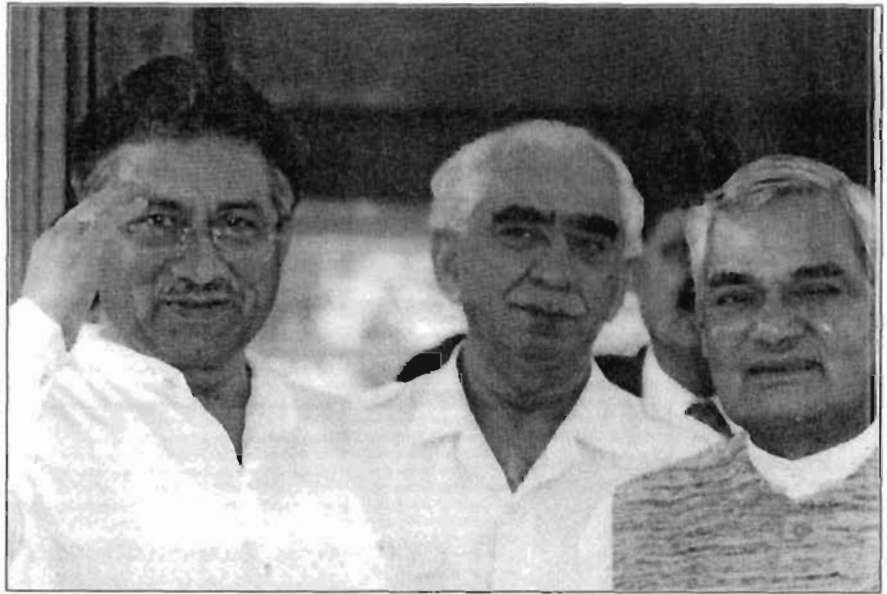


# THE INDO-PAKISTAN SUMMIT: faltering steps towards peace?

Sagarika Dutt comments on Indo-Pakistan relations in the light of the recent failed summit in Agra.

Since the terrorist attacks on the World Trade Centre in New York on 11 September, and the US determination to bring Osama bin Laden to justice and destroy the al-Qaeda network which subsequently led to the American and British attacks on Afghanistan on 7 October, the politics of South Asia have assumed great importance in international relations. The problem in Afghanistan is an on-going one and at this juncture it is almost impossible to predict what will happen next. However, India and Pakistan are major nuclear powers in the region and their relations with each other are important in maintaining peace in the region, especially since religious sentiments play a role in their bilateral relations and in their relations with neighbouring countries such as Afghanistan.

Pakistan is now the only country in the world which has diplomatic relations with the Taliban and has been a 'friend' of this pariah regime for many years. President Musharraf claims that the government of Pakistan had to accept the political realities on the ground. However, under US pressure they appear to have changed sides and are now extending their cooperation to the international coalition against terrorism. One of the reasons why they had to do this was to prevent India from benefiting from this situation. Pakistan has always tried to counter India's dominance in the region. This article takes us back to the summit meeting in July 2001 in order to identify the key issues in India-Pakistan relations and comment on the significance of this summit. It can-



President Pervez Musharraf (left) with Indian Prime Minister Atal Behari Vajpayee. Between them is Indian Foreign Minister Jaswant Singh

not be termed a turning point in India-Pakistan relations, but it was a step forward.

On 14 July 2001 Musharraf arrived at Palam Airport (New Delhi) to attend the summit. He was accompanied by his wife Sehba and an 11-member delegation. This was Musharraf's first visit to India, his birthplace, which he had left more than fifty years ago. And he was not the only Pakistani who had never visited India, his or his parents' birthplace. Partition had erected an iron curtain, although Jinnah had never intended that to happen. He had said categorically: 'Now that the division of India has been brought about by a solemn agreement between the two Dominions, we should bury the past and resolve that . . . we shall remain friends.'<sup>1</sup>

At Haveli Neharavali in Daryaganj, Musharraf met and embraced his old nanny, Anaro, now eighty-five years old and gave her gifts. Musharraf and his wife then visited the *samadhi* (mausoleum) of Mahatma Gandhi at Rajghat. He is apparently the first Pakistani head of state to place a wreath at the *samadhi*. He wrote in the visitors' book: 'Never has the requirement of his ideals [of peace and non-violence] been more severely felt than today, especially in the context of Pakistan-India relations.'<sup>2</sup>

## Kashmir issue

However, it soon became apparent that the two countries were not on the same wave-length. At a banquet held in Musharraf's honour, the President of India, K.R. Narayanan, said: 'We in India hold fast to the fundamentals of tolerance and secular democratic principles'.<sup>3</sup> These were the principles on which India and Pakistan could build a relationship of 'genuine peace, friendship and co-operation'. Musharraf did not disagree with him, but his interpretation of how these principles should be applied in Indo-Pakistan relations was quite different from that of the Indian government. He brought up the issue of Kashmir, declaring that there could be no 'military solution' to the dispute and that the two countries must break the 'impasse of the past'.

It soon became clear that for Pakistan Kashmir was the core issue. Musharraf even had a meeting with the leaders of the All-Party Hurriyat Conference (APHC), at which he promised 'his full moral, diplomatic and political support to Kashmiris in their just struggle'. However, the Indian government was not too happy about this. It regards the Hurriyat as a 'secessionist outfit'. This is at odds with Musharraf's perception of them as the voice of Kashmir.

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Kashmir is the only state in India that has a Muslim majority. According to the two-nation theory (that the Hindus and the Muslims of the Indian sub-continent are two separate nations) propounded by the Muslim leaders, on the basis of which India was partitioned and India and Pakistan came into existence in 1947 as two separate sovereign states, Kashmir should have joined Pakistan. However, Kashmir was a princely state at that time ruled by a Hindu Maharaja, who toyed with the idea of remaining independent. On being invaded by tribesmen from Pakistan, he quickly signed the instrument of accession and joined the Indian Union. This led to the first war between India and Pakistan, in which India lost one-third of the territory of the state. Why India did not try to recapture the territory, given that its armed forces were superior to those of Pakistan, is a question that is sometimes asked. However, the Indian government refused to hold a plebiscite in Kashmir in accordance with UN resolutions as long as Pakistan continued to occupy the territory that it had seized. At any rate the Indian government has always rejected the two-nation theory, maintaining that India is a secular state and that Kashmir is an integral part of India. In other words, the instrument of accession cannot be nullified. The United States' view that the two countries should resolve the Kashmir issue 'taking into account the wishes of the Kashmiri people' is good in principle but is problematic in practice as the Kashmiri people are constantly being manipulated by political leaders, groups and organisations. Also the conflict has displaced thousands of Hindu Kashmiris and their wishes also need to be considered, not just those of the Muslim population.

### Summit diplomacy

Berridge argues that 'summitry may sometimes be highly damaging to diplomacy and is always risky; and it may serve only foreign or domestic propaganda purposes. Nevertheless, judiciously employed and carefully prepared, it can — and does — serve diplomatic purposes as well'. 'Summit diplomacy should ideally improve political relations between countries and not promote bickering and polemics. The latter take place when heads of governments do not want to appear weak or make any concessions that will prove to be unpopular with their home constituencies. Moreover, unlike other kinds of inter-state negotiations conducted at lower levels, sum-



Indian Army howitzers emplaced to support operations during the brief Kargil War with Pakistan-backed infiltrators in 2000

mits receive a lot of media attention. As Berridge asserts, under the glare of the television cameras, the personal prestige of the heads of governments and that of their country is on the line.

The India-Pakistan summit reflected all these difficulties and problems. The fundamental differences between the two countries soon surfaced at the Agra talks between Musharraf and Indian Prime Minister Vajpayee and made a dialogue, let alone a joint declaration, difficult. Musharraf insisted that no progress could be made towards normalisation of relations with India unless the Kashmir issue was resolved in accordance with the wishes of the people of the state. India, on the other hand, wanted to discuss other bilateral issues. These included cross-border terrorism, setting up of nuclear risk reduction centres, trade and economic affairs and prisoners of war.

Vajpayee later told the Indian Parliament that resolution of these issues would help the peace process. He also said that his government would implement the confidence building measures announced before the summit,

such as the easing of visa restrictions unilaterally announced by New Delhi before Musharraf's visit. Vajpayee said: 'it is our conviction that an all-round development in the relationship between India and Pakistan will have a beneficial impact on our dialogue on Jammu and Kashmir.' On the other hand, Musharraf declared at Agra that the resolution of the Kashmir issue was the most important aspect of confidence building between the two countries. It soon became clear that he had come with his own agenda but not much knowledge of the Indian government's position when he blurted out: 'What confidence building measures? Confidence building measures is the resolution of Kashmir'. He told a press conference: 'Resolution of the Kashmir dispute, the biggest confidence building measure, is at the heart of Indo-Pakistan confrontation and this is the only issue that is blocking peace between us.'

### Prominent position

However, there is no doubt about the fact that Musharraf was under pressure from several groups at home to

The problem of international politics in South Asia has assumed particular importance since the terrorist attacks on the United States on 11 September 2001. The relationship between India and Pakistan is the key to peace in the region, especially now that both have a nuclear weapons capacity. That relationship has been strained ever since partition in 1947. There were high hopes in both countries and elsewhere that the summit in Agra in July 2001 would open the way to an improved atmosphere. The fact that the talks even took place was a step forward, but the vexing issue of Kashmir prevented a successful outcome. The current focus on anti-terrorism may cause further problems in the relationship.

give Kashmir a prominent position in his talks with India, that is, keep it at the top of the agenda. Perhaps that is why the Pakistanis had insisted that the talks should not have a structured agenda. The importance of a structured agenda depends on what kind of outcome parties to a talk are hoping for. If there are several major differences between them, these will have to be thrashed out at pre-summit talks at the ministerial level and by expert committees. Scholars would argue that the conventional wisdom is that the most successful summit is the one which witnesses 'the signature of a treaty or release of a joint communiqué actually negotiated before the summit even commenced'.<sup>6</sup> It is, therefore, surprising that expectations were so high in both countries when clearly there had not been any intensive pre-summit negotiations. The Pakistani President, however, rejected New Delhi's charge that his 'unifocal, rigid and segmented' approach had led to the summit's failure. He insisted that he was trying to give the talks a focus.

On 17 July, the Indian press reported to the nation that the India-Pakistan summit had failed because the two sides could not reach an agreement. Despite efforts throughout the day, the two sides could not agree on the contents of a joint statement — the lowest level diplomatic communiqué. The Pakistan delegation contended that the dialogue broke down because of India's insistence that any joint statement must refer to cross-border terrorism in Jammu and Kashmir. Vajpayee categorically told Musharraf: 'We are willing to discuss everything including Kashmir but let us begin from where we ended: Lahore. Terrorism is very much alive. Kashmir cannot be resolved unless we stop cross-border terrorism.'<sup>7</sup> Unfortunately, the activities that the Indian calls cross-border terrorism — and this is now a major issue in India — Pakistan refers to as a 'freedom struggle'. Musharraf denied that there was any cross border terrorism in Jammu and Kashmir, as alleged by the Indian authorities. To accommodate Indian sensitivities Pakistan was willing to mention narcotics and terrorism in the draft declaration but not cross-border terrorism.

India's perceptions are, however, quite different. Foreign Minister Jaswant Singh reiterated that cross-border terrorism did exist. He also emphasised that Kashmir was not the 'central issue' between the two countries or 'a dispute' and that India was

not in favour of third-party mediation or multilateral talks. India has always insisted that the Kashmir issue should be resolved within the framework of the Indian constitution, the Simla Agreement (1972) and the Lahore Declaration (1999). These bilateral agreements committed India and Pakistan to the principles and purposes of the United Nations Charter and to settling their differences by peaceful means.

### Pakistani claims

Pakistani officials also claimed that several of their proposals were rejected by the Indian team. Emphasising that the Pakistani government is in favour of an on-going diplomatic process, the officials said that their draft declaration had proposed an annual summit between the two heads of state or government and a biennial meeting of the two foreign ministers to tackle three issues:

- peace, security and confidence-building measures;
- Kashmir and
- narcotics and terrorism.

The Pakistan government has even extended an invitation to Vajpayee to visit Pakistan in the near future. At least, both sides agree on one thing: the talks/dialogue must continue.

On the other hand, Pakistan's Foreign Minister, Abdul Sattar, claimed that some progress had been made on evolving a structure for a sustained dialogue on Kashmir, peace and security, terrorism and drug-trafficking at the political level. Economic and commercial co-operation would be addressed by high officials. They would also deal with other important bilateral issues, such as the Siachen and Wular Barrage, Sir Creek and the promotion of friendly exchanges at various levels.<sup>8</sup>

Some progress was also made on the issue of nuclear weapons. Musharraf said that the nuclear status imposed new responsibilities on the two countries: 'We must overcome the burden of history; other nations have done it'. Musharraf and Vajpayee discussed ways to reduce nuclear risk. They agreed to form a sub-group to tackle the issue. The subject will be discussed by an expert technical committee comprising members of the foreign and defence ministries, the armed forces and scientific and other experts. Senior defence officials said



Indians read of the failed summit in a New Delhi newspaper

that the main issue was transparency. In the absence of transparency it was difficult to eliminate mistrust.<sup>9</sup>

### Diverse reactions

However, Islamic groups such as the Lashkar-e-Taiyaba (LeT) declared that the summit was a 'failure' because no agreement was reached on Kashmir. They blamed India and even threatened to take their organisation's activities beyond the borders of Kashmir and target the Indian government's installations everywhere in India. The leader of the LeT advised the Pakistan government to embrace war and to end the 'dispute' over Kashmir as diplomacy had failed. A Harkatul Mujahideen spokesman said: 'Dialogue alone cannot guarantee peace. Jihad is the answer', while the Hizbul Mujahideen chief Syed Salahuddin said 'the failure of the summit would result in more Mujahideen attacks'.<sup>10</sup>

On the other hand, the US government considers the Agra Summit a success simply because 'the meeting took place'. Assistant Secretary of State for South Asian Affairs Christina B. Rocca stated that 'the fact that there is momentum for future meetings is a cause for optimism'. The US government saw the summit as 'the first step in a difficult and lengthy process' and does not believe that fifty years of differences can be overcome overnight. Nonetheless, the United States wants the two countries to resolve all outstanding issues through negotiations. Secretary of State Colin Powell has also stated that 'we will do everything we can to lend our good offices to the improvement of relations between the two countries'. Russia too is 'in favour of India and Pakistan normalising their relations and resolving their problems through bilateral talks and political dialogue'.<sup>11</sup> On the eve of the Agra Summit the Russian Foreign Minister, Igor Ivanov, said that 'Moscow will welcome any agreements that may emerge from the In-

dia-Pakistan summit.'

### Kashmir violence

A week after the Agra Summit, Vajpayee, told the Indian Parliament 'we cannot accept that the insurgency in Jammu and Kashmir is anything but terrorism. The daily killing of innocent men, women and children cannot simply be glorified as jihad or as any kind of political movement.' He also said that 'Pakistan's refusal to end cross-border terrorism is the main hurdle in the creation of a conducive atmosphere.'<sup>12</sup> On the other hand, the Pakistani Foreign Office has charged the Indian security forces with stepping up 'violence and brutalities' in Jammu and Kashmir. For many years now, international human rights agencies have noted the violation of human rights in Kashmir by the Indian authorities. However, the Indian government has never accepted their charges.

On the other hand, it cannot be denied that the Indian authorities have succeeded in alienating poor Muslim families who are victims of this conflict. Mothers lament that their sons, dazzled by the money and the guns flashed at them by terrorist organisations, are easily recruited and then used by the organisations in their fight against the Indian authorities. Their dead bodies are often returned to their families after they have fulfilled their mission.

Cross-border firing and shelling and acts of terrorism continued throughout the month of July. Indian authorities claim that terrorist violence is on the increase in the valley. Hindu pilgrims are often the victims of these terrorist attacks. The Chief Minister of Jammu and Kashmir condemned the acts of terrorism and said that they demonstrated the ruthlessness of the

perpetrators, who had no real regard for human values and the people of Jammu and Kashmir. A leader of the Hurriyat Conference, too, condemned the killing of innocent people and said that his organisation was not involved. However, he also stressed that 'the need of the hour was to accept political realities . . . and find a lasting solution to the Kashmir issue as per the political aspirations of Kashmiris.' This was reiterated at a three-day South Asia Peace Conference held in Chennai in early August. Hurriyat leader Mirwalz Umar Farooq said that 'a peaceful approach to resolving the Kashmir issue could either be through a plebiscite or by a "settlement" between India, Pakistan and the representatives of the people of Jammu and Kashmir'.<sup>13</sup>

On the other hand, the National Conference, Kashmir's ruling party, firmly holds that the solution to the Kashmir problem is to grant greater autonomy to the state. In fact, Chief Minister Farooq Abdullah wants the centre to restore the pre-1953 status to the state. Except external relations, defence and communications, all subjects would be under state control and it would also have its own Prime Minister and Supreme Court. However, this is not acceptable to the Indian government and has implications for other states in the Indian federation. Abdullah knows this, but after the failure of the Agra talks and in view of forthcoming elections in the state next year he has renewed this demand.<sup>14</sup>

### Difficult situation

Meanwhile, although Musharraf is unlikely to withdraw his government's support for these Islamic organisations, he is in a difficult situation. On Pakistan's independence day he declared that Pakistan was Pakistan's

own worst enemy and referred to the 'economic malaise' the country was suffering from with extremist and intolerant views in certain quarters. Sectarian groups have been causing trouble in recent months in the province of Sindh, and the Pakistani government has attempted to crack down on them. Notwithstanding the two-nation theory Pakistan, like

India, is a multi-ethnic state and cannot afford ethnic conflict within its borders. It would like to deal with such conflict with a heavy hand. But the government cannot altogether ignore the wishes and sentiments of Islamic organisations. Since terrorism in India is not really its problem, the Pakistan government can afford to ignore it and can even extend its support to Islamic organisations conducting terrorist operations in that state. However, since the terrorist attacks of 11 September and the adoption by the UN General Assembly of resolution 1373, the Pakistani government is now under international pressure to stop extending its support to extremist Islamic groups and organisations.

The Indian government responded to the series of terrorist attacks in Jammu and Kashmir in July-August by declaring the entire Jammu province a 'disturbed area' under the Armed Forces (J&K) Special Powers Act, 1990. This Act now covers almost the entire state of Jammu and Kashmir except the Ladakh region. It gives security forces more powers to deal with terrorists. This decision was taken on the basis of a proposal made by the Chief Minister of Jammu and Kashmir. However, since giving security forces more power can lead to the violation of human rights, human rights activists are naturally opposed to it. Of course, the military considers such violations to be collateral damage. It is interesting to note that the government and the Chief Minister of Jammu and Kashmir have justified this declaration in the name of the innocent civilians killed in these terrorist attacks and not national security per se.

To tackle militancy in Jammu and Kashmir the central government could bring in legislation to replace the erstwhile Terrorist and Disruptive Activities Act. Explaining why it was necessary, Home Minister L.K. Advani stated in the Rajya Sabha on 9 August that 'we are fighting a proxy war of multiple dimensions unleashed by an inimical neighbouring country which has had no qualms in rationalising the brutal killing of innocent men, women and children as a freedom struggle'.<sup>15</sup> However, Ram Jethmalani, a former Union law minister and noted jurist, feels that such legislation is unnecessary. What is required, in his opinion, is more effective implementation of existing laws.<sup>16</sup>

### Terrorist attacks

Following the terrorist attacks on the World Trade Centre, the Indian Prime

Indian troops lay out the bodies of three separatists and a civilian killed in a clash in Kashmir



Minister said in an address to the Indian nation on 14 September that 'terrorists have struck yet another blow ... at humanity, at the civilised way of life'. Underlining India's concern, a year ago he had told a joint meeting of the US Congress that 'no region is a greater source of terrorism than our neighbourhood', while in a message to President Bush the President of India has assured him that India stands 'united with the American people in this hour of grief.' Pledging India's support, Vajpayee has declared that India is ready to co-operate with the United States in the investigations into this crime and 'to strengthen our partnership in leading international efforts to ensure that terrorism never succeeds again'.<sup>17</sup> India has also described the UN Security Council resolution on combating international terrorism as a positive step and hopes that the resolve of the international community would now be translated into concrete action through effective implementation and regular monitoring by the Council.<sup>18</sup>

However, it is obvious that Pakistan is very sensitive to India's response to the crisis and its efforts to woo the United States. In an address on the state-controlled television and radio, Musharraf told the Pakistani nation on 19 September that New Delhi was attempting to take full advantage of the crisis but that the Pakistani army would never allow the 'grand Indian game-plan' to succeed. He told India to 'lay off' and emphasised that preserving the unity and integrity of Pakistan was a primary consideration behind his decision to extend unstinted co-operation to the United States against the Taliban regime and Osama bin Laden. Other key factors were the revival and revitalisation of the economy, safeguarding of its nuclear capabilities and the Kashmir cause. He even accused India of trying to install an anti-Pakistan regime in Afghanistan. India's interest in Afghanistan was suspect, in his opinion: 'I want to ask what has India got to do with Afghanistan? It does not even share its border with Afghanistan'.<sup>19</sup>

India, on the other hand, perceives the activities in Afghanistan, such as terrorist training camps, to be a threat to its national security. Terrorists operating in Kashmir are often trained in Afghanistan and financed by organisations based in that country. Unlike Pakistan, the Indian government does not have diplomatic relations with the Taliban and supports the Northern Alliance. The Indian government im-

mediately responded to Musharraf's remarks by pointing out that the issue was terrorism and not India-Pakistan relations. A spokesperson of the Ministry of External Affairs said that 'instead of focusing on terrorism, which is responsible for the present situation, it is most regrettable that the President of Pakistan continues to give voice to an anti-India tirade'.<sup>20</sup> The following day, Pakistani Foreign Minister Sattar called his Indian counterpart, Jaswant Singh, to mollify him; he was obviously anxious to ensure that India-Pakistan relations were not dealt yet another blow by Musharraf's remarks. Under American and British pressure, Musharraf called Vajpayee on 8 October. He condemned the terrorist attack on the Jammu and Kashmir Assembly on 1 October, offered to hold an inquiry about Pakistani involvement and said that the stalled process of dialogue between the two countries should be restarted. Vajpayee agreed in principle but reiterated that Kashmir should not be the main focus of the talks, warning that if Pakistan insisted on focusing on Kashmir alone the talks would remain stalled.<sup>21</sup>

So far, the present crisis has not affected India-Pakistan relations significantly. Since both countries are co-operating with the United States and are part of the international coalition for combating terrorism, they are not pursuing different policies. However, India's efforts to include Kashmir in the global campaign against terrorism and have various Islamic groups operating in Kashmir put on the list of international terrorist groups could cause problems as many of the groups have bases in Pakistan. As noted above, India and Pakistan do not see eye-to-eye on the issue of cross-border terrorism. Following the suicide bomb attack on the Jammu and Kashmir State Assembly on 1 October by the Jalsh-e-Mohammad, Vajpayee wrote to President Bush, emphasising the need to restrain Pakistan from backing international terrorists in Kashmir. US Secretary of State Colin Powell is sympathetic to India's concerns.

If the United States succeeds in destroying the terrorist camps in Afghanistan and if the Taliban government falls, it may lead to some terrorist organisations leaving Kashmir. On the other hand, there are disaffected people in Kashmir who will not give up their struggle against the Indian government so easily. The solution ultimately has to be a political one and cannot grow out of the barrel of a gun. The present crisis has shifted the focus from India-Pakistan relations to

the war in Afghanistan. On his recent visit to India and Pakistan in October 2001, Powell made it very clear that for the United States India-Pakistan relations was not the main issue. The present situation is reminiscent of the Cold War years, when both India and Pakistan tried to get closer to the super-powers and get more aid from them and support for their concerns in exchange for their co-operation. Unfortunately, this kind of situation is not conducive to the improvement of India-Pakistan relations or the promotion of peace and stability in South Asia.

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