

U.S. Sanctions on Pakistan and their Failure as Strategic Deterrent

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ABSTRACT The US has subjected Pakistan to a unilateral sanctions regime at several crucial junctures in the history of their bilateral ties. Though the reasons for cutting off economic and military aid to Pakistan have been contingent on strategic exigencies prevalent at different points in time and therefore not singular, countering Pakistan's nuclear ambitions has been a recurring theme. Even so, it is widely believed that sanctions have not been able to deter or prevent Pakistan from conceiving its nuclear proliferation agenda and building on it. This paper gives an overview of major US legislations and executive orders imposing economic and military sanctions on Pakistan since 1965. It enumerates their immediate and medium-term consequences, and evaluates their effectiveness and scope as a strategic deterrent.

INTRODUCTION

Pakistan has a runaway nuclear programme, built by relentlessly defying international sanctions regimes that it has been subjected to at different time periods. It has disregarded US policies vis-a-vis Afghanistan, and furthered its own tactical agenda by leveraging its strategic location and potential as buffer between the West and South Asia. It has defeated regional integration efforts made by the US and other regional groupings, and instead focused on cultivating closer ties with China, the “all weather ally”, to challenge growing US influence

in South Asia. From a geopolitical perspective, none of the above is out of the ordinary. The peculiarity of the situation, however, lies in the fact that Pakistan was the US' “chosen” party in the South Asian context, was an US ally under the South East Asia Treaty Organisation (SEATO) and the Central Treaty Organisation (CENTO), and was later designated as a “major non-NATO ally” by the Bush administration. It is therefore important to understand the circumstances under which the US imposed economic and military sanctions on Pakistan,

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beginning in 1965.

US economic and military assistance to Pakistan began shortly after the creation of the latter in August 1947. Bilateral relations between the two were further consolidated with the signing of the 1954 Mutual Defense Assistance Agreement that provided US\$2.5 billion and US\$700 million as economic and military aid, respectively, to Pakistan.¹ Furthermore, Pakistan acquired membership to the Southeast Asia Treaty Organization (SEATO) and Central Treaty Organization (CENTO) in the late 1950s, lending credibility to the popular perception at the time that it was the most “allied ally” of the US.² For a newly independent, resource-constrained country, accepting economic and military assistance from, and having ideological alignment with the US, seemed logical and advantageous to its strategic vision at the time, the foundation of which was the troubled Indo-Pak relationship.³ As for the US, Pakistan played the crucial role of a buffer state to guard against Soviet expansionism and the threat of communism in general in the region.⁴

However, even as the US-Pakistan relationship appeared mutually beneficial on paper, it has proved to be one of “mutual vulnerability”, with both countries possessing the ability to threaten each other's vital interests.⁵ One way in which the US has tried to force compliance on Pakistan is by imposing sanctions against it on various occasions since 1965. American reluctance to provide material support to Pakistan in its many confrontations with India by way of imposing economic and military sanctions on it, and the arbitrary lifting of sanctions to suit immediate American interests, has resulted in growing mistrust and threat perceptions between the two countries. Around the 1990s, the reasons (as outlined in the Table below) for imposing sanctions were

Pakistan's nuclear proliferation activities and its growing clandestine support to terror outfits and Islamic fundamentalism.⁶ However, the efficacy of the sanctions has been a matter of longstanding debate in diplomatic circles and academia alike. It seems that the utility of sanctions lies in the threat quotient they embody, rather than in the actuality of imposing sanctions on an entity. In Pakistan, as in many other cases witnessed across the globe, the higher the threat perception of possible economic and military sanctions, the greater the impact of sanctions as a tool of strategic manoeuvring. Having said that, the theoretical basis of sanctions is that they are meant to produce a deterrent effect, to elicit compliance out of the targeted country. Such an outcome, however, can only be achieved if the targeting country imposes sanctions with unwavering conviction, without leaving the targeted country any room to escape their negative consequences.

In the US-Pakistan context, it is important to take stock of their unbalanced relationship. Pakistan, being a country of immense geostrategic significance, was a frontline state during the Cold War, helping the US ward off communist expansionist forces in South Asia. In the post-Cold War era, it remained an important component of America's Afghanistan policy, serving as a buffer state for American coalition forces fighting terrorism in Afghanistan. Interestingly, there is unassailable evidence that Pakistan has on many occasions used American economic and military aid to fund and support the rise of terror groups that target the sponsors themselves, i.e. the US. With the rise of China in the vicinity and Pakistan's growing partnership with the Asian giant, its dependence on the US for arms and financial aid has reduced considerably. What has not abated, however, is the anti-American

sentiment infiltrating all sections of Pakistani society. The US cannot ignore Pakistan altogether, simply because the US needs Pakistan more than Pakistan needs the US. Against this background, it has become imperative for the US to invert the strategic balance with Pakistan in its own favour; sanctions, if used to their optimal potential as a

strategic tool, are a way of achieving that objective.

The table below provides an analytical overview of major US legislations and executive orders imposing economic and military sanctions on Pakistan.

Table: Major US legislations imposing military and economic sanctions on Pakistan (1947-Present)

Year	Legislative/ Executive Action	Type of Sanctions/ Embargo	Provisions	Consequences/ Reactions	Reasons for Mitigated Impact
1965	Executive	Military	No military aid to Pakistan due to Pakistani use of American military supplies against India in Indo-Pak War of 1965 ⁷	<ul style="list-style-type: none"> • Violation of the terms of US military aid by Pakistan, as equipment is used against India • Despite membership in SEATO and CENTO, Pakistan unable to secure US assistance in the war, thereafter perceiving the US as an unreliable ally⁸ 	<ul style="list-style-type: none"> • Pakistan began to diversify its defence partnerships, becoming increasingly dependent on China, France, and the Soviet Union too, albeit for a brief period. However, Soviet support was withdrawn in 1969 following pressure from India.⁹ • Pakistan replaced US M-47/M-48 tanks with Chinese T-59 tanks, procured the Mirage aircraft from France, and aid worth \$30 million from the Soviet Union¹⁰
1971	Executive	Military	• No military aid due to excessive human rights violations in East Pakistan ¹¹	<ul style="list-style-type: none"> • The US however, continued to supply arms to Pakistan by illegal means, to curtail India's influence in the Bangladesh crisis, and publicly pronounced India as the aggressor.¹² • Despite the strategic tilt towards Pakistan, US assistance to it remained limited.¹³ • US continued to be perceived as an unreliable ally by Pakistan as military assistance provided in the 1971 war could not secure victory for Pakistan. • Pakistan secretly embarked on an independent nuclear weapons programme.¹⁴ 	<ul style="list-style-type: none"> • US illegally authorised the transfer of military supplies to Pakistan, along with third-party transfer of fighter planes, despite having placed an arms embargo on the latter.¹⁵ • Thus, the US itself undermined the efficacy of its military sanctions on Pakistan.
1977	Legislative: Symington Amendment (to the Foreign Assistance Act of 1961) ¹⁶	Economic & Military	• Military and economic aid terminated (without officially invoking the Symington Amendment), due to Pakistan's relentless pursuit of the French reprocessing plant deal ¹⁷ (Symington Amendment prohibits US economic and military assistance to any country delivering or receiving nuclear enrichment equipment, material, or technology not under International Atomic Energy Agency safeguards.) ¹⁸	<ul style="list-style-type: none"> • In August 1978, France halted supply of nuclear equipment to Pakistan for the Chashma reprocessing facility, after Pakistan rejected its proposal for a technical modification of the agreement, i.e. to replace re-processing with co-processing.¹⁹ • US suspended economic assistance to Pakistan, but continued to provide \$50 million annually, along with a substantial food aid programme.²⁰ The cooling of US-Pakistan ties resulted in the US forging closer ties with India.²¹ 	<ul style="list-style-type: none"> • The State Department in Washington released economic aid to Pakistan soon after, rendering economic sanctions ineffective in the first place.²² • Despite diplomatic blocking of progress on the Chashma plant, Pakistan continued to pursue its nuclear programme by two alternative routes: construction of an enrichment facility, and completion of its New Labs pilot-scale reprocessing unit.²³

U.S. Sanctions on Pakistan and their Failure as Strategic Deterrent

1979	Legislative: Glenn/Symington Amendments (to the Foreign Assistance Act of 1977) ²⁴	Economic & Military	<ul style="list-style-type: none"> • Economic and military aid terminated, as Pakistan's attempts to develop a nuclear weapons programme continued at the Kahuta facility, near Islamabad²⁵ • In addition to the Symington Amendment, the Glenn Amendment prohibits US aid to any country that acquires or transfers nuclear reprocessing technology, or explodes or transfers a nuclear device.²⁶ 	<ul style="list-style-type: none"> • Pakistan expressed disappointment over the aid ban, calling it discriminatory and unfair, citing that India was not subjected to similar sanctions despite having tested a nuclear device in 1974.²⁷ • The US withheld \$40 million worth of aid from Pakistan; US intelligence claimed that Pakistan was purchasing material used in the construction of a gas centrifuge for the production of enriched uranium through subcontracting companies in Europe.²⁸ • In November 1979, riding on the anti-US sentiment gaining strength in Pakistan, a group of rogue students burned down the US Embassy in Islamabad. The incident further increased the extant trust deficit and mutual suspicion between the US and Pakistan. 	<ul style="list-style-type: none"> • Pakistan continued its effort to build a credible nuclear programme despite sanctions.²⁹ • Sanctions notwithstanding, Pakistan secured "extensive foreign assistance", especially from China, which shipped samples of weapons grade highly enriched uranium to it.³⁰ • US President Jimmy Carter's decision to sell F-16 jet fighter aircrafts to Pakistan defeated the fundamental purpose of military sanctions.³¹ • The US lifted all sanctions in December 1979, as the USSR invaded Afghanistan, which made securing Pakistan's support of utmost importance to the US.³²
1990	Legislative: Pressler Amendment (620E(e) of the Foreign Assistance Act of 1961) ³³	Economic & Military	<ul style="list-style-type: none"> • The 1985 Pressler Amendment authorised banning of most of US military and economic assistance to Pakistan, if an annual presidential determination that Pakistan did not possess a nuclear device was not given.³⁴ • Further, the US President had to certify that any American aid to Pakistan would significantly reduce the risk of Pakistan possessing a nuclear device.³⁵ 	<ul style="list-style-type: none"> • US economic and military aid worth \$564 million, for fiscal year 1991, was immediately stopped, as President George W. Bush could not offer the requisite certificate regarding Pakistan's nuclear programme.³⁶ • Pakistan denounced the imposition of sanctions as "unfair, anti-Islamic and discriminatory", especially since India was not subjected to similar sanctions for testing a nuclear device earlier.³⁷ • With the end of the Cold War in December 1989 and the elimination of the USSR from Afghanistan, the US no longer needed Pakistan as an ally, and was therefore free to impose sanctions on the latter. This was a commonly held belief in Pakistan. • Delivery of military equipment to Pakistan was put on hold, along with the sale of more than 38 F-16 Fighter Jets.³⁸ • Joint military exercises between the US and Pakistan were halted, as were mid-career training programmes for Pakistani military officials in the US.³⁹ 	<ul style="list-style-type: none"> • The US Department of Commerce had been allowing licensing of commercial sales of military parts and technology to Pakistan, violating the terms and spirit of the Pressler Amendment.⁴⁰ • By 1995, US intelligence established that the China Nuclear Energy Industry Corporation had sold customised ring magnets to the uranium enrichment facility in Kahuta.⁴¹ • Furthermore, US intelligence in 1996 believed China was supplying M-11 nuclear missiles to Pakistan, violating the terms of the Missile Technology Control Regime, and helping it manufacture material for the same.⁴² • Despite the above claims pointing to Pakistan's on-going proliferation actions, the US administration passed the Brown Amendment, authorising the release of \$368 million worth of equipment to Pakistan due for sale (other than the F-16s).⁴³
1998	Legislative: Glenn Amendment (Section 102(b) of the Arms Export Control Act 1994) ⁴⁴ & Symington Amendment (to the Foreign Assistance	Economic & Military ⁴⁵ 1. Suspension of foreign aid (except humanitarian assistance or food and other agricultural commodities); 2. Termination of sales of any	<ul style="list-style-type: none"> • Glenn Amendment states that an extensive set of sanctions must be imposed if a non-nuclear weapons state detonates an explosive nuclear device.⁴⁷ • Symington Amendment prohibits US economic and military assistance to any country delivering or receiving nuclear enrichment equipment, 	<ul style="list-style-type: none"> • Pakistan's economy began to show signs of severe weakening, as it had a foreign debt of \$30 billion, and foreign exchange reserves of only \$600 million.⁴⁹ Denied US aid, Pakistan's Inter-Services Intelligence (ISI) forged closer links with the Taliban in Afghanistan, further fuelling Islamic fundamentalism and anti-American sentiments already prevalent in the region.⁵⁰ • In August 1998, US Navy 	<ul style="list-style-type: none"> • The Senate voted in July 1998 to exempt food exports from sanctions, eventually leading to the lifting of most economic sanctions on Pakistan merely six months after their imposition.^{52, 53} • On November 7, 1998, US President Bill Clinton used his authority under Public Law 105-277, or the Brownback Amendment, to waive sanctions on Pakistan based on Glenn, Symington and Pressler Amendments for a period of one

U.S. Sanctions on Pakistan and their Failure as Strategic Deterrent

	Act of 1961) ⁴⁵ invoked again.	military items; 3.Termination of other military assistance; 4.Stopping of credits or guarantees to the country by US government agencies; 5.Vote against credits or assistance by international financial institutions; 6.Prohibition on US banks from giving loans to the foreign government concerned; 7.Prohibition of exports of specific goods and technology [as specified in the Export Administration Act of 1979] with civilian and military nuclear applications.	material, or technology, without adhering to International Atomic Energy Agency safeguards. ⁴⁶	warships launched cruise missiles on Taliban-ISI training camps in Afghanistan. Pakistan condemned the offensive by calling it an “infringement of Pakistani sovereignty”, worsening US-Pakistan relations. ⁵¹	year, except for those relating to “military assistance, dual use exports and military sales”. ^{54, 55} • Further, President Bill Clinton authorised US officials to support financial lending to Pakistan, from the International Monetary Fund (IMF) and the World Bank. ⁵⁶
1999	Military Coup Sanctions (based on Section 508 of Foreign Operations, Export Financing, and Related Programs Appropriations Act 1999 or the Foreign Assistance Act of 1961) ⁵⁷	Economic & Military	<ul style="list-style-type: none"> Section 508 of the Act prohibits the US from providing most forms of economic and military assistance to countries whose duly elected head of government is deposed by a military coup or decree.⁵⁸ 	<ul style="list-style-type: none"> By imposing sanctions, the US administration condemned the overthrow of democracy by the army in Pakistan, and called for immediate restoration of a civilian, democratically elected government, and the rule of law.⁵⁹ The US banned the sale of military equipment and services to Pakistan, and disallowed reinstatement of Pakistan's eligibility for international military education and training.⁶⁰ The Foreign Operations, Export Financing and Related Agencies Appropriations Act, 2001, however, provided an exception under which Pakistan could be provided US foreign assistance funding for basic education programmes.⁶¹ 	<ul style="list-style-type: none"> The coup d'état of 1999 was a huge blow to the grounds on which the US had waived 1998 nuclear sanctions.⁶² Subsequent imposition of coup-related sanctions had negligible impact on Pakistan, as 1998 sanctions based on the Glenn/Symington Amendments were already in place.⁶³ In 1999, Pakistan once again defied international pressure and reneged on its promise to sign the Comprehensive Test Ban Treaty (CTBT), despite assuring that it would do so immediately after conducting the 1998 nuclear explosions.⁶⁴ On November 1, 1999, less than a month after the coup, Clinton exercised waiver authority by invoking the Brownback Amendment (sometimes called Brownback II) again, allowing the US Department of Agriculture to continue sale of agricultural commodities to Pakistan, and American banks to provide loans to the Pakistani government.⁶⁵
2017-18	Legislative: Sanctions based on the Foreign	Economic & Military	<ul style="list-style-type: none"> These sanctions prohibit most of US military and economic aid to Pakistan, unless the Secretary of 	<ul style="list-style-type: none"> In March 2018, the Trump administration added seven Pakistani companies allegedly engaging in nuclear trade, to 	<ul style="list-style-type: none"> Although American sanctions have certainly bruised Pakistan's economic calculations, with fiscal deficit expected at 5.5 percent of

Assistance Act of 1961 ⁶⁶			<ul style="list-style-type: none"> • State certifies the following to the Committees on Appropriations, among other assurances:⁶⁷ <ol style="list-style-type: none"> 1. Pakistan is cooperating with the US in counterterrorism efforts against the Haqqani Network, Quetta Shura Taliban, al-Qaeda, and other domestic and foreign terror outfits. 2. Pakistan has not supported schools run by the Taliban, and that Pakistani intelligence services are not intervening extra-judicially in the governance of Pakistan. 3. Pakistan is preventing the proliferation of nuclear-related material and expertise. 	<p>a list of “foreign entities” that could possibly pose a risk to national security and strategic interests of the US, having already suspended all aid to Pakistan in January.⁶⁸</p> <ul style="list-style-type: none"> • The above-mentioned set of sanctions may pose a hindrance to Pakistan's bid to join the Nuclear Suppliers' Group (NSG), which essentially aims to curb nuclear arms proliferation by controlling the nuclear materials transfer regime.⁶⁹ • As of 2018, the US has withheld \$255 million in military aid to Pakistan.⁷⁰ • \$350 million earmarked for Pakistan in the Defense Appropriations Bill for fiscal year 2018 is also being withheld, unless the US certifies that Pakistan has made concerted efforts in countering terrorist organisations in the region.⁷¹ 	<p>GDP, the “all-weather” friendship between China and Pakistan has cushioned the blow to a large extent.⁷²</p> <ul style="list-style-type: none"> • Sanctions imposed on Pakistan may severely restrict the supply of logistical support to the US-led coalition fighting militancy in Afghanistan, as Pakistan may well threaten to shut down supply routes as a reaction to aid cuts.⁷³
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ASSESSMENT

The relationship between the US and Pakistan has been capricious at best, suffused with progressively growing mistrust and a lack of common strategic interests. What began as a strategic and ideological alliance in the nascent stages of the Cold War, with Pakistan joining America's global effort to contain Soviet expansionism, soon transformed into an adversarial relationship that neither party could turn back from. One of the first clear instances of a deteriorating US-Pakistan relationship was the imposition of American sanctions on Pakistan in 1965. What followed, worsened bilateral ties. As shown in the Table above, the US has on many occasions subjected Pakistan to unilateral sanctions regimes. Though the motivations behind cutting off economic and military aid to Pakistan have been contingent on strategic exigencies prevalent at different points in time and therefore not uniform throughout, a recurring theme is countering Pakistan's nuclear ambitions.

Having said that, it is held that no set of sanctions has been able to deter or prevent Pakistan from conceiving and thereafter building on its proliferation programme. From the first sanctions in 1965 to this day, Pakistan has been able to mitigate the impact of aid cut-offs by diversifying its defence partnerships and seeking assistance from China, or ideological allies in the Middle East. It has also sought the support of international financial institutions to create enrichment facilities and reprocessing units.⁷⁴ Besides, the strategy of the US to force compliance on Pakistan by imposing economic and military sanctions also proved to be inadequate, primarily due to evidently perfunctory execution. The dissonance between the tools used, of unilateral sanctions, instead of multilateral and comprehensive aid bans, and the objectives they were meant to achieve but did not, has negatively impacted the reputation of the US as a leading player in global geopolitics.

It has also sparked criticism in diplomatic and academic communities.

1. 1965-1998

The execution of the American strategy of cornering Pakistan by imposing economic and military sanctions, has proved to be a gross miscalculation. The intent notwithstanding, the US has failed to operationalise the sanctions regime in the context of Pakistan. Time and again, Pakistan has found ways of circumventing regulatory procedures and bans it was subjected to, effectively undermining the potency of the sanctions imposed. Pakistan's response to the first set of American sanctions, as a result of the war with India in 1965, was reflective of its approach to global politics then, and for the years to come. As soon as the US slapped military sanctions on Pakistan, for having used US-sponsored military aid against India in 1965, the latter began to look elsewhere to diversify its defence partnerships.⁷⁵ To Pakistan's delight, China emerged as a solid ally. China provided assistance to Pakistan in building three fully-developed infantry divisions, and facilitated the supply of Chinese T-59 tanks to replace the American M-47/M-48 tanks. France and the Soviet Union too, proved helpful as they supplied the Mirage aircraft and US\$30 million in aid to Pakistan, respectively.⁷⁶ The imposition of sanctions by the US, and the subsequent decision by Pakistan to diversify strategic partnerships to reduce dependence on American aid, gave it the opportunity to discreetly embark on a nuclear weapons acquisition programme after the Bangladesh War of 1971. The birth of Pakistan's nuclear ambitions was itself a massive blow to the potency of American sanctions and their objectives. Although it was not until May 1998

that Pakistan conducted the first set of nuclear tests, advancement on its nuclear agenda continued in the form of enriched uranium trade with China, and construction of reprocessing units with external assistance.⁷⁷

Moreover, the US itself seems to have done more to damage the efficacy and scope of its sanctions on Pakistan, than Pakistan did to circumvent the consequences of those sanctions. As a response to the gross human rights violations being committed in East Pakistan in 1971, the US imposed military sanctions. However, it is probable that the US did not want to disturb its precarious ties with Pakistan, as the latter was a potential facilitator in reviving US-China relations, which was considered as vital if further Soviet expansionism was to be halted. Therefore, military sanctions notwithstanding, the US continued to transfer military supplies to Pakistan by illegal means, and facilitated third-party sales of fighter jets to them, with the help of Iran and Jordan. The US publicly declared India as the aggressor, for India was believed to be a Soviet ally, despite its explicitly non-aligned credentials.⁷⁸ With the advent of economic and military sanctions based on the Symington Amendment in 1977, the US banned economic assistance to Pakistan on paper, but its State Department continued to provide US\$50 million to Pakistan annually, along with a substantial food aid programme.⁷⁹ Soon after the US terminated economic and military assistance to Pakistan on the basis of the Glenn/Symington Amendments to the Foreign Assistance Act in 1979, to penalise Pakistan for pursuing the French reprocessing plant deal, the US administration decided to lift all sanctions to suit immediate American interests. In other words, the beginning of the war in Afghanistan compelled the US to make a

strategic U-turn, as Pakistani assistance had become indispensable to them.⁸⁰

Other examples of the US taking seemingly stringent measures to force compliance on Pakistan and soon after backtracking on its own agenda occurred in the 1990s. These include the Department of Commerce allowing licensing of commercial sales to Pakistan in 1990 in complete violation of the Pressler Amendment, the exemption of food exports from the 1998 nuclear sanctions on Pakistan, and establishment of sanction-waiving authority for the President in the form of the Brown, Brownback and Brownback II Amendments at different points in time.^{81,82} These examples also highlight the contradictory nature of American policy objectives vis-à-vis Pakistan, which oscillated between appeasement and punishment simultaneously, at any given point of time.

The Pressler Amendment, which demanded an annual presidential assurance that Pakistan was not developing nuclear weapons, itself seems to have been a strategic move on the part of the US, to mitigate the debilitating impact of the Glenn/Symington Amendments on Pakistan. In other words, it allowed Pakistan to continually receive US aid, as long as the US President was able to issue an annual certification that Pakistan had not over-stepped the “red line”.⁸³ The fact that the US continued to disburse economic aid worth US\$1 billion to Pakistan annually, and allowed commercial sale of military equipment to it until 1992, only made the sanctions more ineffective.⁸⁴ In 1993, the US had intended to put Pakistan on a list of state sponsors of terrorism, but when push came to shove, it failed to deliver on the commitment.⁸⁵ Moreover, the inability of the US to vote against IMF lending to Pakistan in 1998, further cleared the way for Pakistan to

secure funding for its proliferation objectives, and successfully conduct six nuclear tests in May 1998.⁸⁶ It also added to the perception that the US sanctions regime was a perfunctory response to Pakistan's nefarious activities, instead of being a concerted effort at imposing comprehensive embargoes. Under the looming threat of a Pakistani lawsuit, when the Clinton administration decided to reimburse Pakistan \$464 million in 1998, for the F-16 fighter jets fiasco that had unfolded due to sanctions based on Pressler Amendment, Pakistan's assessment of the US being a fair-weather ally rang true.⁸⁷ Additionally, it validated the conviction of the political elite of Pakistan that they had the upper hand in the increasingly volatile US-Pakistan relationship. It therefore would not be wrong to say that the US failed to make sanctions on Pakistan work, even when it had the ability to leverage its massive global influence, i.e. during the Cold War, and in the years following the demise of the Soviet Union.

2. Post-1998

American sanctions failed to prevent Pakistan from building its nuclear programme, the glaring proof of which was the successful execution of multiple nuclear tests by Pakistan in May 1998. The logical progression for American policy should have been a tougher sanctions regime on Pakistan. On the contrary, one month after military coup-related sanctions were imposed on Pakistan in 1999, initially banning the sale of US military equipment and economic aid, the US President exercised waiver authority by invoking the Brownback Amendment, permitting the US Department of Agriculture to continue sale of agricultural commodities to Pakistan.⁸⁸ He also allowed US banks to continue to provide loans

to Pakistan. Furthermore, under the Foreign Operations, Export Financing and Related Agencies Appropriations Act of 2001, financial assistance to Pakistan to fund basic education programmes was also permitted.⁸⁹ Again, the late 1990s marked a phase of Pakistan's growing association with the Taliban regime in Afghanistan. Effectively, even when relations with the US seemed to have been deteriorating, Pakistan enjoyed strategic depth in Afghanistan.


The efficacy and utility of sanctions is optimal when they are issued and enforced multilaterally, and executed with the full force of the sanctioning country behind them, similar to what has been done in North Korea. The imposition of sanctions that are more comprehensive than targeted sanctions may yield better results with regard to forcing compliance on the target country/ entity. Having said that, a particular example of a sanctions regime cannot be employed as a universally applicable template, and may require adjusting based on contextual interests of the sanctioning country, at a given point in time. If executed selectively, that is by way of imposing targeted sanctions on a particular industry or group of people, as they have been in the past in the case of US sanctions on Pakistan, the purpose of imposing them in the first place may get diluted. Targeted sanctions, like freezing of assets, travel restrictions, arms embargoes, and trade related bans, lack the severity of comprehensive sanctions, which prohibit direct or indirect trade in goods, technology, services with, and cash flows of any kind to the target country.⁹⁰ They may be understood as a subset of comprehensive sanctions themselves, because an all-encompassing set of sanctions would entail economic, military, developmental and other

kinds of sanctions that may be employed against the target country.⁹¹ The recent incident of the Trump administration sanctioning three individuals who allegedly had links with Pakistan-based terror outfits like the Lahskar-e-Toiba (LeT), as well as the sanctioning of seven Pakistani companies, suspected of engaging in nuclear trade, again illustrate the futility of targeted sanctions.^{92, 93} Though comprehensive sanctions are likely to have a negative humanitarian impact in the long-term, and are presumably more costly, they are a necessary evil meant to halt the strengthening proliferation agenda of a country like Pakistan, which believes that greater nuclearisation is the only way to defend itself against an allegedly aggressive India, and render US assistance dispensable.⁹⁴ It has been observed in several cases involving comprehensive sanctions regimes, that when the economic and social impact of sanctions is significant the political dispensation of the target country mends its ways to better align with the directives of the sanctioning country.⁹⁵ On a different note, the humanitarian costs of nuclear warfare, and even those of the fast-growing insurgent activities of terror outfits based in Pakistan, are infinitely more than the speculative impact of imposing comprehensive sanctions on Pakistan. Naturally, the US would benefit from ensuring that Pakistan is not left with any room to manipulate its way out of uncompromising economic and military sanctions, which are fine-tuned to be more comprehensive in scope than targeted sanctions.

Although financial aid cut-offs by the US have been damaging to Pakistan's economic calculations to an extent, they have failed to deter the Pakistani government from its commitment to nuclearisation. So far, the US has mostly refrained from holding Pakistan

accountable for the ways in which American aid to them was utilised.⁹⁶ Indeed, the US ought to make Pakistan accountable for the economic aid and military assistance being provided to it. The US must ensure that Pakistan does not use foreign aid to support terrorist groups as proxy forces against India, by configuring a coherent regulation in the relevant foreign aid legislation to that effect.⁹⁷ American aid to Pakistan must play the role of an incentive, to ensure greater civilian control in the latter. It is the prerogative of the US to deliver aid only on substantial guarantee that it will be employed to promote economic development and urbanisation in Pakistan. The 2009 Enhanced Partnership with Pakistan Act lists numerous clauses that support greater control and accountability of the Pakistani army, but there is no real evidence to prove Pakistan's intent to live up to the expectations of the US administration.⁹⁸

In recent times, the trust deficit between the US and Pakistan has grown manifold, and growing global interconnectedness and

diversification of alliances based on common strategic interests, has compounded the problem of lack of effectiveness of sanctions on potentially dangerous nuclear states such as Pakistan. As highlighted earlier, Pakistan has significantly reduced its dependence on the US for economic and military aid, by forging strategic partnerships with other power players in the world, such as China. Moreover, the US no longer commands authority the way it did during the Cold War, and the strategic influence it once enjoyed globally has waned over the years. Effectively, there is a sharp decrease in the leverage that economic and military sanctions once provided to the US, especially in the case of Pakistan. US sanctions on Pakistan have proved ineffective due to the dissonance between the tools used to operationalise them (targeted sanctions instead of comprehensive aid bans) and their strategic objectives—that of limiting Pakistan's nuclear advancements, and establishing long-term influence in the strategic dynamics of South Asia. 

ABOUT THE AUTHOR

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ENDNOTES

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