

# Diplomatic crisis intensifies over US operative who gunned down Pakistanis

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Washington ratcheted up pressure on Pakistan this week to drop all criminal charges against a US security operative who gunned down two young men in a busy Lahore market January 26, killing both.

Senior Obama administration officials and Congressional leaders have reportedly threatened Pakistan with severe reprisals, if Raymond Davis is not released by the end of this week. According to ABC News, US National Security Advisor Tom Donilon told Pakistan's ambassador, Hussain Haqqani, Monday that the Obama administration is prepared to "kick him out of the US" and to cancel next's month visit to Washington by Pakistani President Asif Ali Zardari. Pakistan has also been threatened with substantial cuts to economic and military aid.

A meeting between US, Pakistani, and Afghan officials on the Afghan war that was slated for next week has already been postponed by Washington.

US President Barack Obama demanded the immediate and unconditional release of "our diplomat" at his press conference Tuesday. Obama asserted that by refusing to let Davis return to the US and allowing its judiciary to test Davis's claim that he had acted in self-defence, Islamabad was violating diplomatic immunity and international law. The US is not "callous" and unconcerned "about the loss of life, said Obama, "but there's a broader principle at stake."

Obama's claim to be upholding international law in demanding the release of the killer Davis is absurd and not just because Davis's actions and shadowy record, including a 10-year stint as a member of the US's Special Forces, demonstrate he is no diplomat.

The US routinely violates Pakistan's sovereignty, carrying out drone attacks to summarily execute reputed pro-Taliban insurgents and with utter indifference to civilian casualties. Moreover, it has a decades-long record of conspiring with the Pakistani military and bureaucracy to deny the Pakistani people their basic democratic rights.

In the Davis case, the Obama administration has refused to answer any and all questions about his relationship with the

US government and its diplomatic mission to Pakistan, what Davis was doing when he suddenly opened fire on two motorcyclists while traveling in a poorer section of Lahore, and why he was carrying a gun in violation of Pakistani law.

The US government has likewise maintained a studied silence about the driver and occupants of a US diplomatic vehicle that ran over and killed a bystander, while driving the wrong way down a street, just minutes after, and in the immediate vicinity of, Davis's shooting the motorcyclists.

The US's colonial-style assertion of extra-territoriality and manifest indifference to the deaths of three Pakistani has further inflamed public sentiment against Washington. Much of the Pakistani population reviles the US for its wars of aggression in Iraq and Afghanistan and its patronage of a succession of Pakistani military dictators, including General Pervez Musharraf, whose decade-long rule only came to an end in 2008.

In an effort to bully and cajole the Pakistani government into releasing Davis, John Kerry, the 2004 Democratic presidential nominee and head of the Senate Foreign Relations Committee, made a three-day visit to Pakistan this week.

At the conclusion of his trip, which included a meeting Wednesday with President Zardari as well as Nawaz Sharif, the head of the principal opposition party, Kerry said that he expected the conflict over Davis would be resolved to the US's satisfaction "in the next few days."

However on Thursday, a local Pakistani court postponed a hearing to determine whether Davis should stand trial on charges of murder and possession of an illegal weapon.

Pakistani government representatives had indicated that they were going to present evidence to the court demonstrating that Davis is entitled to diplomatic immunity under international and Pakistani law. Instead the deputy attorney general said that the government needed more time to prepare its case and the court agreed to postpone the hearing till March 14.

Pakistan's national coalition government, which is led by Zardari's Pakistan Peoples' Party (PPP), has repeatedly

signaled that it wants to do the US's bidding in the Davis case, but it fears a hostile public reaction to his release. There have been repeated demonstrations in Lahore, as well as in other cities, demanding Davis be tried.

Shah Mahmood Qureshi, a longtime PPP leader, was dropped as the country's foreign minister in last week's cabinet shuffle, apparently because he had argued that the papers the US government filed with the foreign ministry concerning Davis did not qualify him for blanket diplomatic immunity. When Qureshi made this claim publicly, a PPP spokeswoman denounced him and asserted that Davis would indeed soon be released to the Americans.

Pakistani Prime Minister Yousaf Raza Gilani has urged the US to pay compensation to the families of the three Pakistanis killed by US personnel, suggesting that this would mollify public anger and thereby facilitate Davis's release. But the families have rejected this suggestion, saying they will not be bought off with "blood money."

"This is not a simple case," declared Information Minister Firdous Ashiq Awan following Thursday's court ruling. "It has legal, social, political and international implications, and the government therefore wants to find a solution with consensus."

The US's two most prominent dailies have expressed alarm over the depth of public anger in Pakistan and the isolation of the PPP-led government, which to the consternation of the mass of the population has embraced the US at least as tightly as did Musharraf, while implementing IMF austerity measures.

"Officials and politicians in both countries," said the *Washington Post*, "depict the row as a bitter setback to two years of efforts to cement a long-term partnership." The *New York Times* observed that the Davis affair has "severely damaged relations between the two countries and exposed the weakness of the pro-American government headed by President Asif Ali Zardari."

The little that Davis and the US authorities have said about the bloody events of January 26 and his relationship with the US government has proven to be lies, half-truths, or distortions.

Initially, a US official said Davis was attached to the US's Lahore consulate. But later he was described as being affiliated with the embassy in Islamabad. This distinction is important, since under international law consular employees have a lower-level of immunity.

US authorities claimed that Davis, who retired from the Special Forces in 2003, is a contract employee providing technical and administrative support. But he clearly is acting as security-intelligence operative, whether as an agent for

the CIA, another US agency or on a contract basis. The US-based security company Davis reportedly co-owns, Hyperion LLC, proved to be a shell. The offices it claims to have in Orlando, Florida have long been unoccupied.

Davis and the US embassy contend that he acted in self defence, but police and forensics reports show that the two men he killed were shot in the back.

Davis claimed that the men were attempting to rob him. But neither has a criminal record.

They were carrying licensed pistols. But there are no indications that they had been primed for firing—the bullets were in the guns' magazines, not chambers. Nor were there fingerprints on the triggers, undermining Davis' claim that one or both of his victims had waved their weapons at him.

The US consular vehicle that ran over the third Pakistani reportedly claimed to be coming to Davis' rescue. But it could not have arrived on the scene so quickly, if it had not already been in the vicinity.

It has been widely suggested that the two men Davis killed were in fact low-level operatives of Pakistan's principal intelligence agency, the ISI, who had been charged with tailing Davis.

Whatever the truth—neither the US nor the Pakistani governments are anxious to shed light on the affair—the Davis imbroglio highlights two important points.

First, the US acts as a law unto itself, baldly asserting the right to kill its perceived opponents in countries all over the world, while invoking and reinterpreting international law at its convenience.

Second, while US imperialism and the Pakistani elite have a long bloody partnership—a partnership whose principal victims have been the Pakistani and Afghan people—relations between them are fractious and explosive.

The Pakistani elite resents the US's bullying and violations of the sovereignty of its state and fears the growing popular anger over its role as a satrap for Washington.

Moreover, the US's thrust into South Asia, its attempt to subjugate Afghanistan and aggressive courting of India, has upset the tenuous balance of power in the region to Islamabad's disadvantage, causing the Pakistani elite to feel still more vulnerable.



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