership made a strategic decision to opt for the nuclear weapon programme. Pakistan at that point of time lacked the necessary conventional weapons to counter the existential threat. Worse it did not have the cushion of the alliance systems to fall back upon. The US in its global effort to prevent nuclear proliferation did its best to prevent it from acquiring weapons of mass destruction. It forced France to back out of a negotiated deal to provide Pakistan the nuclear reprocessing plant. There were change of plans and the uranium enrichment route was adopted to achieve the nuclear ambitions. It was the dedication of the Pakistani scientists and the perseverance of successive leadership that

brought the plan to its fruition. In the meanwhile the Soviets invaded Afghanistan beginning an unending saga of misery for the Afghans. The United States found it ideal to do a Vietnam on the Soviets in Afghanistan. In the new scheme of things Pakistan became a frontline ally for a second time. Over time, it has been insinuated that the Americans turned a blind eye to Pakistan's nuclear programme. Ten years later as the defeated and depleted Soviet troops withdrew across the Oxus; the Americans slapped the Pressler Amendment on Pakistan.⁵² The American president suddenly found himself in no position to certify before the House that Pakistan was not making an atom bomb. From the most favoured ally Pakistan became the most "sanctioned ally." Pakistan was left in the wilderness. It became a pariah state but then the worst happened. The 9/11 attacks on mainland USA once again brought Pakistan into sharp focus. The infamous "with us or without us" threat was invoked. Pakistan had no option but to comply. After 11 years of bloody war Pakistan is faced with another American rejection albeit without a thank you note. This, however, should not be the end of the story. Things move on and countries reconnect on new issues of mutual benefit and convenience and who should know it better than Pakistan and the US. The lesson learnt is that conflict of interest should be avoided. This can be done, if the entire scenario is seen through the life cycle of a relationship, say at least through the next ten years.

The best way forward in beginning afresh is to create an environment of confidence and trust. The national aims and objectives, notwithstanding, the success of any negotiations emanates from honesty and sincerity. Duplicity and deception can poison any union. Preconceived ideas and festering hurts cloud the prospects of meaningful dialogue and cooperation. Lurking suspicions and doubts are impediments in rebuilding ties. There should be no baggage and a new chapter should be opened with a clean slate. Of course, it cannot be a one-sided affair, as it always takes two to tango. Hesitation and tentativeness based on past experiences cannot be simply wished away. Sometime the grievances are deep and the scars are ugly reminders of previous splits but then countries cannot remain prisoners of the past. Letting bygones be bygones and moving forward to new areas of cooperation should be the

basic approach. It takes time and effort to build trust and it takes small baby step towards that end. The next step is to find common ground, no matter how bleak the situation, there always zones of mutual interest e.g. one area, which is important for both nations, is peace and stability in the region. The US understands that Pakistan plays a pivotal role in regional stability. No wonder, Pakistan figured prominently during the televised pre-election presidential debates. In the last session held on 22 October 2012 Pakistan was mentioned 25 times in the 90-minute session; 21 times by contender Mitt Romney and four times by President Barack Obama. Obama went on to say that a nuclear armed country like Pakistan cannot be 'divorced.' Romney noted that if Pakistan "falls apart; becomes a failed state," it would "be of extraordinary danger to Afghanistan" and the US.⁵³ For right reasons or wrong, the US does not want to sever ties with Pakistan anytime soon. To show its commitment towards Pakistan, the US Agency for International Development (USAID) is extremely active in funding development projects. In order to create a good impression among the common people, these activities are being highlighted on a daily basis in the domestic print and electronic media. The Fulbright scholarship scheme programme is sending a very large number of Pakistanis to American universities for higher education. As long as the US invests in a positive way and does not put undue political pressure, Pakistan needs to respond in a similar manner. It was assumed that the unfortunate shooting of Malala Yousafzai would be used by the US to put pressure on Pakistan to begin operations in the North Waziristan Agency (NWA), home to the dreaded Haqqanis. However, the US AfPak (Afghanistan-Pakistan) envoy, Marc Grossman, in his meeting with then Pakistan Foreign Minister Hina Rabbani Khar dispelled such rumours and said it was entirely Pakistan's decision to make.⁵⁴ This made it easier for the Pakistani decision-makers, who were finding it difficult to bring themselves to make such a hard decision. Eventually, a lack of consensus was cited as the reason for not opening up a new front in NWA.⁵⁵

Government of Pakistan (GoP) should also do well to keep the public aware of the agreements and understandings that they are making with the Americans or for that matter any other government. The drone issue

for instance has become extremely controversial. Although it has been denied at the official quarters, there has been a lot of discussion of GoP's tacit complicity in allowing strikes of US Unmanned Aerial Vehicles (UAV's) on their territory.¹ Similarly, the permission to use the NATO supply routes through Pakistan had been done on a verbal agreement and the terms and conditions for the passage had not been formalised. This was only done after Pakistan and the US agreed to patch up after the GLOC remained closed for seven month. The MoU signed between the two governments was in the light of the UN Charter and prohibited the passage of lethal cargoes.²

Last but not least, Pakistan should look beyond the American departure from Afghanistan and prepare an approach to match the emerging situation. There are challenges and opportunities in the evolving situation. If Pakistan is able to learn from past experiences, it can surely recalibrate its negotiation strategies and steer clear of potential blind alleys. Pakistan's geo-strategic location as the regional crossroad and gateway to Central Asia has not diminished in any way. Its place as one of the largest Muslim nation and the only armed with nuclear weapons enhances its importance in more than one ways. The important question is how can Pakistan still play this trump card and leverage the most advantage out of it?

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