

REPORT

**Seminar On
US Security Policy in Afghanistan and
Implications for Pakistan**

With emphasis on how the US Congress shapes policies towards Pakistan

**December 30, 2010
Hotel Marriott, Islamabad**

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CONTENTS

<i>Preface</i>	05
Welcome & Introduction of the Forum Ms. Aasiya Riaz Joint Director PILDAT	07
How the US Congress shapes policies towards Pakistan Mr. Ziad Haider Former Policy Advisor to US Senator Christopher J. Dodd Vice Chair of the Senate Foreign Relations Committee Joint Degree Candidate at Georgetown Law and Harvard Kennedy School	09
Lisbon Summit Declaration & US Strategy Review; Implications for Civil-Military Relations in Pakistan Dr. Hasan Askari Rizvi Defence and Political Analyst	13
Dr. Riffat Hussain Chairman, Department of Defence and Strategic Studies Quaid-e-Azam University	15
Q & A and Discussion	17
Concluding Remarks	21

Report

Seminar on US Security Policy in Afghanistan and Implications for Pakistan

PREFACE

Seminar US Security policy in Afghanistan and its Implication for Pakistan was organized by PILDAT on December 30, 2010 Islamabad where experts, analysts and subject-specialists believed that Pakistan needs to develop an indigenous narrative keeping in view its legitimate interests and not just follow the US diktats through the US strategic policy reviews for Afghanistan

This seminar was held to cover two issues firstly, how the US Congress influences security/defence policies and secondly, to understand what implications does the new NATO/Lisbon agreement and recent US strategy review in Afghanistan have for the civil-military relations in Pakistan.

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Islamabad
January 2011

Welcome & Introduction of the Forum

Ms. Asiya Riaz
Joint Director-PILDAT



Ms. Asiya Riaz welcomed the participants and said that the United States of America's policies towards Afghanistan are considered to be of immense importance to Pakistan due to its regional security scenario. She said that the role of the elected representatives of the US in the formation of these policies is also instructive for Pakistan's Parliamentarians. Another aspect of this seminar is that the NATO has given the exit date from Afghanistan and what would be its impact on Pakistan and its Civil Military Relations.

This similar topic has been framed under the backdrop that given Pakistan military has been gaining a gradual and steady control over defence and other affairs in the past two years due to the centrality of its role in security-related paradigm due to US/NATO presence in Afghanistan, now when the NATO has announced to withdraw by 2014 and US strategic review pressurizes Pakistan to do more, the pressure on Pakistan military to do more increases – what implications does it have for the already delicate civil-military relations in Pakistan – will, for instance, the civilian government in the process become dispensable?

Mr. Ziad Haider would throw light upon the details and the role of the elected representatives in final formation of the Kerry-Lugar Bill tracing the Congressional input from both Armed Services Committee as well as the Foreign Affairs committee, while Dr. Hasan Askari Rizvi and Dr. Syed Riffat Hussain would talk about the importance of Lisbon Summit Declaration and its implications on Pakistan's politics and civil-military relations.

How the US Congress shapes policies towards Pakistan

Mr. Ziad Haider

Former Policy Advisor to US Senator Christopher J. Dodd Vice Chair of the Senate Foreign Relations Committee Joint Degree Candidate at Georgetown Law and Harvard Kennedy School



My goal here today is to discuss the American Congress and how it shapes policies towards Pakistan, since it can be regarded as a very important player in US-Pakistan relations. I will discuss how Congress is set up and how it works and then I will discuss the tools at Congress's disposal in order to shape policies towards Pakistan. My presentation today is not regarding policy, its regarding the process and how Congress operates.

The fundamental principle of the US Congress as stated in the constitution is the separation of powers. The Three branches of the government are judiciary, executive and the Congress. There are 435 members in the lower house with two years term each. Each state has representation according to its population. The Upper body, the Senate, has 100 members with six years term and two members are elected from each state. These numbers are important in what they reflect in each of the bodies.

This House by virtue of being short term is one where the majority rules. The US Senate has been constructed by the constitution to be more deliberative body where members are much more geared towards reaching consensus, having a broader constituency representation.

An interesting phenomenon in the US Senate, which even does not exist in the British, Pakistani or any other system, is the concept of professional staff that works with congressmen and advises them on various issues. There are two types of staff; personal and professional. The

Report

Seminar on US Security Policy in Afghanistan and Implications for Pakistan

personal staff is also called 'legislative assistants' who are the brains and muscle for the senators and congressmen in terms of getting things done. When we talk of the Foreign Relations Committee, the chairman of the committee has a professional staff dedicated to working on very narrow issues and there is a person working solely on one portfolio. It is the staff that keeps Congressmen and Senators up-dated on a host of issues and this distinction between the personal and professional staff is important to understand.

In procedure for law making in the US Congress, a bill is introduced by a member and it goes to the relevant committee, which votes on the bill. Then the bill goes to the floor of the US Senate as well the floor of the House, where a similar bill is introduced. Both the bodies vote on it. Since there are two different bodies and two different bills a process of reconciliation starts where members of the House Committee and Senate Committee meet for hours and debate on how to reconcile the bill and they make the bill exactly the same after this process. Then the identical bill goes back to the bodies who vote on it after which it goes to US President for signatures.

The most important thing which I will touch on when I talk about Kerry Lugar Burman Bill is the reconciliation process. The idea that there are two different bodies who have two different interests and members, yet they have to sit and reach compromises to form one bill, before it can go up to the President for his signatures.

The other centre piece is the distinction of the US Congress between in authorization and appropriation. This is something which many people even within the US do not know about, but is of great importance.

Authorization committees have jurisdiction over specific agencies. Just like the Foreign Relations committee has jurisdiction over State Department and the Banking Committee has jurisdiction over the treasury department. If they pass a bill it is just an authorization but the money does not come until the appropriation Committee gives the money. There is separate process for allocating the money and actually giving the money. All bills go on the same path. Even though a lot of attention is paid in Pakistan toward foreign relations committee and the activities it performs, the appropriation committee is equally important.

When we talk about the inputs that go into making

legislations, we always hear about nefarious lobbyists and interest groups. There are governments which hire such groups to work for them. There are interest group which organize on issues like worker union, gun rights etc. There are many such groups which work for India and Pakistan and their relations. Congress is not the most proactive body in the US and media breaks many scandals. The constituents are equally important and dynamic.

Policies and advocacy groups work on the US policy towards Pakistan. The South Asian Forum comprising Indian and Pakistani-Americans jointly work to support candidates who will work on various issues to bring the two countries India and Pakistan closer. Trade is a big focus for them and NGOs and think-tanks also play a very big role in inputs. The US executive branch also gives its recommendations on what direction should Congress move in.

The legislation process is very long and murky in the US. If one really wants to understand what the people who drafted the language were thinking, the conference report should be consulted. When the House and Senate meets and does the reconciliation process, they write a report on whatever is on their minds. Another important source of reports is congressional research service and PILDAT plays very invaluable role here in Pakistan in providing information and guidance to the members of the parliament and legislative assemblies. There is also a research wing within the Congress in the United States. It does not take position on issues but is a go to source and provides basic information.

The most important tool which the Congress has is the power of the press, the process of the budget funding. Another important tool is oversight which has two components of dialogue and hearings. Another interesting feature in the Senate is of confirmations. Judicial nominees, people appointed to various courts in US, government officials, military officials are all subject to what is called a confirmation process. This only happens in the Senate. A treaty is an area where the Congress provides advice. Any treaty signed by the US has to be approved by the two-third majority of the Senate.

Coming to a more interesting feature is how does the US Congress do oversight over military and defence policies? There is a fundamental tension between Congress and executive when it comes to the military. The approval for

Report

Seminar on US Security Policy in Afghanistan and Implications for Pakistan

any war adventure is accorded by the US Congress and is an important way when it asserts to sending troops abroad.

Budget and funding is another important aspect. Congressmen sitting on these key committees can also prioritize certain policies and can also put pressure on administration. Another important component is oversight hearings and investigative reports which have the right to question about certain government policies. There is obviously back and forth with the executive branch but this is also the time on Congress itself because of the economy, deficit has got the lowest approval within the US. The approval rating of the Congress within the US stands at 13 per cent.

Aid is the primary way in which people in Pakistan think of the US Congress. Constant oversight happens about the money allocated to Pakistan. When Congress says that some amount of money is being given to Pakistan, we listen that Secretary of the State must sign it, etc. This certification comes from two impulses; one is the tension between Congress and executive over foreign policy matters. But the other is that the Congress comprises 535 members and this is the way Congress asserts itself. Secretary of the state could wave off the certification requirements on certain grounds. That is the tool which executive has.

There are varying views about the nature and quality of US-Pakistan relations within Pakistan. Similarly, there is also a varied nature of views in the body of 535 members. Another aspect in which Congress deals with Pakistan are the trade issues. We have heard of Reconstruction of Opportunity Zones (ROZs), providing duty-free access to goods produced in FATA. This is the issue on which Congress has to act.

Ultimately, Congress is not a policy-making body. It makes legislation which can frame policies but the executive branch drives and implements these policies while the Congress performs oversight. This became obvious after 9/11 when Congress took the backseat. There are 535 members with different degree of engagement with Pakistan. Some have minimal, some will speak on the bill in the beginning. This is how Congress operates.

As the parties changed and democrats came back in Congress, issues about the accountability of the money going to Pakistan, democracy came to light. There were voices from here when the Kerry-Lugar Burman Bill was

being shaped in the US. A shift happened when the Congress viewed the administration and Pakistan. The Congress came up with the policy to push. The US-Pakistan relationships have already witnessed many ups and downs. It needs to be replaced with more longevity, stability to the extent that aid alone can do it. The original Kerry-Lugar Burman Bill had the authorization for ten years instead of the current five years.

One was the single long term commitment, two was shift from military to civilian and three was shift from government to people with focus on economic issues in the Kerry-Lugar Burman Bill. It resulted in the legislation and debate there happened had many players. A very rigorous debate took place on this bill. Compromise that came out of this legislation related to certification requirement keeping in mind that Secretary of the State can wave them off. The US signaled a commitment for five years and each year the allocation committee is going to allocate funds. This debate about funding will come up again in the US this year. This however is not the end of this story. Both the Congress and people in Pakistan would like to know where this money is going. Both the sides have to work seriously on this issue. Congress, therefore is an important player in the US-Pakistan relations. In many ways the US foreign policy is driven by the executive branch. This should also be borne in mind. At the same time Congress has many people, many voices and many views on certain issues. There is the process and you have to figure it out. There are contradictions between the bodies and the government and such is the reality.

Republicans have now taken over the House and democrats control the Senate in the US and so it is going to be tough to move legislation. Two interesting debates going to happen in Senate this year relating to Pakistan would be aid issues and trade. When appropriation about Kerry-Lugar comes in again, the details would be discussed. Trade has to be an important component. It is going to be tough time for Pakistan.

There is more than 60 per cent disapproval of the way the war in Afghanistan is being handled and the American public is getting weary of it. In this environment and splitting Congress, when this debate comes in July 2011, it can be imagined that it would be an emotional one. This might be the area where Obama might find common ground with the republicans.

Lisbon Summit Declaration & US Strategy Review Implications for Civil-Military Relations in Pakistan

Dr. Hasan Askari Rizvi
Defence and Political Analyst



I have reached the conclusion from the discussion by Mr. Ziad Haider that if we have to influence the US policies then we would have understand the legislative procedure and policy making in the US. Unfortunately in Pakistan, we lack the professional and research support for our Parliamentarians.

The US is passing through difficult transition as far as Afghanistan policy is concerned. There is a major shift in its policies. In October 2001 when the US launched the Afghanistan offensive it was conceived that of total victory. Now this goal has become illusive. US wants a working solution to the Afghanistan issue. The diplomatic style of Obama administration is slightly different from that of Bush administration. There is also a slight difference of engagement of the US in talks including Taliban and Pakistan and its efforts are on to widen relations with Pakistan. Although, the Al-Qaida perception of the US has not changed as yet.

The Lisbon conference in October has seen the endorsement of the US withdrawal from Afghanistan. The US wants to keep open the negotiations option with the Taliban, but it is without any framework, and neither the US nor with the Afghans have a negotiation framework. But sustainability is the major challenge. Therefore, the US thinks that their achievements are fragile and can be reversed. The December 16 review also points Al-Qaeda safe heavens in Pakistan but they have balanced it by seeking Pakistan's cooperation in this regards. There has

Report

Seminar on US Security Policy in Afghanistan and Implications for Pakistan

not been any significant success by the coalition forces against the Taliban in 2010. There is the basic failure of the US in retaining their success, if any, against the Taliban. There is no proper evidence of the Afghan forces own ability to counter the Taliban.

The administration and capacity building is also another problem. Afghanistan has never been a centralized state. We see future problems in Afghanistan. Leaving aside the big cities, the US and Afghanistan have not been able to give the local people any new hope. There is a goal sharing between Pakistan and the US to eradicate terrorism. But the problems crop up at the strategies levels which lead to divergence of issues. Pakistan cannot change its geography which is a big constraint. From the US point of view, there are three issues; North Waziristan, Quetta Shura and the Mumbai terrorists attacks issue. Pakistan has a long term perspective as to what happens after the coalition forces withdraw from Afghanistan.

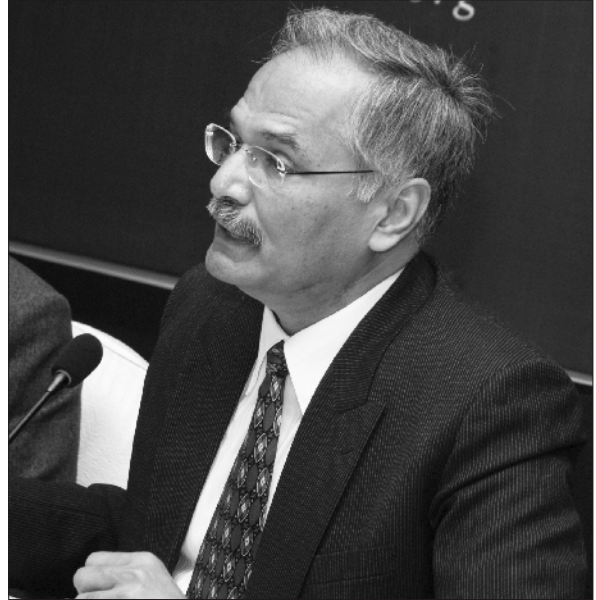
Pakistan army has had some good successes against the terrorists but it is difficult to say that the threat has been wiped off from that particular area. There may be professional deficiencies to counter the threats or they have linkages within the government and army to survive after such heavy losses.

The civil-military relations cannot be discussed on a single variable. We would have to understand the political systems of the country, the US view of Pakistan and what role it is going to assign it. Army would be proactive in an aggressive Pakistan. The army is one of the most stable powers in Pakistan despite civil administration in the power corridors. The image of the military has improved a lot after successful operations in Swat and South Waziristan.

Peace talks with warring factions should be carried out by different think tanks while operation should be carried out by the army. The civil government has its own problems and has conceded various policy formation areas to the army, which has dominating role. Broad policies are being formulated with the consultation of the army. There has to be a civilian ownership of war on terror and conduct of diplomacy. Absolute military rule is unacceptable among the comity of nations. Various religio-political parties are against the war on terror but it needs to get civilian government acceptance.

Report
Seminar on
US Security Policy in Afghanistan and Implications for Pakistan

Dr. Riffat Hussain
Chairman
Department of Defence and Strategic Studies
Quaid-e-Azam University



I would like to discuss the review on Afghan Strategy by President Obama on Dec 16th and its implications on the security dynamics of Pakistan. I will also discuss as to what extent will the civil military relations of Pakistan be effected by this review.

The logic behind the US decision to send 30,000 troops in Afghanistan again in 2009 was the assumption that it was difficult for the US to form a credible government in Afghanistan, without reversing the momentum of the Taliban surge. To achieve this target, Obama agreed to send 30,000 troops, as he thought it was the need of the hour. But after reversing the trend, US had to decide about its withdrawal. The excessive use of the force against the Taliban, not keeping in mind as to how much troops will be required, would them to come to table talks.

The Afghan forces needed time to get ready to assume their security duties. It is still a million dollar question of whether the Afghan security forces would be able to take charge of their affairs effectively and check the Taliban onslaught. Obama administration has sought more time to withdraw from Afghanistan and has accepted some role of Pakistan in its review. With regard to Al-Qaeda, US thought that they must remain focused on their ultimate goal, which is the eventual strategic defeat of Al-Qaeda in the region which will require sustained denial of safe heavens in the tribal areas of Pakistan, among other factors. The War in Afghanistan has to be Americanized, rather than Afghanitized, was also another aspect of the Obama's

Report

Seminar on US Security Policy in Afghanistan and Implications for Pakistan

Security Policy.

President Obama had to sack Gen. Mc Crystal and bring Gen. Petraeus, who has his own agenda and did not want that the US forces should leave Afghanistan. This is why the time line was reversed from 2011 to 2014.

President Obama's in his review gave Pakistan its due importance. The reason for this is that next year once again, talks on more Aid to Pakistan will start. At this point, a question will arise that how fruitful have the Pakistan-US relations been over the years. President Obama would not, at this point, like to give a negative image of the relations. Therefore, when he said that we got cooperation from Pakistan but a lot more needs to be done by Pakistan, this qualifier was meant primarily for the domestic audience and did not really reflect the real thinking of the American Administration, in my judgment.

I will now quote from the summary whatever he said regarding Pakistan:

“With regard to Al-Qeda's Pakistan based leadership we must remain focused on making further progress towards our ultimate end state, which is the eventual strategic defeat of Al-Qaeda in the region which will require the sustained denial of the groups in the safe havens of Western Pakistan amongst other factors.”

Now I will link this passage to another passage in which they said:

“We remain relentlessly focused on Pakistan-based Al-Qaeda because of the strategic nature of the threat posed by it leadership and groups in pursuit of large-scale and catastrophic anti-Western attacks and influence on the global terrorism.”

This means, accelerated drone attacks, not only in FATA but also beyond.

“Pakistan is central to the US efforts to defeat Al-Qaeda and prevent its return to the region” . This is just not in FATA but anywhere where Al-Qaeda will seek to rejoin.

The review of the summary is the anesthisised version. I would like to disagree with Dr. Hassan Askari Rizvi that the goals of both Pakistan and Afghanistan are same regarding the War in Afghanistan. Pakistan believes that the US would

the Haqani Network, Gulbadin Hikmatyar and other allies. Pakistan would like to use such groups to use this as a hedging bet and US want to pressurize on this.

The US also wants to expand the Indian role in the security of Afghanistan. The military has the operational strategy and General Kayani has sought civilian approval for all sorts of actions against the terrorists in Pakistan. Gen Kayani and Pentagon have direct contacts as well. If the civilian government fails in Pakistan, it would be due to the internal bad governance of the political factions.

Report
Seminar on
US Security Policy in Afghanistan and Implications for Pakistan



Q&A/Discussion Session

Mr. Ayaz Wazir

Former Ambassador

Are the war on terror targets of Pakistan and the US same? We are fighting someone's war. It is not our war. Has the US succeeded in weakening the Taliban in Afghanistan. If it's the war of religions, then how is it our war?

Dr. Hasan Askari Rizvi

Defence and Political Analyst

There are different opinions to whatever is happening in Afghanistan both in Pakistan and the US. Some view it in the framework of clash of civilizations. The US had an objective of victory in Afghanistan but now its perception has changed. The war on terrorism is affecting Pakistan. It began as the war of the US but now is the war of Pakistan until it is going on in Pakistan.

Lt. General (Retd.) Asad Durrani

Former DG ISI

The Lisbon Conference's importance is due to some other factors. The real policy has been formed. The defence

contractors, Obama administration, army, Pentagon, Republicans have drafted this policy. Soldiers would be used and the military victory would serve the ego of the nation. Army cannot hold talks and keep on fighting at the same time. The policy and postures are always different.

Mr. Adnan Aurangzeb

Former Parliamentarian

We are hearing of the Swat operation. Have we really achieved the success and on what parameters. We should first concentrate on our role within our own geographic location. Why and how have we become a terrorist nation?

Is there any political will to give something to the people to save them from falling into the hands of the terrorists operating in and out of Pakistan?

Dr. Hasan Askari Rizvi

Defence and Political Analyst

The word success is inappropriate in Swat. We have to recognize what has been achieved. There is a huge change in the situation but we have completed only one phase. It is

Report

Seminar on US Security Policy in Afghanistan and Implications for Pakistan

not success but credit should be given what has been achieved so far. Pakistan must seek strength from within. It should build peace on borders. The development work cannot be done in restive areas. We have to correct our ill-conceived policies. The militant groups have been groomed and used by successive government and military establishments in Pakistan. But the ultimate goal is the development. I agree that Pakistan needs to adopt low-key outward approach. Situation on our internal front is not so good. We should improve our economy in order to resolve our problems. The dissidents' movements and demands should be adjusted. We should seek domestic solutions.

Ms. Salma Malik

Quaid-e-Azam University

We trained Jehadis for Afghan war in the late 1970s. At that time it was a noble cause. For how long should we depend on Gen Kayani? Would his predecessor keep a balance with the civilian rulers in decision making?

2014 is the deadline of the coalition forces withdrawal from Afghanistan. What strategy Pakistan has chalked out in the aftermath?

Dr. Riffat Hussain

Chairman

Department of Defence and Strategic Studies
Quaid-e-Azam University

Gen Kayani takes civilian leadership onboard for all decisions. The biggest dilemma for the country is that the civilian government usually fails to make realize its role. The government is fighting for its survival. The civilian leadership should provide a helping hand to the army. This is the only way to succeed the military. The government has to pro actively get involved in these matters.

The military is running a de-radicalization programme in Swat. This should have been done by the government but it is not assuming its role. The state of mind has changed now. We define our nationalism with reference to India. We need to change the political discourse which would benefit the army.

Dr. Tahir Amin

Quaid-e-Azam University

Our decision making elites are vision-less. Pakistan has

succumbed to the US demands of allowing a CIA centre in Quetta. The US would have to withdraw from Afghanistan one day. They are frustrated with this war. But we have no strategy at all in the given scenario. Our fractured decision making is dashing all hopes of our positive role in the region.

Dr. Riffat Hussain

Chairman

Department of Defence and Strategic Studies
Quaid-e-Azam University

After the release of the Afghan review, a parallel discourse is being followed by the military at least. Gen Kayani should have taken Parliament into confidence before handing documents to President Obama on his own. The institutional bodies have become polarized.

We should discuss all option leading towards 2014. We should have scenario building, which is present in the army but the academic institutions lack in this respect. Policy in the US is driven by a lot of pushes. The framework for reconciliation is unclear and we need to work and make it a comprehensive document. The US President cannot ignore public opinion. Pakistan has paid highest in the form of economic losses in the Afghan war.

Dr. Hasan Askari Rizvi

Defence and Political Analyst

It is reality that Pakistan has more military and para-military personnel than the non-Afghans in Afghanistan. There is need to project Pakistan's point of view. There is need to make clear to the US why Pakistan is reluctant to take action against the militants in North Waziristan. We have to explain it logically to the US.

Our government has not faithfully conveyed the perception of the peoples of Pakistan to the US. Then what we can except from the US. There is appreciation of Pakistan's sacrifices in the US. What the public thinks is different from that of the US government.

Mr. Aizaz Syed

Dawn News

We give more weight to Gen Kayani who takes decisions first and then takes political government in confidence.

Report

Seminar on US Security Policy in Afghanistan and Implications for Pakistan

Dr. Riffat Hussain

Chairman

Department of Defence and Strategic Studies

Quaid-e-Azam University

The government should give a policy framework. There are efforts to take onboard everybody. No state can train armed groups against itself. We should get off with the armed obsession. There is need of political consensus to resolve the issues. Our regional issues are plaguing us since 1947. The situation of army is different.

One good development was the signing of gas pipeline among Pakistan, India, Iran and Turkmenistan. Therefore, without peace, none of such projects would come on ground. Implementation would be dictated by the ground realities.

Dr. Hasan Askari Rizvi

Defence and Political Analyst

Different groups have emerged in FATA. When there is a social transformation of a society then it is very difficult to go back to its basis. There is need to address the neglect of the tribal areas. There should be social development.

Mir Sher Baaz Khetran

Balochistan

Should there be a complete ownership of the war on terror?

Dr. Hasan Askari Rizvi

Defence and Political Analyst

Pakistan cannot develop unless it gets itself free from terrorism. Pakistan should not own every policy of the US. We need to develop national consensus. We should keep relation with the US within certain limits. We are a dependent state and hence it has limited options. Pakistan has adopted the war on terror.

Mr. Ziad Haider

Former Policy Advisor to US Senator Christopher J. Dodd
Vice Chair of the Senate Foreign Relations Committee Joint Degree Candidate at Georgetown Law and Harvard Kennedy School

There is a constant tug of war between the Congress and executive. Pakistan's embassy is taken onboard by the US.

I think there is a gap in terms of information.

Dr. Hasan Askari Rizvi

Defence and Political Analyst

There is information gap between Pakistan and the US. The sacrifices of Pakistan are not counted. We have not highlighted various issues related to our problems due to war on terror. Our economy cannot develop without energy.

Ms. Fauzia Ijaz Khan

MNA-MQM

It is said that Asia is the window of development. But we are indulged in such issues of terrorism. Our embassy is totally unaware of its role. Indian caucus is ruling the roost. If Sri Lanka can resolve such problems then why can not we hold talks with the warring factions to secure peace in our area.

Our decision making is fractured. Army should be held accountable. We should have political support without which it is very difficult to have consensus on important issues. We have democracy but military should be subservient to the political setup. The sooner it develops its capacity, the better it would be for the development of the country. Pakistan cannot make its policies independently in the current scenario. We have to protect ourselves from the effects of international policies.

Malik Azmat

MNA-Lower Dir

If the US thinks it will be successful in Afghanistan, it will never succeed in doing so. Simple solution to ensuring peace is that the US withdraws from Afghanistan immediately. China has stable economy and they never become part of such issues. Why do we become part of such wars? One General threw us in the war and the second took a U-turn. Who has been formulating the policies of Pakistan since decades?

Concluding Remarks

Dr. Hasan Askari Rizvi

Defence and Political Analyst

The review is for the American public. We should not search the past in the present. We need to review the present situation. The homegrown causes of militancy are related to religious extremism.

Mr. Ziad Haider

Former Policy Advisor to US Senator Christopher J. Dodd
Vice Chair of the Senate Foreign Relations Committee Joint
Degree Candidate at Georgetown Law and Harvard
Kennedy School

The role of dialogue is very important in solution to every problem. No one in the US is thinking about defeating the Taliban. Nation-building or democracy is also not a goal of the US in Afghanistan. It wants some degree of stability and then move out. The Obama administration is focusing on these issues.

Pakistani-American community is not much organized as compared to that of the Indian-American community. India is doing very good in trade, economics and on other fronts while Pakistan is still dealing with security issues. Contents of relationships between Pakistan and the US need to be looked into.



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