

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



## India and Pakistan: Breaking the Ice

Iftekhhar Ahmed Chowdhury<sup>1</sup>

But things cannot remain, O Zafar'  
Thus, for who can tell?  
Through God's great mercy, and the Prophet,  
All may yet be well.  
Attributed to: Bahadur Shah Zafar, the last Mughul Emperor  
(Transl: William Dalrymple)

### Abstract

The recent Foreign Secretary-level talks between India and Pakistan have failed to break the ice with regard to any of the major issues between New Delhi and Islamabad. Yet, for a variety of critical reasons, it is essential to regional peace and stability that the two nuclear-armed South Asian states bridge their main differences. In order to be able to do so, new and 'out-of-the-box' thinking is necessary on both the process and substance of their bilateral deliberations. The article, based on the author's own experience of diplomatic negotiations among South Asian nations both at official and political levels, seeks to suggest a way out of the impasse in order to be able to move forward, discarding conflict for cooperation.

### Introduction

Few diplomatic events have had results as predictable as those of the recently concluded talks between the Foreign Secretaries of India and Pakistan. Neither side had expected a positive outcome. Nor did either have any qualms about saying so before the talks commenced. Indeed, the outcome matched the expectations. Not only did the ice remain unbroken, it also appears to have solidified further. The Americans, who had pushed for the meeting, re-learned the lesson that one could take the horse (or rather the two horses in this case) to the water, but neither would care to drink! There were photo opportunities that showed the best sides of the two senior and elegant South Asian mandarins, the Foreign Secretaries of India and Pakistan, and excellent usage of the English language in endeavours to demolish the arguments of the other side. But that was pretty much all. In this case, diplomacy in New Delhi moved at a pace that would put a snail to shame!

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<sup>1</sup> Dr Iftekhhar Ahmed Chowdhury is a Senior Research Fellow at the Institute of South Asian Studies, an autonomous research institute at the National University of Singapore. He was the (Foreign Advisor) Foreign Minister of Bangladesh from 2007 to 2009. He can be reached at [isasiac@nus.edu.sg](mailto:isasiac@nus.edu.sg).

## Backdrop to the Recent Talks

The backdrop to the talks on 25 February 2010 at the Hyderabad House in the Indian capital was inauspicious to say the least. Long in advance of the occasion, the two sides had gone public on their sharp differences on what was to be on the agenda. India wanted the focus to be on terrorism. But, New Delhi was prepared only to “talk about talks”, and no further. Pakistan, on the other hand, wanted to resume the ‘composite’ or comprehensive dialogue that was called-off after the November 2008 terrorist attack in the Indian port-city of Mumbai by militants trained in Pakistan. On the day prior to the talks, shootings in Kashmir resulted in a number of Indian casualties. India accused, as it is wont on such occasions, Pakistan of complicity. Pakistan, as customary, denied any involvement!<sup>2</sup> Not that the Pakistanis were unwilling to discuss terrorism, but, as stated earlier, they wanted the range of the talks to be wider, and more substantive. The Islamabad foreign office spokesman, Abdul Basit announced to the media before the talks: “Terrorism is a regional, global concern; it is our concern as well,” and then proceeded to pronounce the rock-like Pakistani thesis on which many such negotiations had foundered: “But the Kashmir issue is the core”!<sup>3</sup> Another incident that threatened the talks was a Mumbai-style attack at a bakery in Pune over the previous weekend.<sup>4</sup> The Indian ‘nay-sayers, including the right-wing Bharatiya Janata Party, expectedly demanded the talks be called-off, but it was already too close to the event to cancel it.

## Reasons for the Talks

Despite this negative matrix, why did the parties agree to engage? There were three broad reasons. First, there was tremendous American pressure on both sides to do so. The Chairman of the United States (US) Senate Foreign Relations Committee, Senator John Kerry, during his recent visits to both the capitals, had urged peace. A series of key US officials, such as National Security Adviser, James Jones, Presidential Special Representative on ‘Af-Pak’ issues, Ambassador Richard Holbrook, and Under Secretary of Defense, Michele Flournoy, descended on Islamabad. In a statement that was almost touchingly naive, for it obviously did not take into account the extremely sophisticated and complex bureaucratic machineries of the Indian and Pakistani diplomacy, who, in the ultimate analysis, would only do exactly what they felt was good for them and not one bit more, said: “We will do everything in our power to support the outcome of the talks, an outcome *everyone* is looking for”.<sup>5</sup> Alas, ‘*everyone*’ did not include India and Pakistan who had their own ideas what the ‘outcome’ should be, and indeed whether there should be one! Nonetheless, both New Delhi and Islamabad were aware of the sense of urgency in Washington about easing regional tensions in South Asia given the entry into a critical stage in Afghanistan, and were willing to humour the Americans, albeit only up to a point!

Second, Pakistan assessed that agreeing to talk to India, coupled with some recent action in apprehending some Taliban leaders in Karachi, would place Islamabad on the right side of

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<sup>2</sup> BBC News: ‘India and Pakistan restart formal talks process’, 25 February 2010. [http://news.bbc.co.uk/south\\_asia/8535787.stm](http://news.bbc.co.uk/south_asia/8535787.stm) . Accessed on 25 February 2010.

<sup>3</sup> Quoted in Jim Yardley, ‘India and Pakistan Resume Talks’, *New York Times*, 25 February 2010.

<sup>4</sup> BBC: Soutik Biswas, ‘Why India and Pakistan must talk’, 17 February 2010. <http://www.bbc.co.uk/blogs/thereporters/soutikbiswas/2010/02>. Accessed on 25 February 2010.

<sup>5</sup> Baqir Sajjad Syed, ‘US wants Pak India talks to end tensions’, *Dawn*, 18 February 2010.

the US and enhance its leverage in any consultations with regard to the future of Afghanistan. This was a 'core' interest for Pakistan whose goal in Afghanistan remained two-fold – one, to have installed a friendly government in Kabul that would secure for the Pakistani Army the desired 'strategic depth' in Afghanistan in case of any future conflict with India; and two, to deny India any influence over the future government of Afghanistan. Pakistan also needed another scope to flag to the world the agenda it feels should find a place in any negotiations with India, such as Kashmir, Confidence Building Measures, Siachin, Sir Creek and river waters (included in the 'eight issues' that Pakistan stresses). India, which actually made the offer for the dialogue, was motivated by the desire to underscore "terrorism" as the key issue, and to appear to be a responsible international actor not afraid to talk to neighbours, particularly given its interest in a permanent seat at the United Nations Security Council for which a positive international image is a categorical imperative. Also, Prime Minister Manmohan Singh felt confident and politically secure enough to restart diplomacy, in line with his personal predilections. The Indian side viewed the talks as an opportunity to nudge Pakistan towards progress on follow-up actions to the Mumbai incidents.

Third, there was a genuine burgeoning demand in both countries to resume bilateral talks despite the presence of high misgivings and low expectations. The influential Pakistani newspaper *Dawn* urged: "Looked at from any angle, the problems between India and Pakistan are too serious for them to avoid talking to each other".<sup>6</sup> The Pakistani analyst Hasan Askari also urged talks, though underscoring that "it should not be 'one-dimensional'"<sup>7</sup>, meaning only focused on terrorism, but should be a "composite" dialogue embracing the "eight issues". Former Indian Foreign Secretary Salman Haider said: "It is the right step. There is no other way India and Pakistan can address their issues. This can only fester if they are unaddressed."<sup>8</sup>

However when the talks were about to commence, optimism with regards to the immediate results was not in evidence. Indian officials openly spoke of the "trust deficit."<sup>9</sup> With a degree of suspicion remarkable even for South Asia, the Indian media declared that the Pakistani delegation included a 'physiognomy' expert, who would be able to read the faces of Indian officials and predict what they would actually intend to say!<sup>10</sup> The reference was to the Director General for South Asia at the Pakistan foreign ministry, whose inclusion in the delegation was essential given his responsibility, and his reputation of the ability to foretell the future, deserved or not was obviously irrelevant.

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<sup>6</sup> This and the following quotes in this para are from, Soutik Biswas, op.cit.

<sup>7</sup> BBC News: "South Asia rivals' differing agendas", 23 February 2010.  
[http://news.bbc.co.uk/2/hi/south\\_asia/8528204.stm](http://news.bbc.co.uk/2/hi/south_asia/8528204.stm). Accessed on 25 February 2010.

<sup>8</sup> Jim Yardley, *New York Times*, op.cit.

<sup>9</sup> <http://news.rediff.com/report/2010/feb/24/india-aware-of-trust-deficit-will-clear-the-air...> Accessed on 25 February 2010.

<sup>10</sup> <http://www.rediff.com/news?report/2010/feb/24/face-reader-part-of-pak-delegation-t0-india.htm>. Accessed on 25 February 2010. The official in question was Afrasiab Hashmi, about whom there were some anecdotes with regard to a capacity to foretell the future, which if true, would be an invaluable asset in diplomacy as in other spheres of life. Indeed he is reportedly credited with hinting at the impending death of Pakistani President Zia ul Huq. But the fact was in this case he was a member of the Pakistani delegation because he was the Director General for South Asia in the Islamabad Foreign Office, holding a key position in terms of any talks with India.

## The Outcome

Unsurprisingly, the one-day, four-hour talk between the two Foreign Secretaries, Nirupama Rao of India and Salman Bashir of Pakistan, yielded little in terms of substantive results. Wide differences remained on almost every issue raised by either side. The sheer breadth of the mutual gap was evidenced in the fact that not only was there not a joint statement or communiqué at the end of the meeting, there was also no joint press conferences, with each side convening its own, to proclaim its own success. Rao claimed that “terrorism” was discussed most of the time, and that India had handed over to the Pakistanis three “dossiers”, pertaining to the Mumbai attacks, an *Al-Qaeda*-linked terrorist, and Indian fugitives hiding in Pakistan. Indian sources also listed a set of Pakistani failures; these were the inability to achieve the goals of time-and-result-oriented dialogue, to revive the composite peace-process, to hand over a dossier listing evidence of Indian involvement in the Pakistani tribal areas, and to move India on the issue of the distribution of river waters.<sup>11</sup>

The reaction from Bashir was sharp and erudite. He stated that: “it was unfair, unrealistic, and counter-productive for New Delhi to focus solely on terrorism. Pakistan does not believe India can just lecture us and demand that Pakistan does this and that. I suggest it is important that issues on which Pakistan has concern must be brought into focus”.<sup>12</sup> Rao countered him by asserting that time was not yet ripe for composite talks, though “good chemistry” was achieved between the two sides (sadly, evidence of this was lacking!). She spoke of a “first step towards rebuilding of trust”, concluding with perhaps the only positive element issuing from the dialogue, an agreement to “remain in touch”, by far the most minimal expression of cordiality in diplomacy between parties not at war! According to an observer, Amulya Ganguli: “if the talk about talks (as India saw the dialogue) by Rao and Bashir has vitiated the atmosphere instead of creating favourable conditions for more interactions, the reason is that, a reluctant India was seemingly pushed into it by the US and, second, Pakistan was weighed down by insecurities and complexes.”<sup>13</sup>

Bashir also took time out to meet up with Kashmiri Hurriyat leader Syed Ali Gilani, who afterwards, in his remarks to the media, declared: “Pakistan’s continued political, moral and diplomatic support to the Kashmiri cause.”<sup>14</sup> Bashir’s decision to meet Gilani was obviously not a move designed to elicit friendly reaction from his Indian counterparts, nor to achieve a positive outcome at the official bilateral talks!

In the narrowest sense, however, the talks and their outcome or the lack of it, it, were able to deliver to each party what it desired. Neither India nor Pakistan sacrificed any ‘core’ interests; both were able to flag issues seen as key to each other, as well as to the international community; and both achieved the position to deflect criticism from any quarter, particularly from the US that either was too stubborn to talk to the other. But if the aim was to achieve a substantive “forward movement”, in terms of advancing bilateral understanding and

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<sup>11</sup> *Daily Times*, 26 February 2010.  
[http://www.dailytimes.com.pk/default.asp?page=2010%5C02%5C26%5Cstory\\_26-2-2010](http://www.dailytimes.com.pk/default.asp?page=2010%5C02%5C26%5Cstory_26-2-2010). Accessed on 26 February 2010.

<sup>12</sup> Amy Kaznin, ‘Pakistan urges New Delhi to widen focus on terrorism: It seeks talk on Kashmir’, *Financial Times*, Asia, 26 February 2010.

<sup>13</sup> <http://www.thainindian.com/newsportal/south-asia/india-pakistan-stumble-on-first-step-of-their-talks>. Accessed on 27 February 2010.

<sup>14</sup> *Pakistan Times*, 2 March 2010.

cooperation, it was a total failure. Neither side was ready to, as the author of an excellent curtain-raiser to the talks had urged them, “to cast off the burden of history” and “construct a new relationship.”<sup>15</sup>

### **Recent History of Dialogues**

In the recent past unfortunately whenever there has been some progress in terms of India-Pakistan relations, it has almost immediately been eroded by some incident or the other. The decade of the 1990s were ending on a positive note with the Indian Prime Minister Atal Bihari Vajpayee undertaking a bus journey to Lahore in Pakistan to sign the Peace Declaration. Then suddenly in 1999, the Kargil conflict raised tensions to great heights. The two countries also came to the brink of war with attacks on Delhi’s Red Fort in December 2000 and on the Indian Parliament the following year, both of which were blamed on Pakistan-based militants. A process of détente ensued with them continuing the “composite dialogue” (that actually began in 1998) in 2004 to discuss eight main issues including Kashmir, flowing from back-channel deals initiated by Pakistan’s Pervez Musharraf and India’s Manmohan Singh, which again fell apart with the Mumbai mayhem. In July 2009, Singh had met his Pakistani counterpart Yusuf Raza Gilani in Sharm-el-Sheikh, Egypt. But Pakistanis claim that Singh had alluded to Indian interference in Baluchistan in the Pakistani tribal region (thereby negating a cardinal rule of diplomacy that one should never celebrate the successful scoring of a negotiating point!), embarrassed Singh and left a bitter taste in his mouth.

A retired Indian diplomat, G. Parthasarathy, once observed that India-Pakistan reconciliation is like trying to treat two patients whose only disease is an allergy to each other.<sup>16</sup> Like in all aphorisms, there is an element of exaggeration involved in this observation. There *are* substantive causes that have led to the differences between the two nations, not only since their independence in 1947, but reaching way beyond into history. The challenge now is to identify them, list them in a consensual way, and evolve a mechanism to address them with a view to their resolution. It is all the more necessary now since both have acquired powerful nuclear capabilities apart from maintaining two of the world’s largest conventional forces. True, their new-found nuclear military power may have prevented serious conflict from breaking out.<sup>17</sup>

### **Unstable Deterrence and Consequent Dangers**

But it is also true that the deterrence is extremely unstable, not based on any bilateral agreements (unlike between the US and Russia). The disequilibrium is also the result of India’s focus on China as the principal rival. This has not dissuaded Pakistan from a rapid expansion of capabilities, to seek strategic parity with India, which is also a ‘core’ goal of Pakistan’s India policy. Indeed, at this writing, Pakistan is estimated to have 100 bombs and

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<sup>15</sup> See, Shahid Javed Burki, ‘South Asian Developments: Moving Towards a Détente or Sowing the Seeds of Discord?’ , ISAS Insight No. 91, 24 February 2010 , p. 5

<sup>16</sup> Cited in Stephen Philip Cohen, *Emerging Power: India* (The Brookings Institution, Washington DC, 2001), p.61

<sup>17</sup> Former Indian Army Chief, General Shanker Roychoudhury, said in a seminar in New Delhi in March 2009 that Pakistan’s possession of nuclear weapons prevented India from attacking it on two occasions, one after the terrorist attack on the Indian Parliament, and the other after the Mumbai incident. See, Itekhhar Ahmed Chowdhury, ‘The South Asian Nuclear Genie: Out of the Bottle, It can Be Useful’, ISAS Brief No. 102, April 2009, p.6

counting; over the past eight years Pakistan has tripled its arsenal of nuclear weapons and nuclear weapons material.<sup>18</sup> It is, therefore, an extremely precarious situation, highly vulnerable to accidents and misunderstandings, exacerbated by the volatility of domestic politics.<sup>19</sup>

### **SAARC's Shortcomings**

There is, therefore, no option but to initiate a process of substantive bilateral negotiations to reduce tensions. This cannot be achieved through bureaucratic level discussions on politically extremely sensitive issues. My own impression after prolonged association with the South Asian Association for Regional Cooperation (SAARC) ever since its inception at both official, at first, and, then, Ministerial level, is that the elaborate step-by-step structure of negotiations in SAARC (starting with the Programming Committee comprising Joint Secretaries, then moving on to the Standing Committee of Foreign Secretaries, and thereafter, through the Council of Ministers to the Heads of Government ) is a recipe for failure.

By the time the political masters get to focus on a problem, their hands are pretty much tied by the outcomes of discussions at two preceding bureaucratic layers of Joint Secretaries and Secretaries. This procedure, coupled with the Charter forbidding any contentious political subject has led to a situation where the organisation now is practically on auto-pilot mode. No wonder the real parleys in SAARC now take place in the corridors and margins, rather than in the plenary and councils. Indeed, most of what has been achieved in SAARC has been in the retreats, where the heads meet in informal mode, unassisted by aides, except for the Foreign Ministers. Alas, the retreats are held for much shorter duration now than before, reflecting the current state of intramural relations.

### **New Thinking Needed**

It is, therefore, essential that for India-Pakistan deliberations some thinking out-of-the-box would be necessary. Given the experience illustrated in the preceding paragraph, the best format for discussions would be the heads of government meeting in an informal, retreat mode. They should be left to draw up their own agenda at the first such event, and determine their own programme thereafter.

No third-party mediation is envisaged. In any bilateral diplomatic encounter, the apparently weaker party seeks accretion of strength from a friendly third-party. An example is that just prior to the Rao-Bashir talks, the Pakistani Foreign Minister Shah Mahmood Qureshi had said that China has a "blank cheque" from Islamabad's side to play a role in improving Indo-Pak ties; it drew a quick retort from the Indian Defence Minister A. K. Antony who remarked: "India's basic policy is that we do not want interference from any country in our bilateral talks with Pakistan. We do not believe in any third-party mediation."<sup>20</sup> Clearly the involvement of a third-party in mediation, particularly of one which is powerful with

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<sup>18</sup> Graham Allison, 'Nuclear Disorder: Surveying Atomic Threats', *Foreign Affairs*, January-February 2010, p.79.

<sup>19</sup> As to whether someday Taliban elements or some such wrong hands may gain control of this capability, or of a part thereof, an Indian politician was said to have caustically remarked: "It is not a question of whether these weapons may fall into wrong hands; they *are* in wrong hands!" The observation underscores the prevalent level of distrust.

<sup>20</sup> 'No third-party mediation in Indo-Pak talks: Antony', *Times of India*, 25 February 2010.

perceptibly pro-Pakistan leanings, such as China, would be unacceptable to India (this was not always so, if one recalls the Union of Soviet Socialist Republic (USSR)'s role in the Tashkent Agreement between India and Pakistan in 1966, though USSR's perceived pro-Indian stance was overlooked by President Mohammed Ayub Khan of Pakistan to suit the exigencies of circumstance). The problem is that it leaves Pakistan somewhat insecure, and an insecure partner protagonist in negotiations is not a rational partner.

So, is a compromise possible? Rather than a *mediator*, would both parties accept a *facilitator*, with no role other than to simply grease the process to enable it to move forward? If so, then Bangladesh could perhaps fit the bill. In South Asia, there is a great deal that its three largest countries, India, Pakistan, and Bangladesh, share. Much more than any others in the region, the three have had similar historical experience. Prior to 1947, the three constituted a single political entity. Now they have emerged as three independent sovereign states, each with a democratically elected government. The author believes that within the context of South Asia, India, Pakistan and Bangladesh have commonalities and potentials that could be positively developed and advanced through a policy of 'trilateralism'.<sup>21</sup> Would, then, such a 'soft' role by Bangladesh, just to organise such meetings and simply *facilitate* the forward-movement of the process be acceptable to both the parties? This would help.

## Conclusion

There is no doubt that the peoples of India and Pakistan, share with those of others in the region, including Bangladesh, the goal to "improve the prospects of a better South Asia based on mutual understanding and cooperation",<sup>22</sup> in a new century. For this objective to come to fruition some bold and innovative steps are necessary. In the three-body state-system within South Asia described above, one, India, is preponderantly pre-eminent. This calls for a special responsibility on its part, and which its political leaders have now stressed it will not shy away from. That is great progress.

It is not too difficult to distil from the behaviour-pattern of other nations that what drives their actions and motivations are age-old interests and apprehensions that have ever remained constant. These are coloured by the primordial instinct of negative perceptions of any accretion of power to the larger neighbour. This has always been the case through history. Over two millennia ago the Roman historian Thucydides had written: "When Athens grew strong, there was much fear in Sparta". In the case of South Asia, such fears should not become a paranoia that would deter peace.

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<sup>21</sup> See Iftexhar Ahmed Chowdhury, 'India, Pakistan and Bangladesh: Trilateralism in South Asia', ISAS Brief No. 129, 16 September 2009.

<sup>22</sup> Sugata Bose and Ayesha Jalal, *Modern South Asia: History, Culture, Political Economy*, (Routledge, London and New York, 1998), p. 244.