

## Scenario 67

### **KERRY-LUGAR Bill [2009]:**

In the back drop of War on Terror on Pak – Afghan borders, the US government had pledged in September 2008 for economic assistance to Pakistan worth \$2.3 billion for the year 2008-09 and a similar amount for fiscal year 2009-10, as both military and non-military aids.

**On 30<sup>th</sup> September 2009**, the US Congress approved another non-military aid to Pakistan to help fight extremism, and sent the draft to President Obama for signing into law. The legislation authorised **\$1.5 billion a year for the next five years** as part of a bid to build a new relationship with Pakistan that no longer focused largely on military ties, but also on Pakistan's social and economic development.

The bill also stipulated that US military aid would cease if Pakistan would not help fight 'terrorists' including Taliban and Al Qaeda. The bill's sponsor, Howard Berman said that:

*'..... Nor can we permit the Pakistani state – and its nuclear arsenal – to be taken over by the Taliban. To keep military aid flowing, Pakistan must also cooperate to dismantle nuclear supplier networks by offering relevant information from or direct access to Pakistani nationals associated with such networks'.*

Dana Rohrbacher, a Republican lawmaker, opined on the floor that *'the threat of radical Islam is real, but it's not going to be solved by us being irresponsible, with billions in taxpayer money'*. The bill passage process was followed by lengthy negotiations amongst lawmakers and the administration over what conditions to be placed on Pakistan.

The KL-Bill was introduced in the House on 24<sup>th</sup> September 2009 after the Senate had passed the measure and President Obama co-chaired Friends of Democratic Pakistan Summit with President Zardari's presence there to tell that the Taliban insurgency was expanding. The House Foreign Affairs Committee (HFAC) also authorized military assistance to help Pakistan disrupt and defeat al Qaeda and other insurgent elements requiring that such assistance be focused principally on counter-terrorism efforts. Congressman Howard Berman, Chairman of HFAC introduced that strategic legislation.

The bill had originally been under discussion in the Congress since 2008. That bill [no: S-3263], popularly known as **'Biden-Lugar Bill'** or **'Enhanced Partnership with Pakistan Act 2008'** was introduced in the Senate Foreign Relations Committee by its Chairman Senator Joseph Biden and Senator Richard Lugar and the Senate Committee had approved the bill unanimously in July 2008.

The bill recognized the role of Pakistan as US ally and the frontline state in combating terrorism and provided for \$15 billion in economic assistance to Pakistan over the next 10 years beginning 2009. However, the bill died before it could be tabled before the Senate for debate following the upcoming presidential elections in December 2008. The bill was reintroduced in the 111<sup>th</sup> Congress session in 2009 as the Kerry-Lugar Bill.

It was told to the Congress that [till that moment] Pakistan had lost more than \$ 35 billion in economic activity to fight against al-Qaeda and Taliban militants in its north-western areas since 11<sup>th</sup> September 2001 and more Pakistani soldiers and security personnel had laid down their lives than the combined losses of the US and Afghanistan together.

To support Pakistan's security needs to fight the on-going counterinsurgency and improve its border control etc; the bill authorized funds for the Foreign Military Financing (FMF) and International Military Education Training (IMET) for 5 years [*which was later put in suspension because of Pak-Army's objections*].

However, the fact remains that Pakistani aid bills even in the past have never been without strings; was tied even in the 1980's when the Reagan administration gave Pakistan \$ 3.2 billion over a period of five years for helping Mujahideen to fight Soviets with Pakistan's backing. But this time, a vast part of the Pakistani territory in FATA regions near Pak-Afghan border had become a conflict zone and the US drone attacks were also inflaming anti-American sentiments. A clear purpose of the KL-bill, with strong backing of the White House, was an effort to improve America's image in Pakistan which was wavering at 83% that time.

### **PAK-ARMY GOT ANGRY:**

It is on record that the then US envoy to Pakistan, Anne Patterson, heard a hot criticism [over the Kerry-Lugar bill] from Gen Kayani and DG ISI Gen Pasha in a two-hour meeting **on 6<sup>th</sup> October 2009**. Gen Kayani had made clear to the Ambassador and accompanying Gen McCrystal, during an urgent meeting at GHQ, about his concerns. Gen Crystal understood the viewpoint of Pak-Army and was not at all happy when he left the GHQ. Gen Kayani told them that there were elements in the bill that would set back the bilateral relationship, and critical provisions were almost entirely directed against the Army.

Gen Kayani was particularly irritated on clauses of civilian control of the military since he had no intention of taking over the government. *'Had I wanted to do this, I would have done it during the long march [of March 2009]'*, Gen Kayani had told the US Ambassador clearly.

Getting a hot blow from the GHQ side, the then Foreign Minister Shah Mahmood Qureshi was made to rush immediately to the United States even without providing input from his Parliament where the two houses were engaged in debate over the bill.

The reported remarks of the American envoy were that rejection of the bill would be taken as an insult and smack of arrogant attitude but, contrarily, some clauses of the bill could also be termed as insult to the entire Pakistani nation. If the objective of the bill was to assist Pakistani people and to create goodwill for the US then the KL-Bill in the given form was the quite opposite. Therefore, it was in the interest of the United States itself to drop those conditions by revising the bill.

At Washington a joint congressional explanatory statement was prepared which, according to FM Mr Qureshi, was placed before the US Senate along with supporting letters from US Secretary of State Hillary Clinton and Defence Secretary Robert Gates. The said statement was annexed to the act and would have 'the full force of law' dealing particularly with the misgivings over national sovereignty and security of Pakistan.

The **'TIME' magazine of 8<sup>th</sup> October 2009** told that:

*'Unlike previous no-strings aid packages, Kerry-Lugar makes support conditional on Pakistan's military being subordinated to its elected government, and taking action against militants sheltering on its soil.'*

*'[In Pakistan] the opposition parties unite against its "humiliating" conditions, with even the junior partners in Zardari's ruling coalition expressing misgivings.'*

*'Public opinion ranges from suspicion to hostility. Following a meeting of its corps commanders, the army expressed "serious concern" over the "national security" implications of the aid package. It's a kind of political move on the part of the military.'*

It was felt that the PML(N) leader Nawaz Sharif purposefully stayed away from the debate, and approached the US officials from London to register their party's official stance so that the PML(N) could confront its opponents in power over the Kerry-Lugar Bill, while keep-

ing its options open. The PPP, of course, could not defend the Bill properly because its second-echelon leaders were not convinced with the sincerity of their top while dealing with the said Bill.

Interestingly, contrary to his party's stance, PPP's PM Mr Gilani was often found contacting opposition leaders to inform them of **'the government's plan to pass a unanimous resolution in both Houses of Parliament, notifying the US that Pakistan would not accept any aid unless the US amended the controversial clauses'**.

The conditions attached with the bill had rubbed Pakistan the wrong way and produced negative reactions. The country's leading columnists rebuked the bill on the 'sovereignty' factor, abused it openly in print and electronic media whereas the legislators sitting on the opposition benches and political figures outside, displayed their hatred against America on the floor and outside.

Ayaz Amir, an opposition legislator, labelled the 'conditional ties' as grossly demeaning. In **'the News'** feature published in the first week of October 2009, under **'Kerry-Lugar: bill or document of surrender'**, he opined that:

*"A convicted rapist out on parole would be required to give fewer assurances of good conduct."*

Dr Muzaffar Iqbal wrote in the same daily on the same day that:

**'Turning Pakistan into a client state: ..... reduced to insignificant status with the acceptance of the aid bill, and the humiliation of Pakistan as it emerges as an American satellite...puppet...neo-colony.'**

Shafqat Mahmood opined in the same **'the News'** that:

**'Are perceptions of instability real?, there is an ideological difference within the power establishment regarding relations with the United States and India, and that the sniping on the Kerry-Lugar bill is an example of this.'**

The Obama Administration was really caught in dilemma; firstly, that in Pakistan the military budget must be merged with the national budget, and secondly, that there should be no more military intervention in political and judicial matters. Constitutionally valid, the US stood committed to pursuing the democratic path while stipulating that **'it's either the Kerry-Lugar civilian aid, or no aid for the military.'**

But the million dollar question was: **whether to align with the powerful military to combat the militancy or take the principled stand in support of a weak democracy?** The later option was a long shot so the US authorities had to go mid-way though the Pakistan's Army Chief had openly conveyed to Gen Stanley McChrystal [when he met Pakistan's COAS at Pakistan's GHQ] that:

**'The terms set in the Kerry-Lugar bill on the national security interests of Pakistan are insulting and are unacceptable in their present form.'**

Even so, the final verdict had to come from parliament, where pertinently, a significant number of legislators subscribed to the military's viewpoint.

To keep the Pakistan Army on his right side, President Obama needed to remove the offending clauses of the legislation [**acknowledged by US ambassador Anne Patterson as badly drafted**] and to sign an amended bill which was already lying on his table. Reportedly, Senator Kerry had visited Pakistan three weeks later with that amended bill but for the Pakistan Army **'it was not suitably amended'**. Kerry had to conclude his trip to Pakistan saying **"take it or leave it."**

It was in this background that on **8<sup>th</sup> October 2009**, a serious argument between the Army and the government developed as the Presidency had straightaway dismissed the objections raised by the Armed Forces over the Kerry Lugar Bill. Farhatullah Babar, the spokesman of

the Presidency told the media that the appropriate forum to express such views was the Defence Committee of the Cabinet (DCC) or the Ministry of Defence.

**US SENATOR J KERRY EXPLAINED:**

US Senator John Kerry, one of the co-authors had once [**10<sup>th</sup> October 2009**] issued a list of 'myths and facts' about the Kerry-Lugar bill himself. The myths contained that:

- The \$7.5 billion authorised by the bill would come with strings attached for the people of Pakistan.
- The bill would intrude on Pakistan's sovereignty.
- The bill would interfere in Pakistan's internal affairs and imply that Pakistan supports terrorism and nuclear proliferation.
- The bill would require US oversight on internal operations of the Pakistani military.
- The bill would expand the Predator programme of drone attacks on targets within Pakistan.
- The bill would fund activities within Pakistan through private US security firms, such as Dyn-corp and Black-water or Xe.
- The bill would expand US military footprint in Pakistan.
- The US would use the bill as a justification for why the US Embassy in Islamabad needed more space and security.

The fact remained that these were actual anticipated results not myths. This was how this bill was sold to President Zardari and his cronies taking them stooges. Basically, it was a formal declaration of making Richard Butcher the un-official Viceroy of Pakistan. When objected that why US wanted to finance building mini pentagon in Pakistan, John Kerry tried to explain by saying that:

*'There are no conditions on Pakistan attached to these funds except strict measures of financial accountability on these funds to make sure the money is being spent for the purposes intended.'*

*'It was to ensure that [the tripled] funds meant for schools, roads and clinics actually reach the Pakistani people. Nothing in the bill threatens Pakistani sovereignty and there is absolutely no US intention or desire whatsoever.'*

*'There is absolutely nothing in the bill related to drones. The issue of how American private security firms operate in Pakistan has nothing to do with this bill. The bill does not provide a single dollar for US military operations; the money authorised in this bill is for non-military, civilian purposes.'*

The explanations forwarded by the American Senator were not bought by Pakistan's army on various counts. Primarily if the Kerry aid was for education, clinics and roads then why they had not mentioned about stopping the drone attacks. It was a strange strategy of helping the Pakistani people that:

***'America would kill hundreds of innocent men, women and children in drone attacks and then provide them aid for hospitals to be treated in and for schooling of children if they survived.'***

These hospitals, schools and roads would be made by Pakistani labour but would be supervised by crew from Black-water and XE. The \$7.5 billion aid would be spent in five years apparently for the Pakistani people but personnel to spend and supervise them would come

from America so the US Embassy in Islamabad would be expanded with another spending of a similar amount.

Referring to *Dr Ishtiaq Ahmed's* opinion appearing in the '**Weekly Pulse' of 2-8th October 2009** that the PML(N) stole a phrase from Gen Ziaul Haq's mouth when its spokesman Ahsan Iqbal termed the amount pledged under the Bill as 'peanuts'. The PML(Q) leadership called it an 'insult' to the nation; and allegedly the pro-al-Qaeda and pro-Taliban *Jama'at e Islami* (JI) declared it as 'death warrant' for the country.

However, the fact remained that John Kerry's explanations had completely ignored the main issues in the bill which had caused outrage in Pakistan. The main theme of the bill contained that:

- '*Pakistan must now cease terrorist activities against India...*';
- '*US will conduct a review on terrorist activity figures every six months*';
- '*If not satisfied Pakistan would be declared a terrorist state*'.

Kerry-Lugar Bill had also authorized the Secretary of State to establish an exchange programme between military and civilian personnel of Pakistan and NATO member countries which was also held in abeyance later by the Pakistan government due to its army's reservations.

In the opinion of the foreign policy experts, the KL-Bill was a card for intervention in the purely internal policies of a sovereign state and this would turn Pakistan into a virtual client State. There were so much polarizations on this issue that even coalition partners of the PPP were either speaking against its intrusive clauses or had opted to keep mum for obvious reasons.

**On 12<sup>th</sup> October instant**, Pakistan and the US Congress agreed to issue a joint statement addressing all issues linked to the Kerry-Lugar-Berman bill. The decision to issue such a statement was taken after a series of meetings in Washington between the visiting Pakistani Foreign Minister Shah Mehmood Qureshi and senior US officials and lawmakers. Mr Qureshi had impressed that:

*'We must address the concerns and fears expressed in Pakistan; we will not allow Pakistan's sovereignty to be compromised and will not allow anybody to micro-manage our affairs.'*

Senator Kerry assured the Pakistani nation that the United States had no desire to manage its affairs; Washington had recognised the army's role in the war against the extremists.

Under this provision the US Secretary of State had to certify that Pakistan was making significant efforts to prevent al-Qaeda and associated terrorist groups, including *Lashkar e Taiba* [LeT] and *Jaish e Mohammad* [JeM] from using its territory to launch attacks against US or NATO forces in Afghanistan or cross border attacks into neighbouring countries, pointing out towards India.

The US Secretary was also required to certify that the Pakistan Army would not materially or substantially subvert the political or judicial processes of Pakistan. Many members of Pakistan's intelligentsia, however, endorsed this clause as the bill asked for a mechanism to keep army at bay or in barracks, to be exact. It was exactly what a proper democracy demands and so does country's constitution; any sane person even the professional army Generals had not raised objection to it.

*[Objectively speaking; had that humiliating clause stayed in the bill, even then the CIA's Director, or the US Joint Chiefs of Staff, or Secretary of State would never be calling Pakistan's army chief to tell him to desist from interfering in Pakistan's political affairs.*

*This was not to be considered diplomatic or polite. They usually convey their concerns with a carrot-and-stick approach. Defence equipment and security-related aids are always provided with certain conditions; take it or leave it.]*

However, for Pakistani Generals, it was the most humiliating requirement that the US Secretary of State would certify, at six-month intervals, that the military remains under civilian oversight through control of senior command promotions.

Kerry-Lugar also required that the Pakistani military would act against militant networks on its soil, specifying those based in Quetta and Muridke. The US high command believed that both the Afghan Taliban and Hafiz Saeed's LeT had previously served as proxies of the Pakistan army which has never been a truth.

### **INDIA & HUSSAIN HAQQANI BLAMED:**

Referring to *the 'Dawn' of 14<sup>th</sup> October 2009*, certain stinking clauses in the bill appeared to be the blessing of the Indian embassy in Washington and their lobbyists. These included the ones dealing with:

- the dismantling of alleged terrorist operational bases in Quetta and Muridke;
- preventing terrorist groups like LeT & JeM & others from operating in Pakistani territory;
- carrying out cross-border attacks on neighbouring countries;
- taking action when provided with intelligence on high-level terrorist targets including elements within the Pakistan military or its intelligence agency [ISI], particularly ones which conducted attacks against the territory or people of neighbouring countries [*referring to Mumbai attacks of Nov 2008*].

Point to ponder was that what details John Kerry or Richard Lugar knew about LeT or JeM or Muridke?

Media gurus and intelligentsia had also pointed out towards the same apprehension that on the strategic side, the uproar over the Kerry-Lugar bill had at least exposed continuing differences in both the US and Pakistani establishments. Quetta, Muridke and nuclear black-marketing crept into the Act because there was a significant camp in the US, including the Obama administration that believed Pakistan was first and foremost a part of the problem, and not necessarily part of a cooperative solution to regional problems.

However, some provisions were there in the bill which were apparently instigated by the Pakistani embassy in Washington; the details would come in next paragraphs with reference to Hussain Haqqani. Would the Americans, for instance, be interested in the security forces of Pakistan materially and substantially subverting the political or judicial processes in the country?

The irony of fate was that in Pakistan, the same legislators had been supporting the security forces, led by Gen Musharraf, until August 2008. Sudden change of mind was understandable; the ruling regime of PPP, in their infinite meetings with the Americans since early 2008, had repeatedly blamed the Pak-Army and ISI for the political mess expressing apprehensions that the political process could be subverted by the military any moment. They asked for help in the form of assurances from the Americans that they would be able to complete their tenure.

In Kerry-Lugar Bill, another humiliating condition was that **'Pakistan would grant US investigators direct access to Pakistani nationals associated with nuclear-proliferation networks'**. Of course, the Americans were referring it to Dr A Q Khan. To please their American counterparts, the Pakistani rulers in succession, Gen Musharraf & Mr

Zardari, kept Dr Khan under house arrest but consistently refused to allow the foreign investigators to question him.

The people of Pakistan were angry over Dr Khan's maltreatment and more so because about 83% of Pakistanis had opposed both the rulers to be a part of war on terror (WoT); Zardari took it as politically motivated.

**On 9<sup>th</sup> October 2009**, during the parliamentary discussion on the said bill, the former Foreign Minister Sardar Assef Ahmad Ali passed very derogatory remarks against Dr A Q Khan for which there was seen a stern uproar on the assembly floor and in the media, too.

The Bill envisaged that the US Secretary of State must certify that ***'Pakistan continued to cooperate with the United States to dismantle supplier network relating to the acquisition of nuclear weapons related material'***, such as providing relevant information from or direct access to Pakistani nationals. It was disgusting for every Pakistani because no one here wanted to hear any sort of derogatory compromise over country's nuclear programme.

True, that Mr Zardari or the PPP was in no position to reject the aid on offer but the people raised their voices saying that ***'the dollars would never come in Pakistan; instead the same would fill the already bulky Swiss & Dubai bank accounts of their rulers'***.

#### **HUSSAIN HAQQANI'S DUBIOUS ROLE:**

Astonishingly, Pakistan's Ambassador to the US, Hussain Haqqani told the media that the American policies could not be altered because:

*'The US was the sole super power of the contemporary world and it was not possible for any country to influence its policies.'*

*'The people who are criticising the recently passed Kerry-Lugar bill have not studied the document in detail. Maintaining good relations with the US was in the larger interest of the nation.'*

Referring to *Irfan Hussain's* analysis, though much later, in the ***'Dawn'* of 31<sup>st</sup> March 2012**, the army's estimation was that the US needed Pakistan more so the later had a lot of margin in twisting the phrases and clauses. Though there was a bill that sought to transfer \$1.5bn a year for five years to invest in Pakistan's economy and its neglected social sector then why so much uproar in Pakistan; general populace stood by the Generals at that moment because the super power was hinting at country's nuclear arsenals.

Moreover, behind the language of the bill, many in the army and the ISI saw the crumbling hand of Husain Haqqani; president Zardari's personal friend and policy agent in Washington.

Normally, no ambassador can dictate the contents of legislation specific to one's country to the host state but here Mr Haqqani did indeed manage to persuade US legislators to insert clauses aimed at keeping the army from staging another coup; hats off to the heavily paid PPP's lobbyists in US. It was a blessing in disguise for Haqqani as through the criticism on that KL bill he got succeeded in washing up his dirt of being an NRO beneficiary.

PPP's Minister of State, Afzal Sindhu, had brought forward a list of 8041 persons who were allegedly the beneficiaries of NRO including Benazir Bhutto and Hussain Haqqani but both were included in the list on different pretexts. An Ehtesab Case was registered against Haqqani for issuing a wrong 'FM Radio License' in 1997 and Senator Saifur Rehman was the kingpin behind it.

In 1999, when the Nawaz Sharif's government ended, Ehtesab Law was converted into NAB Ordinance and the said case was transferred to NAB HQ as such. Though Saifur Rehman was under custody then but he kept on helping the military government from 'inside' just to gain

little favours during his 'detention' – a typical Pakistani style of leadership; as he had divulged false informations against his own chief Nawaz Sharif.

Gen Musharraf's government arrested Haqqani and was pressurized to become an approver which he had refused; later he was released on bail from Lahore High Court. Major Gen Rashid Qureshi of ISPR got that file of Haqqani closed and the later left for the States.

Haqqani wrote a book [titled '**Between Mosque & Military**'] while in America taking revenge from those Pak-Army people who had been exerting pressure on him for being an approver. This book whether succeeded in his peculiar objectives or not but the enemies of Pakistan brewed maximum benefits out of it.

In 2008, Hussain Haqqani was made Pakistan's envoy in Washington but in Pak-Army's record he was a 'grey' man. That was the reason; Haqqani was labelled as a dubious character in Kerry Lugar Bill.

There were so many others who were pushed into the NAB's record, thus labelled as beneficiaries of NRO, who could have approached the courts for getting clearance. They did not because Pakistani judiciary was known to all throughout its history, till 2009 at least; Zardari's nine years of record in jail could be cited as an example.

Zardari was allowed to be released on bail in some cases only when the judges of the superior courts [*perhaps including the incumbent CJP Iftikhar M Chaudhry too, as the PPP regime had continuously alleged*] used to get sure that the police were ready to arrest him from the court's door in some other case.

There were other such characters like Yusuf Talpur who were never called in any court but they were named in NRO; NAB was maintaining those lists only to keep their nuisance value and tyranny in tact.

Haqqani was a thorn for Pakistani Generals ever since his book [cited above] appeared in 2005. A study of poisonous nexus between the army and various extremist groups, the book did rounds in the American media and think tanks. So when Haqqani was named as Pakistan's Ambassador in Washington in 2008, the posting did not sit well with the Pak-military.

Pak-Army's suspicion that he was somehow serving American interests was reinforced when the draft of the Kerry-Lugar Bill became available.

Amid the growing discontent in Pakistan over the conditions attached with the said bill, Islamabad hired a new lobbyist, Robin Raphael of Cassidy and Associates, one of the biggest lobbying firms in Washington, for a whopping \$700,000 a year plus 'other' expenses to push its cause in the aftermath of that historic blunder; clearly indicating at the same time that Pakistan was not satisfied with the work of the age-old lobbyist Mark Siegel, who was a close friend of former Prime Minister Benazir Bhutto.

*[Previously Robin Raphael has been at the US Embassy in New Delhi (1991–1993). She has been the Ambassador to Tunisia and Assistant Secretary of State for South Asian Affairs during the Clinton administration. In this capacity she managed US relations with the newly formed Taliban government in Afghanistan.*

*She retired from the state department in 2005 after 30 years of service. The Obama Administration appointed Robin Raphael as a member of the team of the late Richard Holbrooke, the Special Representative to the Af-Pak region – and the US coordinator of all aid to Pakistan.]*



### **KL-BILL: A POLITICAL FIASCO**

Media reports and the official record indicate that initially, the PPP government had taken full credit of Kerry Lugar Bill and the Interior Minister Rehman Malik tried to get the federal cabinet adopt a resolution lauding it but could not succeed because of reservations of certain insiders.

The opponents of the bill, especially the army, took a different view. The army believed that some of its clauses posed a threat to Pakistan's security. President Zardari had also asked his ministers to go out and defend the bill with full force. At one point, the controversy became so intense that rumours emerged that Gen Kayani was being sacked. Then what was the politics behind this controversy?

The KL Bill required, in addition to all the gimmicks discussed above, from the Pakistan government to desist from using the American assistance for expansion of its nuclear programme, or reallocating Pakistan's own financial resources to its nuclear weapons programme. These provisions were apparently the same objectives that Pakistanis normally professed. However, the scrutiny told that through the KL Bill, the Americans wanted to advance its agenda against Pak-army because:

- As per US stance, the Pak-army was playing double role in Afghanistan; they had acted robustly against the Pakistani Taliban in Swat but failed to oblige their commitment against the Afghan Taliban having safe havens in Pakistan from where they attack the US & NATO troops.
- Allegedly, Afghan Taliban's leadership from Quetta used to control their operations. That was why the US Vice President Joe Biden had proposed the idea of 'Pakistan First'; targeting of the Taliban in Pakistan rather than those in Afghanistan.
- The US high Command believed that despite their ban on *jihadi* organisations like LeT and JeM, the ISI considered them strategic assets to be used against India [*for not arresting Hafiz Saeed in Mumbai terrorist attack*]. Through the Kerry-Lugar, the Americans wanted to pressurise the government to dismantle the Muridke base in particular.
- The US administration wanted Pak-Army to accept civilian supremacy in political matters, military budget, and the chain of command, promotion of seniors in military ranks and civilian control of the ISI.
- The US authorities wanted to keep a check on Pakistan's nuclear programme.

***[During 2004, Senator Kerry as presidential election candidate, had declared that if he won, he would try to get control over Pakistani nukes]***

Why were the PPP government & Mr Zardari so joyful over that Kerry-Lugar Bill; might be that some of the PPP stalwarts were thinking of riding a new gravy train but mainly they wanted to keep the army & ISI under their thumb. It was PPP's long standing wish; recall the ending July 2008's notification putting the ISI under the Ministry of Interior but had to withdraw the notification after three hours.

*[At this moment, one can recall that the PML(N) in the post-Kargil scenario didn't act very differently, when Shahbaz Sharif flew to the US to obtain a statement from the then US administration to the effect that the US would not look favourably on a military intervention in Pakistan.]*

Why the army did moved public with its reservations on the bill; perhaps there was no option left for them. COAS Gen Kayani had informed the government about his reservations in writing and then had personally conveyed to the PM and President but of no avail. Fact remained that:

***'The army contended that the last version of the KL-Bill they received on 15<sup>th</sup> September 2009 did not contain the 12 clauses which were added subsequently in the final version being most objectionable and derogatory.'***

In nut shell, as per **'Daily Times' of 21st October 2009**, the army went successful by sending a loud and clear message to all that ***'Zardari cannot hope to control the army by aligning himself with the US; nor the US by aligning itself with Zardari.'***

Later, referring to **'the Jang' of 26<sup>th</sup> July 2010**, the Kerry Lugar bill was the outcome of the conspiracy amongst the Americans [comprising of Gen Mike Mullen, Gen McCrystal, Hallbrook & Hilary Clinton as one party] and Zardari, Gilani & Haqqani being the second part in which the later group had come up with utmost irresponsibility as statesmen. The Pak Army had forwarded its reservations in writing through proper channel via Joint Chiefs of Staff Committee.

Perhaps the Americans had fair idea of such reprisal from the Pak Army but there was no harm in taking a chance. When the written retaliation came on record, the American government and Pentagon immediately issued an 'explanatory note' trying to absolve themselves of all possible fall outs.

*'A Pakistani person's discontent over the assistance, despite the fact that the aid focused on developmental sectors like health and education was understandable'*, the US government was upset. But why US congress attached such conditions with the aid, was another question. US Embassy's Bryan Hunt had said:

*'The Congress felt that the US should be dealing with civilian government; Pakistan also agrees that we should be dealing with civilians, and not the military.'*

*'It is unfortunate as Washington wants to promote democracy in Pakistan, but the goal was being hampered by the wide-scale protests.'*

The American policy makers, however, had also lost sight that they were actually trying to reap their own interest in the garb of 'civilian aid'. Had they serious to serve the Pakistani civilian community they should not have included the conditions like:

***'Civilian control of the army, no check on drone attacks, seeking allowance to investigate Dr A Q Khan directly, seeking permissions to expand the US Embassy premises and no check on the entry of security personnel for Black-water & XE'.***

These were all negative designs and the Pakistani Generals were no such goofs as the Americans, Rehman & Rajas had originally thought of.

The press release stated; the military commanders' considered view was that *"it is parliament that represents the will of the people of Pakistan, which would deliberate on the issue, enabling the government to develop a national response."*

#### **SENATOR KERRY VISITS PAKISTAN:**

***On 20<sup>th</sup> October 2009***, when US Senator John Kerry was in Islamabad to celebrate the [miscalculated] American success, his body language was totally exhausted indicating his disappointment during his Islamabad visit where he was having ***'so much difficulty in trying to give away 7.5 billion dollar aid.'***

Although he was careful not to express his distress after meeting Pakistani politicians and military leaders, a frustrated Kerry ended up saying:

***'Take it or leave it; we should not play to cheap galleries here. If you don't want the money, say so. We're not forcing you to take it.'***

***We are giving to Pakistan about 7.5 billion dollars aid and also listening its complaints; we can spend this amount in California where it is badly needed.'***

Senator John Kerry had also made it clear that no change was possible in the Kerry-Lugar Bill. He had come to Pakistan because he was '*concerned that a straight forward effort was being misinterpreted*'. He was more upset because he was not expecting demands of 'further clarification' from PML(N)'s Nawaz Sharif at least.

Later, in mid May 2011, John Kerry again met Pakistan's Army Chief Gen Kayani who apprised him of the 'intense feelings' within the rank and file of his army on the US raid at Abbottabad to kill Osama bin Laden. Kerry was carrying a list of actions to ease tensions but contrarily the US government was trying to use the threat of Congressional cuts to the \$3 billion [as leverage] in annual aid to Pakistan.

In Pakistan no one was actually bothered. Next day, Senator Kerry shunted out his frustration and humiliation by saying the media reporters in Mazar Sharif [Afghanistan] that:

*'Terror attacks in the country are carried out by insurgents trained in Pakistan. It is really critical that we talk with the Pakistanis, as friends, in the best effort to try to achieve the most cooperation possible to make all of us safer.'*

*'We believe that Pakistan itself is challenged from these insurgents, extremists and terrorists.'*

The gimmicks went on. Kerry-Lugar Bill remained in its place; however, the Pakistan Army's reservations were given serious considerations. The general populace could not know if any aid [\$1.5 billion per year] was received by Pakistan nor Pakistan's 'vibrant' media ever brought any news in this regard till the 3<sup>rd</sup> week of November 2011 when the National Accountability Bureau (NAB) had decided to investigate reports of alleged corruption in the funds being disbursed to NGOs for development projects under the said KL-bill.

A 2-member delegation of the US AID had met the NAB Chairman Justice (retd) Deedar Hussain Shah and requested him to look into the matter to ensure transparency in the development schemes. As per Pak-US arrangement worked out later, much of this aid was to be spent through American NGOs for development projects at mass level in Pakistan.

*[There have been reports that some local NGOs used US citizens as front men while some others pooled with the NGOs in US to squeeze funding. This was against the spirit of the funding agreement and prompted the US authorities to lodge complaints for a formal probe.]*

A report by Jane Perlez in the '**New York Times**' dated **1<sup>st</sup> May 2011** had earlier said that:

*'The Kerry-Lugar aid plan for Pakistan is "floundering because Washington's fears of Pakistani corruption and incompetence have slowed disbursement of the money.'*

*'Quoting the US Government Accountability Office, only \$179.5 million of the first \$1.5 billion of the five-year programme had been disbursed by December 2010.'*

The script speaks that how serious we were in using that \$7.5bn aid.

**On 18<sup>th</sup> April 2012**, Pakistan's Federal Minister for Finance Dr Hafeez Shaikh along with Governor State Bank of Pakistan and Federal Secretary Finance landed at Washington to hold talks with the US and World Bank authorities about the restoration of aid to the country which was promised for Pakistan earlier in 2009 under KL-Bill. Federal Minister Dr Shaikh in his meetings with the US officials reiterated demand for payment of US grant under the Coalition Support Fund (CSF) to Pakistan which was projected at \$ 800 million to be received during the previous year, while it did not get any funds since December 2010.

When the Kerry-Lugar bill was passed it was decided that Pakistan would receive an amount of US\$ 7.5 billion in total over a period of five year (2009-14), however it was not decided that Pakistan would receive US\$ 1.5 billion every year in the mathematical sense.

In 2011 Pakistan received US\$1.2 billion while till the end of FY 2011-12 [June 2012] United States Agency for International Development (USAID) had disbursed an amount of US\$ 2.6 billion for projects related to energy production, health, education and infrastructure, especially after Pakistan's floods.

*[USAID has provided assistance for the establishment of a new power project which can produce up to 400 megawatts of energy. They are also working on improvement of existing power projects so that their capacity can increase.]*

Now the ending words:

Taking light from Anees Jilani, referring to ***the 'Dawn' of 14<sup>th</sup> October 2009***, the Kerry-Lugar Bill was passed by the US Congress and not by the *Majlis e Shoora*; it was not easy if not altogether impossible to get it modified. It became American law after President Obama's signature; we were not able to stop that process. However, we as a nation could at least do one thing; should have refused the aid.

Trying to be a democratic nation, Pakistan in its own entity, would not disagree with the '**lessons**' given in the bill through conditions. Pakistan should remain committed to eliminating terrorism, whether domestically or externally [stop thinking India or Afghanistan or China or Philippines].

There should not be any terrorist base in the country, whether in Muridke or Quetta or Southern Punjab or Karachi. The military should desist from interfering in the country's political process on all pretexts; but dictation from any quarter, any power or forum should not be accepted. This would hurt nation's ego, dignity and sovereignty, and would be an insult to millions of Pakistanis.

Don't accept American aids, military or civil, yes if possible borrow or buy their thinking: US President, Theodore Roosevelt, had once said: '**Speak softly and carry a big stick. You will go far.**'

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