

## **India-Pakistan relations – the peace process** \*

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**T**he composite dialogue process between Pakistan and India was initiated by Prime Minister of India, Atal Bihari Vajpayee and General Pervez Musharraf, President of Pakistan, in January 2004. They identified eight areas including Peace and Security and confidence-building measures (CBM)s, Jammu and Kashmir, Siachin, Sir Creek, water security, terrorism, economic and commercial cooperation; and drug trafficking to be discussed bilaterally between the two countries. Although the process moved at a snail's pace and failed to solve any of the issues, it was termed 'irreversible'.

However, on November 26, 2008, a group of militants simultaneously attacked multiple targets in Mumbai, killing around 183 people, including nine terrorists and 22 foreign nationals. Although relations between India and Pakistan had already been strained following a suicide attack on the Indian Embassy in Kabul on July 7, 2008, these attacks in Mumbai served as the nail in the coffin as all fingers pointed to Pakistan. The option of a military strike was ruled out by the Indian government, but on December 16, 2008, despite Pakistan's assurances to cooperate fully to unearth the perpetrators of this crime, the then Indian Foreign Minister, Pranab Mukherjee, announced that the Composite Dialogue process with Pakistan was to be put on hold until credible action was taken against those responsible for the Mumbai carnage.<sup>1</sup>

Following the 2009 Lok Sabha elections that saw the United Progressive Alliance (UPA) coming back to power, there were high hopes that India would show some flexibility towards Pakistan. These hopes saw some light when on July 16, 2009; Prime Minister Gillani met with his Indian counterpart, Manmohan Singh in the Egyptian city of Sharm-el-Sheikh on the sidelines of the Non-Aligned Movement (NAM) summit. The meeting concluded with the issuance of a joint statement in which both countries agreed to de-link action on terrorism and the composite dialogue process.<sup>2</sup>

However, the joint statement evoked a strong reaction in India as Mr. Manmohan Singh had to face severe criticism not only from Opposition

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parties but also from coalition partners and some members of the Congress party. Dubbing the statement ‘surrender by India’, Opposition parties, particularly the Bharatiya Janata Party (BJP), made such hue and cry that Manmohan Singh was forced to backtrack from the commitment made in Sharm-el-Sheikh. The very next day, in an effort to clarify his position, Mr. Manmohan said that de-linking dialogue and action on terrorism only served to strengthen India’s commitment that a meaningful process of engagement cannot move forward unless Pakistan takes measures to control terrorism.<sup>3</sup> Similarly, a reference to Balochistan in the joint statement was also criticised in India as it was perceived an acknowledgement of its suggested role in the Pakistani province.

The following months saw growing tensions as Pakistan witnessed a tirade of allegations from India such as “forty-two terrorist camps are operating in Pakistan”,<sup>4</sup> “rise in infiltration to India”,<sup>5</sup> “exporting terrorism and using it as state policy to further its strategic goals” and “targeting Indian interests in Afghanistan”.<sup>6</sup> Renewed incidents of firing both at the line of control (LoC) across Kashmir and the international border also served to escalate tensions.

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The then Indian Chief of the Army Staff, General Deepak Kapoor, also came forth and announced his provocative ‘Cold Start’ strategy which aimed at quick mobilisation of troops in order to launch a retaliatory conventional strike against Pakistan in case of a terrorist attack. However, on Pakistan’s repeated protests, the United States took up the issue with India, and in September 2010, the new Indian army chief denied the existence of any such doctrine and insisted that this term was fabricated by the think tanks and India’s military posture remains defensive.<sup>7</sup>

By the beginning of 2010, there was growing realisation in India that coercive diplomacy had run its course and was now counterproductive for India. It was felt that by establishing ‘measured contact’, India would be able to put more pressure on Pakistan. The thaw finally came when on February 4, 2010; India formally offered to resume foreign secretary-level talks with Pakistan.<sup>8</sup> Without clarifying the scope of the proposed discussions, Indian Foreign Secretary Nirupama Rao invited her Pakistani counterpart for talks to New Delhi. Indian official sources made it clear that India is open to discussing all issues, including Balochistan, but its

sole focus will be on terrorist acts allegedly planned and executed from Pakistan. They also made it a point that this particular dialogue is to revive the bilateral relationship and, therefore, should not be seen as resumption of the composite dialogue.

Behind-the-scenes role played by the U.S. to bring India and Pakistan to the negotiating table was yet another factor for the change in Indian position. Since Washington was concerned that Pakistan-India tensions could derail its strategy to stabilise Afghanistan, American officials had been vigorously pressing for an easing of tensions and revival of dialogue between India and Pakistan so that Pakistan could focus more on fighting militancy on its western border.

Welcoming the move, Pakistan accepted the offer and a delegation went to New Delhi in February 2010. During the meeting, besides making certain other demands, India handed over three dossiers to Pakistan asking that thirty-three individuals, including two serving Pakistan army officers, as well as Indian fugitives allegedly involved in terror acts, be handed over to India. Repeated references to terrorism forced the Pakistani foreign secretary to remind India that Pakistan had witnessed “hundreds of Mumbais” taking the lives of 5,366 civilians in 3,043 terror attacks since 2008 and, therefore, was not ignorant of the dangers of terrorism.<sup>9</sup>

The Pakistani delegation had gone to New Delhi with a roadmap with guidelines leading to a potential resumption of the Composite Dialogue, including an invitation for the External Affairs Minister, S.M. Krishna, to visit Pakistan. The proposal recommended that the February meeting lay the ground for future discussions between Prime Ministers Gilani and Singh that could take place on the margins of a South Asian Association for Regional Cooperation (SAARC) summit meeting in Bhutan in late April, where resumption of the Composite Dialogue could be announced through a joint statement. However, India was more interested to broaden the discussion at official levels first, and suggested a ‘technical meeting’ to improve cross-LoC trade, a meeting between commerce secretaries to carry forward discussions on trade issues and a session of the Indo-Pakistan judicial committee for release of prisoners and fishermen. The meeting failed to melt the ice and both sides decided to conduct press briefing separately, indicating that talks had not progressed as desired.

During March 2010, India repeatedly expressed its desire to conduct a second round of foreign secretary-level talks in Islamabad. However, Pakistan made it clear that it was not interested in a mere photo

opportunity and wanted result-oriented talks that discussed all outstanding issues.

In this backdrop, the SAARC summit meeting was held in Bhutan in April 2010 where discussions between the two prime ministers were also conducted. Pressure from the U.S. as well as from SAARC member countries played a vital role in bringing the two countries to some sort of an agreement in Bhutan. The two leaders held three meetings, including a one-on-one discussion that lasted over an hour.

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What emerged was an agreement that there was lack of trust that necessitated dialogue. Both countries also agreed that their foreign ministers and foreign secretaries should meet as soon as possible to work out modalities for future course of talks and restore trust. Discounting the possibility that this might lead to resumption of the Composite Dialogue, Indian officials made it clear that a move to resume the dialogue that had existed before the Mumbai attacks would make no sense since a new method of engagement needed to be introduced.

The month of July 2010 finally saw a meeting between the two foreign ministers.<sup>10</sup> Once again, India reiterated its position of keeping terrorism as its main focus, but at the same time expressed willingness to embark on a new structured dialogue mechanism that covered all issues of concern. Unfortunately, this time too, the meeting between the two foreign ministers failed to produce any substantial results as there was a deadlock over issues of roadmaps and timeframes. India insisted on a timeframe for Pakistan to fulfil its promise on bringing to justice those responsible for Mumbai attacks before talks on other issues could be started. Pakistan, on the other hand, wanted time-bound talks on issues like Kashmir and Siachen, etc.

India argued that there were certain issues which had been there for decades and it was impossible to stipulate a time period for their solution, and that Pakistan could not, what they called, “blackmail India”<sup>11</sup> into solving these issues by combining them with its action against India-specific terror groups. Krishna also made it clear that Pakistan's bid to force India to discuss The Jammu and Kashmir dispute and the Siachen

issue without addressing India's serious concerns about terrorism was not going to succeed.

The next eight months saw repeated Indian demands that Pakistan stop using terror as an allegedly foreign policy instrument. India also accused that Pakistan's attempts to bring the guilty in Mumbai attacks to justice had not "moved an inch",<sup>12</sup> and that Pakistan should learn from India's proclaimed fair handling of the Samjhauta Express blast case.

At the same time, Indian officials - that significantly included both Foreign Minister Krishna and Foreign Secretary Rao - also insisted that India had no option but to engage its Western neighbour in a dialogue. This desire to keep the communication line open between the two countries did thus lead to another meeting between the foreign secretaries on February 6, 2011, on the side lines of SAARC foreign secretaries-level talks.<sup>13</sup> In their 90-minute talks, the officials agreed on the need for a constructive dialogue to take forward the peace process. The two sides agreed to sequentially discuss all issues that were part of what used to be the composite dialogue process before the meeting of the two foreign ministers that is took place in the last week of July 2011.

Following this decision, the first round of talks between the home secretaries of India and Pakistan was held on March 28 involving a number of bilateral issues, including counter-terrorism measures, smuggling of narcotics, inflow of fake Indian currency notes and progress in the probe of the Mumbai terror attacks.<sup>14</sup> Meanwhile, in a friendly gesture, Indian prime minister invited his Pakistani counterpart to visit India to watch a cricket match between the two countries. It was believed that this was an opportunity to hold a conversation without any official agenda or pressure for outcomes and should, therefore, be taken advantage of.

The move was largely appreciated in India and Pakistan and suggestions were made that the Indian prime minister should also pay a visit to Pakistan as soon as possible. Since then, meetings between commerce secretaries, water commissioners, defence secretaries, foreign secretaries as well as the foreign ministers of the two sides have been held.

Though the resumption of dialogue has largely been hailed in both the countries, it is also recognized that no breakthrough is expected on any of the issues in the near future. For any process to be made, it is absolutely imperative that the parties, besides raising their demands, also try to accommodate the other side. While raising its demands of Pakistan to take

credible steps against terror outfits, India has been completely ignoring issues that are easy to solve and may serve as major confidence-building measures.

For example, the issue of Sir Creek which was almost ready to be resolved before the Mumbai attacks took place failed to make any headway during the recent meeting between the two countries.<sup>15</sup> Similarly, the issue of Siachen Glacier also failed to make any progress. Rejecting Pakistan's proposal of withdrawing the troops to their previous positions, India insisted that Pakistan should authenticate 110 km Actual Ground Position Line (AGPL) along Siachen Glacier.

In recent times, besides the defence question, this issue has acquired ecological importance for Pakistan as, according to latest reports, cracks and streams have started to appear in the glacier due to human intervention. The Glacier regulates the environment in the region and is a major source of water for Pakistan. The projection that it might disappear in the future presents Pakistan with an existential threat.<sup>16</sup>

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Pakistan also strongly believes that without resolving the issue of Kashmir according to the wishes of the Kashmiri people, peace and security in South Asia would always be vulnerable. No amount of economic packages would ever satisfy the Kashmiri people until they are given their right to determine their future. The absence of an armed struggle or a phase of relative peace in the valley should not be and cannot be taken as an expression of confidence in the Indian government and abandoning the right to self-determination by the Kashmiri people.

Last year's unrest in Kashmir that is commonly known as the Kashmir Intifada, saw younger generation of Kashmiris in the streets with stones in their hands to protest against the unabated violations of human rights at the hands of Indian security forces. This younger generation was fully supported by the Kashmiri women and children who braved the atrocities of the Indian security forces. More than 110 people including children as young as seven years old lost their lives.

The fact that this unrest was purely indigenous and Pakistan or any other country had nothing to do with it was recognized not only by India

itself but also the international community. This realisation forced many Indian scholars echo the same rationale that the Kashmir issue cannot be put on the back burner. In fact, the comments made by Iran's Supreme leader Ayatollah Ali Khamenei in which he equated Kashmir with the occupied territories of Afghanistan, Iraq and Palestine is in itself testament to the suffering of the Kashmiri people.<sup>17</sup>

Similarly, Indian outreach to Afghanistan following the fall of Taliban regime is yet another source of great concern for Pakistan. There is a strong suspicion that the unrest in Pakistan's Balochistan province and FATA region has something to do with the Indian presence in Afghanistan and the number of Indian consulates that are operating close to the Pakistani border. In this connection, one cannot ignore the observations made by renowned scholar Christine Fair of Rand Cooperation who said that "having visited the Indian mission in Zahedan, I can assure you they are not issuing visas as the main activity. Moreover, India has run operations from its mission in Mazar (through which it supported the Northern Alliance) and is doing so from the other consulates it has reopened in Jalalabad and Kandahar along the border. Indian officials have told me privately that they are pumping money into Balochistan."<sup>18</sup>

India needs to understand that any move to destabilise Pakistan would be counterproductive as it would also have a direct bearing on India. In recent months, more and more people are coming forth with the suggestion that India and Pakistan need to enlist this issue under the renewed peace process as peace in Afghanistan would remain a farfetched dream until regional countries come together and remove their differences and mistrust and help the people of Afghanistan stand on their own feet.

The diversion of river waters is yet another problem that bedevils the relationship between the two South Asian countries. The partition of the sub-continent by the British colonial power in 1947 put the headwater of the Indus Water system in India, rendering Pakistan the lower riparian. Following the eruption of a dispute over the river waters in 1948, several interim agreements were reached, and after years of negotiations, the Indus Water Treaty was finally signed with the cooperation of World Bank on September 19, 1960.

According to the Treaty, three eastern rivers; Sutlej, Beas and Ravi; were allocated to India, whereas the three western rivers; the Indus, Jhelum and Chenab; were allocated to Pakistan. Under the treaty, India is not allowed to use the water of western rivers for purposes other than agricultural, non-consumptive and for generation of hydro-electric power

without any storage work. In clear violation of the Treaty, India plans to build a number of hydro-electric dams on the rivers allocated to Pakistan. Being an agrarian country, this diversion of river water will have serious ramifications for Pakistan. Recently, Senator John Kerry, Chairman of the U.S. Senate Foreign Relations Committee, in his report titled "Avoiding water wars in South and Central Asia", has warned that, "The cumulative effect of these projects could give India the ability to store enough water to limit the supply to Pakistan at crucial moments in the growing season."<sup>19</sup>

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Besides creating drought-like situation in Pakistan, it is also feared that India might use various dams as a coercive tool by releasing dam water at its will causing floods in Pakistan. Furthermore, a number of defence analysts in Pakistan have expressed their concern that this diversion of water would dry the canal systems which are strategically important for Pakistan from defence point of view.

In addition, India also plans to build 12 hydropower projects on Kabul River in Afghanistan. That would have an adverse impact on Pakistan. In the absence of major dams in Pakistan, it is feared that Pakistan would have to buy electricity from Afghanistan, and that it is the underlying purpose of the plan of the Afghan government in collaboration with India.<sup>20</sup>

In conclusion, I would like to say that being neighbours, the fates of millions of people of the subcontinent are inter-connected. In the past few months, both sides have repeatedly reiterated that war was not an option and dialogue was the only way forward. However, it is also important that the dialogue is result oriented and both the countries move from conflict management to conflict resolution. Unnecessarily dragging issues which can easily be solved will not serve anybody's purpose.

It is time that India and Pakistan stop the blame game and take some practical steps to resolve their differences. One cannot shy away from the

responsibility of tackling the menace of terrorism. But, at the same time, holding bilateral relationship hostage to one trial or investigation is also not a wise policy as it encourages the elements who do not wish to see normalisation of relationship between Pakistan and India. One can only hope that that this renewed process of engagement would be sustainable and uninterrupted.

### Notes & References

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