

ISAS Insights

No. 89 – Date: 7 January 2010

469A Bukit Timah Road
#07-01, Tower Block, Singapore 259770
Tel: 6516 6179 / 6516 4239
Fax: 6776 7505 / 6314 5447
Email: isassec@nus.edu.sg
Website: www.isas.nus.edu.sg



India-Pakistan Relations Post-Mumbai Terrorist Attacks

Ishtiaq Ahmed¹

Relations between India and Pakistan have been proverbially bad ever since both countries attained independence in mid-August 1947. Disputes over territory, division of common assets of the colonial state, forced transfer of minorities in some border provinces and other related issues constitute a case of clashing nationalisms. Three wars – in 1948, 1965 and 1971 – and a dangerous showdown in the hills of Kargil in Kashmir in May 1999 that nearly drove both sides to a nuclear confrontation are indicative of the explosive nature of the rivalry between these two major South Asian states.

In the wake of the 13 December 2001 terrorist attacks on the Indian Parliament, their armies were amassed in hundreds of thousands along the border. In both these recent cases, international troubleshooting played a major role in defusing the explosive situation. However, terrorist attacks continued in India and the India-administered Kashmir by groups suspected of being based in Pakistan. Hindu extremist groups were also involved in terrorism, most notoriously in the attack on the Samjhauta Express travelling from New Delhi to Lahore on 18 February 2007.

Mumbai Terrorist Attacks

However, when on 26 November 2008, a group of terrorists, traced to Pakistan, attacked several key places in Mumbai – the Taj and the Oberoi hotels, among other places – it seemed that a war could break out between these two nuclear weapons upstarts. Thanks to the restraint exercised by their governments as well as hectic diplomacy by the United States (US), the United Kingdom and other major players, a major disaster was averted.

The obviation of open conflict did not mean that peace and normality had been restored; on the contrary its major casualty was the peace process that both sides had been claiming for quite some time that it was about to furnish a historic resolution of all outstanding disputes between the two rivals. There can be no doubt that those who planned and carried out the attacks wanted fear and hatred between India and Pakistan to deepen and even result in war. At the end of 2009, South Asia is still held hostage to the India-Pakistan confrontation.

¹ Professor Ishtiaq Ahmed is Visiting Research Professor at the Institute of South Asian Studies, an autonomous research institute at the National University of Singapore. He can be contacted at isasia@nus.edu.sg.

Peace Process Suspended

Notwithstanding the tensions and conflicts that have constantly marred relations between the two states, since at least May 1998 when both exploded nuclear devices, a movement in search for a peaceful resolution of their conflicts has also been evolving at the official level as well as through civil society actors. The most central dispute which has defied resolution thus far and hence generated considerable bad blood is that over Kashmir. It is to be noted that India is totally averse to third parties mediating or even facilitating negotiations between itself and Pakistan. It insists on bilateral negotiations. On the other hand, Pakistan has called for international mediation.

In any event, India suspended the ongoing bilateral negotiations after the Mumbai attacks. India refused to revive the peace process till such time that the perpetrators of the Mumbai attacks were arrested and put on trial. For a long time, the power elite in Pakistan dragged their feet but international pressure proved overwhelming. For example, Pakistan conceded that the main culprit caught in Mumbai, Ajmal Kasab, was a Pakistani national. That was not good enough for India, which kept insisting that the masterminds behind the plot to attack Mumbai should be arrested and put on trial.

To a large extent such a pre-condition was met when an anti-terror court in Rawalpindi indicted seven Lashkar-e-Toiba (LeT) men, including Zakiur Rehman Lakhvi and Zarar Shah who were suspected of having planned the attacks. Judge Malik Mohammed Akram Awan framed charges against the seven under the Anti-Terrorism Act, several sections of the Pakistan Penal Code, including Section 302 and under the Explosives Act for murder. All seven of them pleaded not guilty to the charges (*The Hindu*, 23 November 2009). The government has promised that if their culpability is proven, they would be meted out harsh punishments in accordance with the Pakistan Penal Code. India welcomed the arrests of the LeT operatives, but expressed criticism of the fact that the LeT Chief, Hafiz Muhammad Saeed, was still scot-free. The Pakistani standpoint has been that the evidence against him was insufficient. Therefore it did not warrant arrest; more inculcating material was needed.

The Mumbai terrorist attack conspiracy became further complicated with the Pakistani-origin, US citizens David Coleman Headley (Daood Gilani) and Tahawwur Hussain Rana getting arrested in the US for complicity in the Mumbai attacks. In Pakistan, the authorities arrested one retired Major for allegedly having had links with both Headley and Rana (*Daily Times*, 26 November 2009). One implication of these arrests is that the prevailing understanding that the LeT has a purely Pakistani-Punjabi territorial location does not hold any water. Not surprisingly, the LeT also is interlinked with regional and global networks.

Pakistani Allegations against India

While Indian complaints against Pakistan and Pakistan-based groups received maximum international attention, Pakistan, on the other hand, had been alleging that the very large Indian presence in Afghanistan comprises not only engineers and development experts but also military and intelligence personnel. The latter two are allegedly involved in anti-Pakistan activities. Pakistan Interior Minister Rehman Malik claimed that he has in his possession conclusive proof that India was involved both in terrorism against Pakistan as well as in helping Baluch separatists.

Earlier, a former senior US diplomat, Karl Inderfurth, said at a hearing on 24 January 2008, “Kabul should address Pakistan’s concerns on India, and its allies should urge Kabul to officially accept [the] Durand Line as the border between the two South Asian neighbours” (quoted in Lodhi, 15 July 2008). Former Indian ambassador to Pakistan, Bhadrakumar, commented that, “It is plain unrealistic to overlook Pakistan’s concerns” (ibid.).

An unclassified report by the top US commander in Afghanistan, General Stanley McChrystal entitled ‘Commander’s Initial Assessment’ dated 30 August 2009 on the Afghanistan situation looks at different aspects of the International Security Assistance Force (ISAF) in that country. It looks at the role of different states not part of the ISAF mission.

With regard to India, the General says, “Indian political and economic influence is increasing in Afghanistan, including significant development efforts and financial investment. In addition, the current Afghan government is perceived by Islamabad to be pro-Indian. While Indian activities largely benefit the Afghan people, increasing Indian influence in Afghanistan is likely to exacerbate regional tensions and encourage Pakistani countermeasures in Afghanistan or India.” (Section 2, p. 11)

Pakistan interpreted the report as confirmation of a suspected Indian role in Afghanistan, though General McChrystal did not allege that; he merely mentioned Pakistani perceptions and possible moves to counter it. Thus, according to Pakistan Interior Minister Rehman Malik, India was engaged in anti-Pakistan activities, especially in the tribal belt along the Afghanistan-Pakistan border. Pakistan also accused India of being behind most terrorist attacks in Pakistan as well as of being involved in fomenting separatism and secessionism in the southern Pakistani province of Baluchistan. He warned India not to threaten Pakistan (*Dawn*, 21 October 2009).

On 3 January 2010, BBC showed their special correspondent in Pakistan, Alim Maqbool, interviewing people from the coastal town of Gwadar, Baluchistan, who said they wanted to separate from Pakistan and become independent. They wanted the US and India to help them. Maqbool gave the impression that such ideas were widespread among the Baluch. From the Pakistani perspective, such ideas are indicative of India and, by the same token of, the US involvement in Baluchistan.

Barack Obama’s Visit to China

US President Barack Obama visited People’s Republic of China in the beginning of the third week of November. Before his arrival he had indicated that the US recognised China as the second most important world power and wanted it to become a partner in maintaining stability and peace in the world. When he urged China to play a role in helping improve relations between India and Pakistan, India’s knee-jerk reaction was that India did not need the help of any third party to negotiate peace with Pakistan (*The Times of India*, 18 November 2009).

Manmohan Singh’s US Visit

Meanwhile, during his visit to the US, Indian Prime Minister Manmohan Singh rejected Pakistan’s demands that the Kashmir dispute should be settled in accordance with the United Nations’ resolutions. He expressed the view he had earlier taken pertaining to the Kashmir

dispute, “I have publicly stated that there can be no redrawing of borders (in Jammu and Kashmir)... but our two countries can work together to ensure that these are borders of peace, that people-to-people contacts grow in a manner in which people do not even worry whether they are located on this side of the border or that side,” he told CNN in an interview (*The Times of India*, 23 November 2009). In Islamabad, Foreign Office spokesman Abdul Basit reiterated the traditional position that “Jammu and Kashmir is a disputed territory awaiting settlement in accordance with the relevant UN resolutions and aspirations of the people of Jammu and Kashmir.” (*The Times of India*, 23 November 2009)

More significantly, during his US visit, Manmohan Singh spoke candidly about India’s links with Afghanistan. He asserted that “India has enduring civilisational links with Afghanistan and will continue to assist Afghanistan in building its institutions and its human resources” (*The News*, 24 November 2009, Geo Pakistan, <http://www.geo.tv/11-24-2009/53505.htm>). Such a statement made it clear that India would pursue its interests in Afghanistan undeterred by concerns about its role (Shah 2009). It is understood that India is seriously worried about Afghanistan coming again under pro-Pakistan forces such as the Taliban.

In any case, India received support from the US when Manmohan Singh and President Obama met on 24 November 2009 in the White House. Both leaders underscored the “absolute imperative” to bring to justice the perpetrators of the Mumbai attacks and underlining the need for “resolute and credible steps” to eliminate “safe havens” in Pakistan and Afghanistan which undermine the security and stability around the world (*The Hindu*, 25 November 2009). President Obama also remarked, “Obviously there are historic conflicts between India and Pakistan. It is not the place of the US to try, from the outside, to resolve all those conflicts”. He went on to say that Washington wanted to “be encouraging ways in which both India and Pakistan can feel secure and focus on the development of their own countries and their own people.” (*Daily Times*, 25 November 2009)

Such a stand surprisingly received support even from China. India and Pakistan should solve the Kashmir dispute between themselves, remarked Chinese Foreign Ministry spokesman Qin Gang, who went on to say, “Our stance on the issue has been consistent. This is an issue between India and Pakistan left over by history.” (*Daily Times*, 25 November 2009)

International Fora

In spite of the overall tension between India and Pakistan, the fact that both are members of international and regional organisations means that their leaders are bound to meet. The first such important meeting took place when President Asif Ali Zardari of Pakistan and Manmohan Singh met on the sidelines at a meeting of the Shanghai Cooperation Organisation, held in Yekaterinburg, Russia on 16 June 2009. Singh told Zardari that Pakistan should not let its territory be used for terrorism. The message was delivered with firmness. Both agreed, however, for their foreign secretaries to meet on a mutually convenient date (*Daily Times*, 17 June 2009). On the way back to India, Singh told journalists on the plane that if the Pakistani leadership, “shows courage, determination and statesmanship to take the high road to peace, India will meet it more than half the way.” (*The Hindu*, 17 June 2009)

A month later, Manmohan Singh and Pakistani Prime Minister Yousaf Raza Gilani met at the annual meet of the Non-Aligned Movement at Sharm el-Sheikh, Egypt. On 16 July 2009 they first met for three hours and together issued a joint communiqué. Singh reiterated the need to

bring the perpetrators of the Mumbai attack to justice. Gilani assured that Pakistan will do everything in its power to do that. They agreed that the two countries will share credible and actionable information on any future terrorist threats. Prime Minister Gilani mentioned that Pakistan has some information on such threats in Baluchistan and other areas. It was agreed that action on terrorism should not be linked to the composite dialogue process and these should not be bracketed. Prime Minister Singh said that India was ready to discuss all issues with Pakistan, including all outstanding issues. Both expressed the need for their countries to cooperate on issues of poverty, development and regional cooperation (*Dawn*, 17 July 2009).

While in Pakistan the joint communiqué was welcomed as a triumph of Pakistani diplomacy, especially that of Prime Minister Gilani, the reception in India was diametrically opposite. Singh had to face hysterical outbursts from some opposition parties, especially the Hindu nationalist, Bharatiya Janata Party. The media played a part in hyping up the issue. His detractors assailed him that by having agreed to Pakistan's request that he should look into the alleged unwelcome activities of Indian intelligence in Baluchistan, Singh had virtually conceded that India was involved in Baluchistan. Also, objections were raised towards the delinking of the resumption of the peace process to proceed in bringing to justice the culprits of the Mumbai terrorist attacks. Even within the ruling Congress Party in India it seemed that some people did not like Singh's accommodation of Pakistani concerns.

However, the Indian prime minister defended his decision as a friendly gesture and not an admission of guilt. He received full backing from the Congress president, Mrs Sonia Gandhi. Moreover, Singh emphasised that the peace process and contact with Pakistan on other issues would remain suspended till such time that the culprits of the Mumbai attacks were brought to book. Thereafter, the hysteria over Baluchistan petered out. The Indian and Pakistani foreign secretaries, however, are yet to meet to resume peace talks.

The Pakistani High Commissioner to India, Mr Shahid Malik complained in a recent TV interview given to the well-known Indian journalist, Karan Thapar on 20 December 2009 that India was not fulfilling its commitment given in the joint statement issued at Sharm el-Sheikh for the resumption of talks. He observed that the "diplomatic vacuum" thus created would not help the cause of peace. By choosing not to talk to each other, "we are strengthening the forces which don't want the two countries to make any progress" (*Daily Times*, 21 December 2009). He went on to say that Pakistan had taken action against the suspects of the Mumbai terrorist attacks. Further he asserted that Pakistan was "looking for credible actionable evidence" to ensure that the case was "fool-proof". On the other hand, he confirmed that the foreign offices of the two countries were in constant contact over a variety of issues, but "when it comes to holding a structured composite dialogue, yes, that is not taking place" (*ibid.*).

Indian Allegations and Warnings to Pakistan

Meanwhile, the Indian Home Minister Mr P. Chidambaram had remarked some weeks earlier in a public meeting, "We have been gaining strength day by day to counter terrorism from across the border. I have been warning Pakistan not to play games with us. (I have told them that) the last game should be Mumbai attacks. Stop it there". He went on to say that India would retaliate strongly against any attempt by Pakistan to send infiltrators into India and "we have strength to tackle any such infiltration" (*The Indian Express*, 2 November 2009). Moreover, Prime Minister Manmohan Singh has from time to time been alleging that

Pakistan-based terrorist groups are planning more terrorist attacks on India. The latest such allegation was reported on 20 November 2009 (*The Indian Express*, 20 November 2009). Stakes were upped when the Indian Army Chief General Deepak Kapoor said that the possibility of a 'limited war under a nuclear overhang is still very much a reality in South Asia' (*Daily Times*, 24 November 2009). *The News International* of Pakistan reported that General Kapoor had spoken of a so-called two front-war doctrine – with China and Pakistan simultaneously (31 December 2009). India's leading newspaper, *The Hindu*, reported that the statement by General Kapoor elicited a sharp response from Pakistan alleging that it represented a cold-war mentality. His counterpart, General Kayani described it as "an adventurous and dangerous path, the consequences of which could be both unintended and uncontrollable" (*The Hindu*, 2 January 2010).

While such jingoistic statements have been going on from the Indian side, both states exchanged, in accordance with a practice established since 1991, information about each other's nuclear installations on New Year's Eve (*Dawn*, 1 January 2010).

Conclusion

The Indian and Pakistani positions on the resumption of peace negotiations at present seem wide apart. But international pressure is likely to force both to the negotiating table again. Pakistan has made substantial moves to bring to the book the perpetrators and planners of the Mumbai terrorist attacks. Therefore, the Pakistani plea that peace negotiations should be resumed is quite reasonable and convincing. The atmosphere can improve dramatically if issues like the King Creek and Siachen Glacier occupations are resolved, preparatory to the resolution of the Kashmir dispute. India's rejection of third party mediation or even facilitation of talks between itself and Pakistan borders on the hysterical.

Since Pakistan does not insist on the Kashmir dispute being resolved strictly in accordance with the relevant United Nations Security Council resolutions, India need not fear some dramatic change to the status quo. If India believed it could win the plebiscite in Kashmir, it would have agreed to one long ago. On the other hand, if Pakistan could liberate Kashmir through warfare, that too would have taken place by now. Under these circumstances, a negotiated settlement would have to correspond in an essential sense to the present Line of Control in Kashmir becoming the international border, but with adjustments necessary to satisfy Pakistan and the Kashmiris. Most importantly, the resolution of the Kashmir dispute must be such that the 500,000 Indian troops currently stationed there can be removed. Obviously for that to happen the Kashmiris have to be convinced that the solution is a just and practical one.

In a more immediate sense, it is important that the two countries are brought to the table to discuss their stands on Afghanistan as well as consider Pakistani concerns about an alleged Indian hand behind the unrest in Baluchistan. The US in particular can facilitate such a meeting between representatives of the two states. It would also be an occasion to discuss its role and intentions in Baluchistan. Under these circumstances, it would not constitute the usual threat to bilateralism that India is always insisting on when dealing with Pakistan because the US can clarify its position as well.

In short, India-Pakistan relations have to move forward positively. This can be achieved only with a revival of the peace process and related issues.

References

Lodhi, Iftikhar A., 'Attack on the Indian Embassy in Kabul: Time to Sober Up', ISAS Brief No. 75, 15 July 2008.

McChrystal, Stanley, A. (General), 'Commander's Initial Assessment', Kabul: Headquarters International Security Assistance Force.

Shah, Mowahid Hussain, 'Manmohan in Washington', *The Nation*, Pakistan, 26 November 2009.

Newspapers

Daily Times, Pakistan

Dawn, Karachi, Pakistan

The Hindu, India

The Indian Express, India

The News International, Pakistan

The Times of India, India

oooOOOooo