

110TH CONGRESS
1ST SESSION

S. RES. 372

Expressing the sense of the Senate on the declaration of a state of emergency
in Pakistan.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 8, 2007

Mr. KERRY (for himself, Mr. BIDEN, Mr. OBAMA, Mr. CASEY, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Expressing the sense of the Senate on the declaration of
a state of emergency in Pakistan.

Whereas a democratic, stable, and prosperous Pakistan that is a full and reliable partner in the struggle against Al Qaeda and the Taliban and a responsible steward of its nuclear weapons and technology is a vital national security interest of the United States and essential to combating international terrorism;

Whereas General Pervez Musharraf became the President of Pakistan following a military coup in October 1999;

Whereas President Musharraf dismissed Pakistan's Chief Justice of the Supreme Court, Iftikhar Chaudhry, on March 9, 2007, resulting in massive street protests and a unanimous decision by the Supreme Court of Pakistan

to clear him of any wrongdoing and reinstate him on July 20, 2007;

Whereas the Government of Pakistan announced on September 18, 2007, that, if re-elected President of Pakistan, General Musharraf would resign his position as Chief of Army Staff of Pakistan by November 15, 2007;

Whereas the Prime Minister of Pakistan, Shaukat Aziz, called this announcement “a clear reflection of President Gen. Pervez Musharraf’s firm belief in democracy”;

Whereas an amendment to the Constitution of Pakistan allowing President Musharraf to hold the Government of Pakistan’s top civilian and military leadership positions expires on December 31, 2007;

Whereas President Musharraf and former Prime Minister of Pakistan Benazir Bhutto conducted extensive negotiations on a power-sharing arrangement that would allow Ms. Bhutto to return to Pakistan and lead the Pakistan People’s Party in parliamentary elections in Pakistan scheduled for January 15, 2008;

Whereas President Musharraf was elected to another term by the lame-duck parliament and provincial assemblies of Pakistan on October 6, 2007;

Whereas the Supreme Court of Pakistan has been reviewing the constitutionality of this election and intended to issue a ruling in November 2007;

Whereas former Prime Minister of Pakistan Nawaz Sharif returned to Pakistan on September 10, 2007, and was immediately forced to leave the country in contradiction of a ruling by the Supreme Court of Pakistan;

Whereas former Prime Minister Bhutto returned to Pakistan on October 18, 2007, after more than 8 years in exile,

and was immediately targeted in a suicide bombing by extremists in Karachi, Pakistan, that left at least 140 people dead and more than 500 injured;

Whereas on August 10, 2007, Secretary of State Condoleezza Rice personally requested that President Musharraf refrain from suspending the Constitution of Pakistan, and on November 1, 2007, again reiterated to President Musharraf United States opposition to any “extra-constitutional” measures;

Whereas over the past 6 years, the United States has provided approximately \$10,000,000,000 in aid to Pakistan, of which about 60 percent was Coalition Support Funds designed to reimburse Pakistan for counter-terrorism efforts, 15 percent was for security assistance to the military, 15 percent was for debt relief and general budget support, and approximately 10 percent was for humanitarian assistance;

Whereas Admiral William Fallon, the senior United States military commander in the Middle East and Southwest Asia, advised General Musharraf on November 2, 2007, that emergency rule might place military aid at risk;

Whereas on November 3, 2007, General Musharraf, in his role as Chief of Army Staff of Pakistan, declared a state of emergency, suspended the Constitution of Pakistan, dismissed Chief Justice Chaudhry, and initiated a nationwide crackdown on political opposition, the media, and the courts of Pakistan that resulted in the arrest of more than 1,000 political opponents;

Whereas the Administration declared that imposition of emergency rule was “deeply disturbing”, and Secretary of State Rice said that the United States would “have to re-

view the situation with aid” in light of these developments;

Whereas on November 7, 2007, President George W. Bush spoke with President Musharraf and conveyed the message that “we believe strongly in elections, and that you ought to have elections soon, and you need to take off your uniform”; and

Whereas on November 8, 2007, the Government of Pakistan announced that parliamentary elections in Pakistan would be held by February 15, 2008, and that President Musharraf would relinquish his position as Chief of Army Staff of Pakistan prior to being sworn in as President of Pakistan: Now, therefore, be it

1 *Resolved*, That it is the sense of the Senate—

2 (1) to condemn the decision by President
3 Pervez Musharraf of Pakistan to declare a state of
4 emergency in Pakistan, suspend the Constitution of
5 Pakistan, dismiss the Supreme Court Justices refus-
6 ing to take a loyalty oath, and initiate a nation-wide
7 crackdown on political opposition, the media, and
8 the courts in Pakistan;

9 (2) to call on President Musharraf to revoke
10 the state of emergency, respect the rule of law and
11 immediately release political detainees, restore the
12 Constitution of Pakistan, restore freedom of the
13 press and judicial independence in Pakistan, and re-
14 instate all dismissed members of the Supreme Court
15 of Pakistan;

1 (3) to call upon President Musharraf to honor
2 his commitment to relinquish his position as Chief of
3 Army Staff of Pakistan, allow free and fair par-
4 liamentary elections in Pakistan in accordance with
5 the schedule mandated by the Constitution of Paki-
6 stan, establish an independent commission to guar-
7 antee that such elections are free and fair, and per-
8 mit full and unfettered independent monitoring of
9 such elections;

10 (4) that the Government of the United States
11 should provide whatever assistance is necessary to
12 facilitate such free and fair elections, including by
13 supporting independent election monitoring organi-
14 zations and efforts;

15 (5) to call upon the Government of Pakistan to
16 conduct a full investigation into the attempted assas-
17 sination of former Prime Minister of Pakistan
18 Benazir Bhutto and provide her and other political
19 leaders with all necessary security to ensure their
20 personal safety; and

21 (6) that United States military assistance to
22 Pakistan should be subjected to careful review, and
23 that assistance for the purchase of certain weapons
24 systems not directly related to the fight against Al
25 Qaeda and the Taliban should be suspended if Presi-

1 dent Musharraf does not revoke the state of emer-
2 gency and restore the Constitution of Pakistan, re-
3 linquish his position as Chief of Army Staff of Paki-
4 stan, and allow for free and fair elections to be held
5 in Pakistan in accordance with the announced time-
6 frame.

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