

Pakistan-US Engagement in War on Terror and Its Implications for Pakistan's Sovereignty: An Appraisal of Indian Ocean Geo-Politics during 2001-2020

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ABSTRACT

On September 11, 2001, the World Trade Center collapsed and the Pentagon was attacked, triggering a sustained anti-terrorism campaign around the world. A number of cases have been reported where the war on terror has adversely affected the sovereignty of the state. The war on terror has been particularly devastating to Pakistan, one of the frontline states in this conflict. This war has compromised Pakistan's sovereignty a number of times. Specifically, this paper focuses on drone strikes by US forces in Pakistan's tribal areas, including attacks on Salallah checkpoints and the killing of Osama in Abbottabad without obtaining permission or sharing information from Pakistan. There is still a lack of trust between the United States and Pakistan, so it was the Pakistani government's responsibility to protect its regional interests before entering this war and deciding the scope of Allied Forces authority. The paper concludes that the US-led forces have undermined Pakistan's sovereignty. The document notes that intelligence cooperation, allies' trust, and the respect for national sovereignty of states are very important factors for the advancement of the antiterrorism effort.

Key Words: NATO, CIA, Zero Tolerance Policy, Al-Qaeda, USSOCOM

Statement of the Problem

Pakistan and the United States have always had an unpredictable relationship. Although Pakistan has been a part of the American block since its very inception, it has always assisted the US in its wars. It first demonized Russia during the Cold War and then it stood with the United States in the war on terror. Pakistan's sacrifices for the United States were not appreciated. America repeatedly showed

its distrust and even challenged Pakistan's sovereignty. This study aims to explore how Pakistan has helped the United States and in return the US continually challenges Pakistani sovereignty.

Research Questions

1. What was the rationale for the United States challenging Pakistan's sovereignty during the war on terror era?
2. How did Pakistan contribute to fight against terrorism?
3. Pakistan's future sovereignty: how can it be protected?

Introduction

There has been substantial scholarly effort elsewhere devoted to the war on terror. Today, one can conduct profound research into the nexus of political, social, and economic repercussions of the war on terror for the countries that are involved (Napoleoni, 2010). This paper examines the way that the war has affected state sovereignty through an analysis of the case of Pakistan. The fight against terrorism has affected Pakistan's national sovereignty, but how? The purpose of this Research is to address this question. A study of these incidents found examples of Pakistan violating its national sovereignty on three occasions. The war on terror impacts Pakistan in various ways, including US drone attacks and NATO planes attacking Salala Check Post. It is concluded that US counterterrorism policies should be based on international norms and values. In addition to substantiating efforts to eradicate terrorism in the region, the updated policies should also provide evidence. The use of counter-terrorist strategies is a response to terrorism. In this way, it undermines terrorist organizations by disrupting their leadership. Several revisions to counterterrorism policy have been made since the 9/11 terrorist attacks. This is why the Counter-Terrorism Strategy emphasizes cooperating and coordinating against all terrorist groups. As part of the strategy to defeat Islamic extremist sanctuaries in Afghanistan, it must establish formal and informal networks. There have been many strategic blunders in the relatively short history of US-Pakistani relations. Yet Pakistan's position in the GWOT provides the US and Pakistan with an opportunity to grow and ultimately benefit from the mutual relationship for many years to come. (Tellis, 2008) In order to facilitate this growth, both countries must become aware of each other's social, political, economic, cultural, religious, and sectarian influences while also trying to avoid provocative acts and mitigate wild card events. In order to maintain a long-term relationship that is not subject to challenges in the near term or fluctuations, both countries must have a clear understanding of the potential benefits in each of these areas. (Khan, 2013) The importance of this is that it can create a bridge that reduces the trust gap between the two countries. The initiative for cooperative relationships would help foster trust and confidence by promoting mutual respect

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and cooperation. Ensured security will contribute to the eradication of terrorism around the world.

Question of National Sovereignty

In response to the attacks on World Trade Center and Pentagon buildings, the U.S. government declared war on terrorism. Terrorists attacked the twin towers and the Pentagon at the same time on September 11, 2001, symbolizing America's economic power and military strength. Due to the fact that Al-Qaeda existed across borders and continents, the war against terrorism could not be confined to this organization. (Goldstein, 2004) In his speech, US President Barack Obama said, "We have a war on terror that begins with Al Qaeda, but it does not end with them." We will not be able to end it until every terrorist group with a global reach is identified, disrupted, and defeated" (Bush, 2000). Since then, the US has orchestrated a global campaign to combat terrorism. To fight terrorism, the US-led alliance is at full strength. The Bush administration has declared, "We will use every weapon at our disposal to disrupt and destroy the global terrorist network, including diplomacy, intelligence, law enforcement, and financial influence" (Bush, 2000). A coalition of US Governmental agencies was formed in accordance with the resolution of the UN Security Council in his speech, Barack Obama said, "We have a war on terror that began with Al Qaeda and does not end with them." passed on September 28, 2001. As a result of the extreme measures the US government has taken against terrorism, it appears to have forgotten the code of conduct that governs relations between states and nations in a civilized society (Yusuf, 2009). According to reports, the US government has demoralized the nations by following the doctrine of "might is right" and challenged the sovereignty of countries all over the world. The Treaty of Westphalia 1648 defines a country's sovereign rights, stating that all nations should not interfere with other states' affairs (Benoist, 1999). However, multilateral treaties and the growing influence of the United Nations in world politics after WWII have had a significant impact on sovereignty. Almost from the beginning, the sovereignty of the state was subordinated to international obligations. While this was true, state sovereignty was highly respected during the cold war. In the post-cold war era, human security, however, is of great importance to sovereignty. In several instances, the sovereignty of the state has been challenged on the grounds of human security. The territorial boundaries of sovereign states have been trampled quite often by antiterrorism campaigns. This is a violation of international law and the concept of state sovereignty (Tondon, 2005).

US War on Terrorism and Pakistan

Musharraf stated that Pakistan will not tolerate terrorism anywhere, anytime (Musharraf, 2001). Al-Qaeda was blamed by the US government for the Twin Towers attacks, and the Taliban regime in Kabul was urged to cede power. The

Taliban government, however, was unable to comply. Moreover, the Taliban regime was overthrown as a result of the coalition forces' invasion of Afghanistan. In the years before 9/11, Pakistan supported the Taliban government. Due to the attack on Afghanistan, Pakistan was forced into a difficult situation. Therefore, Pakistan changed its policy toward Afghanistan and joined the US in the war against terrorism. Taking this decision was a matter of principle and preserving Pakistan's national interests. It is my intention to prevent Pakistan's territory from being used anywhere for any terrorist activity (Musharraf, 2001)". The attack resulted in both Osama Bin Laden and Taliban leader Mullah Omer fleeing Afghanistan. US and NATO forces report that a large number of militants affiliated with Al-Qaeda and the Taliban have moved to Pakistan's tribal areas. Since nearly 80,000 soldiers were stationed along Pakistan's western border to prevent terrorism from gaining access, the Pakistani government was not convinced by these reports. The United States and NATO initially asked Pakistan to act against Al-Qaeda terrorists and Taliban leaders rumored to have escaped into Pakistan's tribal areas. Meanwhile, US-NATO forces began invading Pakistan's borders.

War on Terror Challenging Pakistan's Sovereignty

War on terror has presented challenges to a number of states, including Iraq, Afghanistan, Yemen, and Pakistan. The war was vitally important for Pakistan. Pakistan's sovereignty and its borders were violated by the US-led invasion. There are three case studies in the following sections: the US military's use of drones against tribal people, the NATO-US military strike on the Salala Checkpoint, and the Abbottabad incident.

The US Drone Attacks Policy

Modern warfare is becoming more offensive with the use of drones. The use of unmanned aerial vehicles (UAVs) in the fight against terrorism is becoming more prevalent by the day. Various drones have been used by the United States in the past. This type of weapon is used extensively in Pakistan's tribal areas because it is considered an extremely effective weapon for hitting targets that constantly change positions. A variety of factors, including the rough terrain, have made this region the perfect place for the use of drones to kill high-value targets. There is evidence that drones are highly effective at reducing civilian casualties while killing terrorists in regions that are inaccessible. According to Leon Panetta of the US Defense Department, drones are remarkably accurate, have limited collateral damage, and are the only means of disrupting Al-Qaeda leadership (CNN, 2009). In a similar vein is the argument made by the former Director of the CIA, Michael Hayden. As a result, Al-Qaeda and its affiliates do not have a safe haven or a place to hide in the Federal Administrative Tribal Area (FATA) of Pakistan (CNN, 2009). John Brennan, the president's counterterrorism adviser, has emphasized the

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wisdom, integrity, and necessity of targeted strikes given the realities of targeting terrorists in remote and inaccessible regions (Mayer, 2009). Senior US officials' arguments reflect their approach and priorities when it comes to drone policy. Pakistan provided the US with intelligence and bases during this war to fight against terrorists. Pakistan began using drones for strikes after the US seized Afghanistan and installed Hamid Karzai's pro-US government. The tribal areas of Pakistan bordering Afghanistan were reportedly home to several terrorist groups, including Al-Qaeda and the Taliban. In order to use the right to kill terrorists everywhere, they began targeting these terrorists. As part of Obama's drone war, drone strikes increased by the United States claims that drone strikes have been very effective at degrading and damaging terrorist groups' organizational capacity. These pressures are seen by them as responsible for terrorist groups' splintering, dispersion, and collapse. In Pakistan, terrorists scattered throughout the tribal region following drone strikes (Khan, 2009). This organization is not affected by the strikes, which should not be overlooked. Terrorists have scattered around the world instead of them, and the US drone strikes have been credited with avoiding collateral damage as well. The claim is based on questionable, subjective, and invalidated data.

The Questionable Rationale of Drown Warfare

There is no consensus regarding the number of drone-related deaths because these drones strike targets outside Pakistan's jurisdiction. Statisticians from the government do not provide official statistics. Various independent organizations have compiled the data, which includes findings from newspaper reports and intelligence sources. The number of Americans killed by drone attacks varies widely across different data sets. There were 334 drone strikes in Pakistan between June 2004 and October 2012 (the year of the drone), according to new data from the US Foundation. U.S. drone strikes are claimed to be efficient and effective, but only a few low-level terrorists are killed in these attacks. Al-Qaeda's top leaders were not vanquished by these strikes. The people of Pakistan are extremely resentful of the US because of its drone attacks. They believe the drones are not only killing innocent civilians, but also violating Pakistan's sovereignty. The Pakistani people as well as the democratically elected government of Pakistan have passed resolutions condemning these drone attacks as well as promising to end them. In PEW's Global Attitude Survey 2014, it is evident that global attitudes towards Pakistan have changed (PEW, 2014). It was stated that drone strikes kill several innocent people. Approximately 67% of respondents knew about this issue, 9% were unaware, and 24% didn't know.

Pakistan's Ambiguous Response

According to Pakistani citizens, drone strikes mainly harm civilians, not militants. A majority of respondents provided agreement with 41 percent, disagreed with 23 percent, and were unaware of 36 percent when asked if these strikes had been conducted without government approval. A major ally in the war on terror, Pakistan nevertheless suffered more economic and human losses. Once the US began drone strikes in the tribal areas, Pakistan found it more difficult to maintain internal support for the war on terror. Terrorists began targeting Pakistani civil areas immediately after Pakistan joined the war on terror. These people believe that the U.S. imposed this war on them after these invasions and violations, not that they initiated the war. All political parties and religious groups oppose drone attacks. A democratically elected government and public in Pakistan have condemned drone attacks in numerous bills, and they have also threatened to withdraw from the conflict if necessary. In Pakistan, the National Assembly passed a unanimous resolution against these drones which kill innocent civilians. The US has shown its opposition to not only drone strikes in Khyber Pakhtunkhwa, but also attacks on Afghanistan through the route of the KPK.

The Operation Geronimo

Al-Qaeda was the brainchild of Saudi national Osama Bin Laden to defend the Muslim community and attack the US. There are reports that Osama bin Laden and his network were behind a number of terrorist acts, including the 1993 World Trade Center bombings, the 1998 attacks on US embassies, and the 2002 attack on the USS Cole. Al-Qaeda has historically attacked the United States, which is why the blame was quickly shifted to Osama and his network following the September 11, 2001 attacks. Despite having the responsibility, it took the US forces about ten years to capture or kill Osama bin Laden after 9/11. US forces were deployed to Abbottabad, Pakistan on May 2, 2011, without prior permission. Osama bin Laden, the leader of al-Qaeda, was killed in Pakistan by US Navy Seal teams. It was a clear violation of Pakistan's sovereignty for the US to act in this way. An official from the US got information about Osama's Pakistan residence. During their mission, 24 Navy SEALs embarked on a stealth helicopter from the Afghanistan border area and advanced towards Pakistan. They crossed into Pakistan and came within striking distance of the Pakistani military academy in Abbottabad (Schmidle, 2011). Under the Joint Special Operation Command (JSOC), SEALs belonged to the Navy Special Warfare Development Group. The mission is to conduct anti-terrorist operations as part of the US special operations command (USSOCOM) (Ambinder, 2011). Upon entering Pakistan, they targeted a compound that was close to the Pakistan Military Academy Kakul and had been monitored for a long time (Mazzetti, 2011). No noticeable resistance was shown from Osama's side as they entered the compound and killed him. Assault troops returned home with the body of Al Qaeda leader Osama bin Laden. In addition to gathering intelligence reports, they also developed plans. To confirm his death,

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DNA was taken from Osama's dead body. As soon as the operation was confirmed, the US government declared it. Saudi Arabia declined to pick up Osama's body since he was a Saudi national. It was dumped in the ocean for that reason. The death of Osama bin Laden was announced by President Obama on May 2, 2011. Obama called the death of bin Laden the 'most significant achievement' in the fight against al-Qaeda, and that 'justice has been served.' The people of Pakistan were disappointed by this unilateral move by the US in their territory. It has been argued that the intelligence agencies were behind the attack, and the incident should be considered as a violation of international law and established norms. It was illegal because it was close to a military training facility. The government established a judicial commission headed by Justice Javed Iqbal in response to criticism from opposition parties, religious groups, media, and the public. In its report to the Prime Minister, the commission thoroughly investigated the case and reviewed many credible witness testimony. However, Pakistan's failure to secure its own sovereignty can also be attributed to its failed security institutions. The Senate committee on defense and security also ruled that it violated Pakistan's sovereignty.

NATO Attacks on Salala Check Post: Challenge to Sovereignty

An attack on Pakistani border posts by NATO forces led by the United States took place on November 26, 2011. The planes of the armed forces flew over 2.5 kilometers of Pakistani territory. They crossed into the Baizi subdivision of Mohmand Agency in the Federally Administered Tribal Area (FATA). The NATO Apache helicopter began shooting at the Pakistan border checkpoints known as the "Boulder" and the "Volcano" at 2 pm local time. The forces entered into Pakistani territory, thereby violating its sovereignty, and killed 24 Pakistani soldiers, two of whom were officers. Additionally, thirteen soldiers suffered serious injuries. As a result of the attack, Pakistan's sovereignty was clearly violated. A protest was launched by the government of Pakistan over the invasion and killing of their soldiers. Pakistan's military protested and demanded that NATO and its allies end the firing and the violation of Pakistan's sovereignty, as NATO forces led by the US accompanied the attack. The NATO forces, on the other hand, continued to fire. Strikes were launched on a point in Pakistan that was 1.6 kilometers underground. The strikes lasted for two hours, demonstrating that there was no misunderstanding or error in judgment. Communication centers were located at the border. Furthermore, both allies had agreements on how to conduct operations near their borders. The Pakistani forces, however, had no information about this operation (Pirzada, 2011). It was a blind and sudden attack on the Pakistani army. Several posts were established by Pakistan to ensure control over the area. Over 800 meters above sea level, these posts were located in a difficult terrain area near the Afghan province of Kunnar, near the Pakistan-Afghan border. Terrorists were

able to move more easily along international borders (Pirzada, 2011). As a result of this attack, Pakistan's sovereignty has been undermined and both countries are distrustful of each other. The US led forces did not dishonor Pakistan's territorial boundaries for the first time. In fact, the fourth episode of the series was the most recent. An attack by NATO on Pakistani forces occurred in 2006. They attacked the Frontiers Corps in June 2008, killing 11 soldiers. Consequently, NATO supplies were temporarily halted (ISPR, 2012). On the same day, another attack was carried out in September 2010. Two soldiers were killed this time, resulting in a closure of a NATO supply route for ten days (ISPR, 2012). Sadly, no casualties were reported from that attack later in June 2011. Salala check post was the site of the most horrific attack of these. The Salala incident caused a controversy between the three parties, especially between Pakistan, the United States, and NATO. According to Pakistan, this was a violation of Pakistan's sovereignty and an aggressive act by the United States. US officials claimed the Pakistani side fired first and the US was only defending itself.

NATO's Military Operation across Durand Line

NATO conducted an operation in Maya, a village near the Afghan-Pakistan border. Different perspectives were held by the participants. It is acknowledged that NATO made a mistake, and that this incident is regrettable. A US government official also offered his condolences. The attack was described as a tragedy by President Barack Husain Obama (Panetta, 2011). The US administration, despite this, did not fully apologize. There was a desire to move past this with the condolences. The US did not form a joint investigation team and underestimated the matter. In addition to violating Pakistan's sovereignty, the Salala incident led to the death of Pakistani soldiers. The government, the military, and the people disapproved of the act. It was widely viewed as a direct breach of Pakistan's sovereignty by almost all stakeholders. Immediately after the attack, Pakistan made it clear that it would not tolerate similar incidents in the future. Immediately following the incident, the Cabinet's Defense Committee met urgently to discuss the matter. Army Chief General Pervez Kiyani addressed the gathering in addition to meeting with senior officers. The army will no longer tolerate incidents like these in the future. Likewise, a strong signal was sent to the US and NATO forces. Furthermore, the NATO supply routes should be blocked to prevent the supply of weapons to the occupied territories. Both leaders and followers of all political parties condemned the terrible incident and demanded that NATO supply lines through Pakistan be blocked. A joint session of Pakistan's parliament was called by the Pakistan People's Party to discuss the matter as well as Pakistan's relations with the United States presence and the war on terror. As a result of this meeting, parliamentarians supported the public demand for NATO supply lines to remain closed until an apology is received from the United States. In order to investigate

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the matter and recommend a policy, the Senate National Security Committee was formed under the leadership of Senator Raza Rabbani.

The Policy Options and Recommendations

Drone attacks appear to be viewed as a violation of Pakistan's sovereignty by Pakistani society and the international community. The productivity of drone attacks is extremely low; therefore, they should not be used. There has been no success with this strategy. Moreover, if Pakistan and the US fail to hit a high-value target the way they said they would, they need to devise alternative strategies to overcome that constraint. The drone attacks have also affected the local communities along the Pakistan-Afghan border. Increased anxiety would be further aggravated if such attacks were to increase. Among the strongest arguments is the recent CIA endorsement of Pakistan's report confirming drone attacks remain counterproductive? In order to solve the problem, Pakistan and the United States could explore the following options:

- The zero-tolerance policy that we have adopted in response to the Peshawar terror attack should be continued in the future without discrimination.
- Deprivation is also a leading cause of terrorism, and should be eradicated.
- There should be a program to build the capacity of young people in counter-terrorism operations areas.
- Pakistan should use drones if there is any possibility of drones being instrumental in counter-terrorism operations.
- United States withdrawal would be crucial for creating a vacuum that other regional stakeholders could then fill. In order to resolve the problems on the Afghan borderlands, all of the parties involved should be involved, including the United States, Pakistan, Afghanistan, and India.
- It would be ideal to propose cooperative security in order to deal with the given situation. Cooperative Security Initiatives require stakeholders to respect the sovereignty of each other. Their efforts must be honest and dedicated to eliminating terrorism. Their joint counterterrorism operations should pool-in some funds, and they should declare terrorists common enemies.
- The success of counterterrorism operations depends on intelligence sharing. In order to avoid incidents like Salala Check Post, avoid misperceptions and miscalculations when launching counterterrorism operations. Hotlines for rapid communication, including those used before and during counterterrorism operations against high value targets, such as killing Osama Bin Laden, have become an issue of complexity, and the Pakistan Army has been viewed all over the world with

skepticism. If the Pakistani army had conducted this operation after full confidence had been given to the US, the situation would have been different.

- In addition to defusing tensions, media campaigns can aid parties in reviving their image and presenting themselves in the best light.

Conclusion

Pakistan's sovereignty has repeatedly been challenged by US drones, including an attack on Salala Check Post and the death of Osama bin Laden, founder of al-Qaeda, in Abbottabad, a military base in Pakistan. The United States mistrusted Pakistan despite Pakistan's support in the War on Terror and intervened in Pakistan's jurisdiction, thus violating both national and international law. Despite differences in their political systems, these two countries have collaborated successfully on counterterrorism campaigns. Defense agreements with other countries are commonly made for the purpose of development and securing one's interests, but it would be foolish to ignore one's own territorial sovereignty while making these agreements. It is now Pakistan's responsibility to set up equal relations with the United States, and Pakistan will not join wars just to please other countries. Its first priority, however, will be its own interests. The Pakistani nation has already learned a bad lesson for not being rational after its military involvement in the war which not only affected the economy and security of Pakistan but also raised questions about Pakistan's role in the eyes of the American public. Hence, it is a priority to avoid such conflicts which cause mistrust and threaten the state's sovereignty.

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