

Talking Peace and Kashmir—Warily, Under a Nuclear Shadow

By Praful Bidwai | July 6, 2004

Six years after they blasted their way into the Global Nuclear Club and dangerously heightened their mutual rivalry even further, India and Pakistan have begun a wide-ranging bilateral dialogue to resolve disputes and normalize relations. Since the new United Progressive Alliance government led by Manmohan Singh was sworn in six weeks ago, Indian and Pakistani officials have held two rounds of talks.

Most important of all, India and Pakistan have begun talking bilaterally and substantively about Kashmir—for the first time *ever*. On June 27 and 28, they exchanged views and preliminary proposals on the issue “in a cordial and constructive atmosphere, and with the objective of taking the process [of dialogue] forward,” as their *communiqué* put it. They say they are committed to finding a “peaceful negotiated final settlement” to the Kashmir problem.

Although understandably inconclusive at this very early stage, the dialogue on Kashmir marks a big step forward and holds out hopes of resolution of an extraordinarily fraught and complicated dispute which both states associate with the very definition of their nationhood, inseparable from the bloody Partition of 1947, and at least two major wars.

However, it won't be easy for the two South Asian states to end their 57 years-long continuous hot-cold war and reach lasting reconciliation and peace. Resolving an ultra-sensitive problem like Kashmir will need the greatest of acumen and flexibility, indeed statesmanship. The process could be bumpy. Nor will it be easy to defuse the India-Pakistan nuclear rivalry. In fact, the talks are taking place on the assumption that nuclear weapons are a “stabilizing” factor in South Asia and that India and Pakistan can live with them—safely

and securely. As discussed below, this is a gravely, dangerously mistaken notion. Genuine security will come only through nuclear restraint leading to nuclear disarmament.

A New Spirit at the Talks

Of the two rounds of talks, both within the last 10 days of June, the second round, between the two Foreign Secretaries (or chiefs of diplomatic service), was much the more important. Even here, the substantive agreements reached were of a relatively modest nature. Besides restoration of the full strength of embassies, which was cut by 50 percent following a terrorist attack on India's Parliament in December 2001, and re-opening of consulates in Karachi and Mumbai (closed for more than a decade), India and Pakistan only agreed on the early release of civilian prisoners, especially artisanal fisherfolk who inadvertently stray into each other's territorial waters.

But far more important was the fact that they discussed a number of subjects—from peace and security, including nuclear and conventional issues, and regular communication between many tiers of military officers, to better communication links and people-to-people contacts, as well as economic cooperation and trade. Even more important was the spirit of

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bonhomie and good faith in which the two delegations met to review progress in the bilateral dialogue, which began in January when Prime Minister Atal Behari Vajpayee and President Pervez Musharraf met in Islamabad—on the sidelines of the summit of the South Asian Association for Regional Cooperation.

The two Foreign Secretaries expressed “satisfaction over the ongoing process of dialogue and confidence-building” and agreed to discuss by the first half of August the entire range of eight subjects, covered by their “composite dialogue.” The term reconciles the two sides’ different concerns: for Pakistan, the “central” or “core” issue is Kashmir; and for India, peace and security and terrorism are equally important, given the history of Pakistan’s support and sponsorship until late last year of separatist militants in Kashmir and *jihadi* groups elsewhere in India.

How did the dialogue process come about? A number of factors explain it. There is widespread exhaustion in both countries, especially among ordinary people, with constant, unrelenting hostility, with its tremendous toll in human, social and economic costs and the sustenance of ethnic and religious prejudices, which are exploited by right-wing extremists and militarists, who further fuel rivalry. Equally important has been subtle international coaxing in favor of dialogue, especially after the 10 months-long confrontation in 2002, with a million soldiers eyeball-to-eyeball at the India-Pakistan border.

A third factor is U.S. pressure on Pakistan to dismantle its *jihadi* support apparatus. This was primarily directed at Afghanistan and the Taliban—which are the U.S.’s primary targets—but the same infrastructure is shared by anti-India *jihadis* too. And a fourth factor is fear among the Indian leadership, especially after the Iraq war, of inviting external intervention in case there is heightened military rivalry,

state failure and social chaos in the South Asian region. These factors combined with a substantial improvement in the situation in Indian Kashmir after relatively free elections to the state legislature in late 2002 and the beginning of a domestic dialogue process.

Confidence Building Measures

Pakistan and India will probably agree to yet more confidence-building measures (CBMs) both of a military and non-military kind. Perhaps the most important of these would be a bus service between Srinagar and Muzaffarabad, the capitals of the two parts of divided Kashmir. The bus would allow people to travel across the contentious Line of Control. That

could generate tremendous confidence among the Kashmiris about the possibility of finding a solution to a vexed problem, in which process they would have a role. At the moment, the exploratory talks on this bus are stuck on the issue of what kind of papers passengers must carry—whether passports (the Indian position) or United Nations documents (Pakistan).

Already, the two governments have agreed on a raft of CBMs, which India proposed last October, including rail links, return of ambassadors withdrawn in 2002, restoration of hotlines between their respective Directors General of Military Operation, and not least, a ceasefire. Following this, back-channel contacts were established, which produced the breakthrough agreement of January to start a comprehensive “composite dialogue.”

While these CBMs are all unconditionally welcome, this cannot be said of the nuclear and missile-related measures India and Pakistan agreed on June 21. These essentially restate what was agreed in Lahore in 1999, where India and Pakistan held their first summit after the nuclear tests of 1998. The CBMs fall

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well short of the minimum that is necessary to promote security in this strife-ridden region, where there is no strategic distance worth the name between its two biggest powers. The minimum must include an agreement never again to test, and not to deploy, nuclear weapons, and to put a moratorium on missile test-flights at least for two to three years.

This is essential because the gravest nuclear danger that India-Pakistan face is the potential *use* of nuclear weapons, whether by intent or accident. This danger is not imaginary. The two have come close to the brink of a nuclear confrontation at least three times since 1998: during the Kargil conflict of 1999 in Jammu and Kashmir (when Pakistan apparently got nuclear-tipped missiles ready), and in January and June 2002, when one million soldiers eyeballed one another.

Reducing Nuclear Dangers

The only way of reducing this danger is to agree to keep nuclear warheads *separated* by a substantial distance from delivery systems (missiles, aircraft, ships, etc.). Once nuclear weapons are deployed in the field, there is a definite risk that they might be used—unauthorizedly, unintentionally, or by design.

In place of non-deployment, India and Pakistan only agreed to paltry Nuclear Risk-Reduction Measures (NRRMs), like continuing with their “unilateral” moratoria on nuclear test explosions, and establishing a “dedicated and secure” hotline between their Foreign Secretaries and to upgrade the existing hotline between their Directors General of Military Operations. But the two Foreign Secretaries are not the key decision-makers in nuclear-military matters. They can at best act as conveyors of information to the political leadership.

Equally significant, the agreed nuclear-test moratorium clause takes away with one hand what the other

hand has given. Either side will resume testing if it considers it necessary to do so in “the supreme national interest.” The Comprehensive Test Ban Treaty contains an identical Article (number 9) which allows for withdrawal from the treaty on similar grounds. But India and Pakistan refuse to sign it.

Second, there is an urgent need to halt the unremitting missile race between India and Pakistan. Once medium- and long-range missiles are fully developed and deployed, the likelihood of their use becomes high—*unacceptably* high in South Asia. This is because missile flight-time between some of their major cities is as little as 3 to 8 minutes—too little to clear misperceptions, prevent unauthorized use, or take other corrective action before disaster strikes.

Yet, both have test-flown many types of missiles at frequent intervals. Indeed, Musharraf has just announced that a “big missile” will be tested by Pakistan within two months. India too is developing an array of missiles, including one with a range of 3,000-plus kilometers as part of increasing its own power projection capabilities beyond South Asia. This missile race could prove dangerously destabilizing.

Kashmir

Kashmir is a tricky issue. Both India and Pakistan have indicated that they are willing to move away from their stated positions: India is, minimally, for the status quo, and maximally, lays claim to the whole of the former princely state of Jammu and Kashmir; and Pakistan wants the implementation of a half-century-old UN Security Council resolution for a plebiscite in Kashmir. But they have not yet explored the full range of options and possibilities.

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Kashmiri people, is the creation of a “soft” border between the two sides of Kashmir, with full freedom of movement of people and goods across it. Under this solution, the two parts of Kashmir would be granted exceptional autonomy by India and Pakistan, which would jointly guarantee their security, besides trade and transit.

It may be premature to talk of any “formula,” leave alone a cut-and-dried one. But the time has come to explore various possibilities on Kashmir, on smaller border disputes, including Siachen Glacier (where India and Pakistan fight the world’s highest-altitude conflict, over boundary demarcation), trade and economic cooperation, and on freer visa regimes which promote people-to-people interactions.

This last factor must not be underestimated. There is tremendous support for civil society exchanges in both countries. People-to-people contacts—with over 100 civil society delegations crossing the border in the past six months—were crucial to producing and sustaining the thaw. That is where a major source of hopes lies.

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Published by Foreign Policy In Focus (FPiF), a joint project of the Interhemispheric Resource Center (IRC, online at www.irc-online.org) and the Institute for Policy Studies (IPS, online at www.ips-dc.org). ©2004. All rights reserved.

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Recommended citation:

Praful Bidwai, “Talking Peace and Kashmir—Warily, Under a Nuclear Shadow,” (Silver City, NM & Washington, DC: Foreign Policy In Focus, July 6, 2004).

Web location:

<http://www.fpif.org/commentary/2004/0407kashmir.html>

Production Information:

Writer: Praful Bidwai

Editor: John Gershman, IRC

Layout: Chellee Chase-Saiz, IRC

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